

THE
Punjab Legislative Assembly
Debates.

From 21st March to 11th April 1938.

Vol. IV.

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 Sikandar 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 Malik Khizar Hayat 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).
- ✓ Rai Bahadur Chaudhri Sham Lal (West Multan Division, General-Rural).

PARLIAMENTARY PRIVATE SECRETARIES—CONCLUDED.

- ✓ 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).
- ✓ Badar-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, Urban).
- ✓ Bhagat Ram Choda, Lala (Jullundur, General, Rural).
- ✓ Bhagat Ram Sharma, Pandit (Kangra West, General, Rural).
- ✓ Bhagwant Singh, Rai Sahib (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 Lall, 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).
- ✓ Duni Chand, Mrs. (Lahore City, Women, General).

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-Lient. 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 Bahadur Nawab Chaudhri, O.B.E. (Gujrat East, Muhammadan, Rural).
- ✓ Fazal Din, Khan Sahib Chaudhri (Ajnala, Muhammadan, Rural).
- ✓ Fazal Karim Bakhsh, Mian (Muzaffargarh Sadar, Muhammadan, Rural).
- ✓ Few, Mr. E. (Anglo-Indian).
- ✓ 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).
- ✓ Harnam Singh, Captain 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).

MEMBERS—CONTINUED.

- ✓ Jāhangir Khan, Chaudhri (Okara, Muhammadan, Rural). (Up to 9th April, 1938).
- ✓ Jatal-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, B.A., LL.B. (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 Badhshah, 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 Azam Khan, Sardar (Dera Ghazi Khan North, Muhammadan, Rural).
- ✓ Muhammad Hassan, Chaudhri (Ludhiana, Muhammadan, Rural).
- ✓ Muhammad Hassan Khan Gurehani, 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).

MEMBERS—CONTINUED.

- ✓ Muhammad Ittikhar-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).
- ✓ Muhammad Raza Shah Jeelani, Makhdumzada Haji Sayed (Shujabad Muhammadan, Rural).
- ✓ Muhammad Saadat Ali Khan, Khan Sahib Khan (Samundri, Muhammadan, Rural).
- ✓ Muhammad Sarfraz Khan, Chaudhri (Sialkot North, Muhammadan, Rural).
- ✓ Muhammad Sarfraz Khan, Raja (Chakwal, Muhammadan, Rural).
- ✓ Muhammad Shafi Ali Khan, Khan Sahib Chaudhri (Rohtak, Muhammadan, Rural).
- ✓ Muhammad Wilayat Hussain, Jeelani, Makhdumzada Haji Sayed (Lodhran, Muhammadan, Rural).
- ✓ Muhammad Yasin Khan, Chaudhri, B.A., LL.B. (North-West Gurgaon, Muhammadan, Rural).
- ✓ Muhammad Yusuf Khan, Khan, B.A., LL.B. (Rawalpindi Sadar, Muhammadan, Rural).
- ✓ Mukand Lal Puri, Rai Bahadur 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, Qazilbash 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, Rana (Hoshiarpur West, Muhammadan, Rural).
- ✓ Nauniyal 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).

MEMBERS—CONCLUDED.

- ✓ 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).
- ✓ Ram Narain Virmani, Seth (Lyallpur and Jhang, General, Rural).
- ✓ Ram Sarup, Chaudhri (Rohtak Central, General, Rural).
- ✓ Ranpat, Chaudhri (Karnal North, General, Rural).
- ✓ Rashida 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).
- ✓ Sahib Ram, Chaudhri (Hissar North, General, Rural).
- ✓ 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 Lal, Rai Sahib Lala (North Punjab, Non-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.

- ✓ Mr. M. Sleem, Barrister-at-Law.

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PUNJAB LEGISLATIVE ASSEMBLY

2ND SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Monday, the 21st March, 1938.

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

OATH OF OFFICE.

The following member was sworn in :—

✓ **Chaudhri Sahib Ram** (Hissar North, General, Rural).

THE PUNJAB CONTROL OF PUBLIC UTILITY SERVICES BILL.

Premier : I think that the House will be glad to know that it is no longer necessary to proceed with the present Bill. The Company concerned has already intimated its desire to come to an agreement with the Government and they have put forward proposals which have been accepted by Government. Therefore the Bill in its present form would be unnecessary. I may have to bring in another Bill in a more general form later on, if Government considers it necessary to clarify the position. But so far as this Bill is concerned....

S. Hari Singh : But it should be better drafted.

Premier : As my honourable friend knows the present Bill was hurriedly drafted in order to meet a sudden contingency and that contingency no longer exists and it is no longer necessary to move that Bill.

The Assembly then adjourned till 2 p. m.

The Assembly re-assembled at 2 p.m., Mr. Speaker in the chair.

STARRED QUESTIONS AND ANSWERS.

ACHHUTS IN THE PUBLIC WORKS DEPARTMENT.

***2163. Seth Kishen Dass :** Will the Honourable Minister of Public Works be pleased to state whether answer to my starred question No. 1159¹ asked in the last session of the Assembly, is now ready ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : The answer has since been given and is as follows :—

Achhuts are adequately represented in the inferior appointments but no *Achhut* has yet been appointed to a superior post for the simple reason that none of them was available. Government is, however, quite prepared to appoint *Achhuts* in superior posts if suitable candidates are forthcoming.

ACHHUTS IN BUILDINGS AND ROADS BRANCH.

***2164. Seth Kishen Dass :** Will the Honourable Minister of Public Works be pleased to state whether answer to my question No. 1169² (starred) asked in the last session is now ready ?

¹ Vol. II, page 509.

² Vol. II, pages 512-13.

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : The answer has since been given and is as follows :—

- (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, 1938, on pages 18—21 of which this information is given.
- (b) Will the honourable member kindly refer to the reply given to question No. *1159¹? (Prepage.)

UNQUALIFIED HAKIMS AND VAIDS.

***2165. Master Kabul Singh :** Will the Honourable Minister of Education be pleased to state—

- (a) whether Government is aware that there are a large number of unqualified hakims, vairs and doctors in this province ;
- (b) the measures Government propose to adopt to protect the people of this province from these unqualified physicians ?

The Honourable Mian Abdul Haya : (a) and (b) The attention of the honourable member is drawn to the reply given to question No. *477².

ADVISABILITY OF CONTINUING THE DEMONTMORENCY COLLEGE, SHAHPUR.

***2166. Master Kabul Singh :** Will the Honourable Minister of Education be pleased to state—

- (a) the total population of Shahpur and the percentage of literacy in the population ;
- (b) the number of primary, middle and high schools in the Shahpur district ;
- (c) the total number of students reading in the F.A. and B.A. classes in the deMontmorency College and the number of professors in that institution ?

The Honourable Mian Abdul Haya :

<i>The Mohammedan Minority, Madras Presidency</i>						
(a)	(i) Population—					
	Males	..	..	..	..	445,836
	Females	..	..	..	..	375,654
				Total	..	821,490
	(ii) Percentage of literacy in the population—					
	Boys	..	..	..	..	7.07
	Girls	..	..	..	..	1.6
				<i>Boys.</i>	<i>Girls.</i>	<i>Total.</i>
(b)	(i) Primary	..	..	216	81	297
	(ii) Middle	..	..	140	4	144
	(iii) High	..	..	15	1	16
				371	86	457

¹Vol. II, page 509.

²Vol. I, page 1541.

(c) There are 90 and 82 students reading in the F. A. and B. A. classes respectively and the strength of the teaching staff is seventeen.

PROPORTION OF THE GHRI, BAHTI AND CHAHNG IN CERTAIN SERVICES.

***2167. Rai Sahib Lala Gopal Dass :** Will the Honourable Minister of Revenue be pleased to state—

(a) the proportion of the Ghrit, Bahti and Chahng, the three notified agricultural communities chiefly inhabiting Kangra, Hoshiarpur and Gurdaspur districts, and also of the Rajputs, Khatri, Mahajans and Brahmins of the said three districts among the total number of Patwaris, Kanungos, Naib-Tahsildars and Tahsildars, among the Head Clerks and Clerks in the offices of the Forest Department, among Forest Guards, Assistant Rangers and Rangers and also among clerks and peons in the offices of the Deputy Commissioners in the above-mentioned three districts ;

(b) whether it is a fact that the attention of the authorities was sometime ago drawn by the Kashatrya-Ghrit-Bahti-Chahng Maha Sabha to the inadequate representation of the three first named tribes among the services mentioned in (a) above in the said three districts ; if so, the action taken so far or intended to be taken on that representation ?

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

Rai Sahib Lala Gopal Das : Do I understand that backward communities are not to be represented anywhere ?

Minister : I cannot usefully add to what I have said. But if the honourable member is prepared to bring any case of disproportionate representation to my notice I shall be glad to look into the matter, provided he does so in an informal way.

Diwan Chaman Lal : Which is the backward community which the honourable member is referring to ?

Minister for Public Works : Ask the questioner.

Rai Sahib Lala Gopal Das : Does it follow that I am not to ask any question? If no answer is to be given what is the purpose of asking any question?

PROPORTION OF THE GHRI, BAHTI AND CHAHNG IN CERTAIN SERVICES.

***2168. Rai Sahib Lala Gopal Dass :** Will the Honourable Premier be pleased to state—

- (a) the proportion of the Ghrit, Bahti and Chahng, the three notified agricultural tribes chiefly inhabiting Kangra, Hoshiarpur and Gurdaspur districts and also of the Rajputs, Khattris, Mahajans and Brahmins of the said three districts among the total number of clerks and head clerks in the offices of the Police Department, among constables, head constables, Sub-Inspectors and Inspectors of police and in the establishment of Civil and Criminal Courts all in the above-mentioned three districts ;
- (b) whether it is a fact that attention of the authorities was, sometime back, drawn by the Kashatriya-Ghrit-Bahti-Chahng Maha Sabha to the inadequate representation of the three first named tribes among the services mentioned in (a) above in the said three districts ; if so, the action taken so far or intended to be taken on that representation ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : (a) 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.

(b) No representation on this subject appears to have been received but in any case Government cannot be expected to allocate shares in the services on the basis of castes and sub-castes.

Diwan Chaman Lall : May I ask whether there is any liaison between the Honourable Minister's departments and the departments of the Honourable Minister for Revenue in regard to answering questions of this particular nature ?

Parliamentary Secretary : The result is the same.

Diwan Chaman Lall : One Department is willing to answer questions of a particular nature while the other is not, may I ask whether this is the state of unity that prevails in the Cabinet ?

Parliamentary Secretary : The result is the same, the form may be different.

PROPORTION OF THE GHRI, BAHTI AND CHAHNG IN CERTAIN SERVICES.

***2169. Rai Sahib Lala Gopal Dass :** Will the Honourable Minister of Development be pleased to state—

- (a) the proportion of the Ghrit, Bahti and Chahng, the three notified agricultural tribe chiefly inhabiting Kangra, Hoshiarpur and Gurdaspur districts and also of the Rajputs, Khattris, Mahajans and Brahmins of the said three districts among the total number of Beldars, Makaddams, Agricultural Assistants of both A and B classes among clerks and Head Clerks in the

offices of the Co-operative Credit Societies, among Sub-Inspectors and Inspectors of Co-operative Credit Societies, among clerks and head clerks in the offices of the Veterinary Department and among Veterinary Assistants, Veterinary Assistant Surgeons and Veterinary Inspectors all in the above-mentioned three districts;

- (b) whether it is a fact that the attention of the authorities was, sometime back, drawn by the Kashatriya-Ghrit-Bahti-Chahng Maha Sabha to the inadequate representation of the three first named tribes among the services mentioned in (a) above in the said three districts; if so, the action so far taken or intended to be taken on that representation?

The Honourable Chaudhri Sir Chhotu Ram : I regret that Government cannot undertake to collect the information asked for in the question.

Rai Sahib Lala Gopal Das : I am surprised to find that while resolutions of this nature can be tabled and discussed questions cannot be answered.

Mr. Speaker : That is an argument.

Khawaja Ghulam Samad : How are then the grievances of under-represented classes to be removed, if these questions are to be disallowed?

PATWAR SCHOOL AT KANGRA AND NUMBER OF GHRIITS ADMITTED
IN THE SCHOOL.

***2170. Rai Sahib Lala Gopal Dass :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the number community-wise of patwar candidates allowed to join the patwar school opened in the Kangra district in April, 1937;
- (b) whether it is a fact that even after repeated requests to the officers concerned by the representatives of the Ghrits a major agricultural tribe in the Kangra district quite an inadequate number of Ghrits was allowed to join that school that year; if so, the reasons therefor?

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

But I may add for the information of Khawaja Ghulam Samad in relation to the enquiry he made *re* the last question that if he were to see the last portion of the reply, he will find that I shall always be prepared to examine particular instances of disproportionate representation which honourable members may bring to my notice in a more informal manner (ear).

Nawab Khan Shah Nawaz Khan : On a point of information. Was this convention to which the Honourable Minister referred made by this House ?

Mr. Speaker : No.

Diwan Chaman Lall : What is a point of information ? Is there any rule by which an honourable member can rise to what he calls a point of information ? I can understand an honourable member rising to a point of order, but what is this point of information ?

Khawaja Ghulam Samad : May I ask that this point should be discussed on the floor of this House, I mean the point of making this convention ?

THEFT CASES IN CHINIOT.

***2171. Mian Sultan Mahmud Hotiana :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that the cases of thefts have recently increased in Chiniot in the Jhang district ;
- (b) the number of cases of theft reported to the police at police station, Chiniot, during the last six months and the number of those among them that were traced ;
- (c) whether it is a fact that the local police have succeeded in tracing very few cases of thefts reported to them ; if so, the special steps, if any that the Government proposes to take to improve this state of affairs at Chiniot ?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (c) No.

(b) Twelve cases of theft were reported at the Chiniot police station during the second half of 1937. Nine of these have resulted in conviction. One case is still pending. Only two cases were untraced.

CLAIMS OF MUSLIMS FOR POST OF PUBLIC PROSECUTOR AT LAHORE.

***2172. Mian Sultan Mahmud Hotiana :** Will the Honourable Finance Minister be pleased to state whether it is a fact that no Muslim has been appointed to the post of Public Prosecutor at Lahore for a long time ; if so, whether Government intend to consider the claims of a suitable Muslim for the vacancy to be caused on the retirement of Rai Bahadur Jawala Parshad, Public Prosecutor, Lahore, or in the consequential arrangements ?

The Honourable Mr. Manohar Lal : First part. No.

Second part. Does not arise.

DEMONSTRATION ORGANISED FOR RELEASE OF HUNGER-STRIKERS ON 24TH JANUARY, 1938.

***2173. Mian Sultan Mahmud Hotiana :** Will the Honourable Premier be pleased to state whether it is a fact that on the 24th January the demonstrators outside the Assembly Chamber who organised demonstration for the release of hunger-strikers threw brickbats at the police causing injuries to the constables and called names to responsible Government officials ; if so, whether Government have taken any action against the mischief-mongers, if not, why not ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : First part. Yes.

Second and third parts. No. A case under section 147, Indian Penal Code, was registered by the police, but was finally dropped.

Mian Sultan Mahmud Hotiana : Are not the Fatehwal incidents the result of the leniency shown in this case ?

Parliamentary Secretary : No. I do not think that it can be considered to be the consequence of the dropping of this case.

FORFEITED PROPERTY OF AMIR HAIDAR, A STATE PRISONER.

***2174. Sardar Rur Singh** : Will the Honourable Premier be pleased to state—

(a) whether it is a fact that Amir Haidar, a state prisoner, was released on 12th February, 1938, from the Ambala Jail ;

(b) whether it is a fact that Amir Haidar's property has been forfeited ;

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

(d) the details of the forfeited property and the name of the person who bought and possesses the property at present ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : (a) Yes.

(b), (c) and (d) This is a matter which concerns the Government of the United Provinces.

Sardar Rur Singh : Has he got any property in the United Provinces and none in the Punjab ?

Parliamentary Secretary : He had property in the Punjab but that was attached to the Crown but the Punjab Government had nothing to do with the attachment order.

Sardar Rur Singh : Is the Punjab Government prepared to enquire as to what property has been confiscated and who is possessing it at present ?

Parliamentary Secretary : It is not possible to give the details of the property but I can inform the honourable member that this property was attached in July 1930.

Diwan Chaman Lall : May I ask the honourable member whether under the law as it exists the Punjab Government can return this property to Amir Haidar or not.

Parliamentary Secretary : It does not arise.

Diwan Chaman Lall : May I ask the honourable member whether the Punjab Government has considered the possibility or likelihood of returning this property to Amir Haidar ?

Parliamentary Secretary : It does not concern the Punjab Government since the property was not attached under the orders of the Punjab Government.

Diwan Chaman Lall : The honourable member says that the Punjab Government does not consider itself capable of taking this action, therefore, they must have taken legal opinion in the matter. May I ask what is the legal opinion that they have taken ? I do not think the legal position is as they state it to be.

Pandit Muni Lal Kalia : Is not this state prisoner a Punjabi ?

Parliamentary Secretary : Yes, he belongs to Rawalpindi district.

Pandit Muni Lal Kalia : Does not the Government feel concerned in him so far as the return of his property and his release are concerned ?

Parliamentary Secretary : That has nothing to do with the original question.

JAMADARS AND CHAPRASSIS EMPLOYED IN OFFICES OF THE PUNJAB CIVIL SECRETARIAT.

***2175. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Premier be pleased to state—

- (a) the number of Jamadars and Chaprassis employed in the offices of the Punjab Civil Secretariat and the number of those among them who have completed their period of service and have been granted extension in their service with the period for which extension has been granted to each of them ;
- (b) whether by these extensions the promotion of junior Chaprassis has been affected ; if so, what action Government propose to take in the matter ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :
 (a) There are 12 Jamadars and 94 Chaprassis in the Punjab Civil Secretariat. There is no fixed superannuation age for inferior Government servants : the practice hitherto has been to retain them in services so long as they continue fit to discharge their duties efficiently. No question, therefore, arises of extensions of service.

(b) Does not arise.

***2176. Cancelled.**

LICENCES FOR FIRE ARMS.

***2177. Sardar Lal Singh :** Will the Honourable Minister for Revenue be pleased to state the number of fire arms licences in respect of (i) guns and rifles and (ii) in respect of revolvers and pistols granted in the province during the period between 31st March, 1937 and 31st December, 1937, respectively, and the total number of fire arm licences used in the province up to 31st December, 1937 ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : The returns showing new licences issued between the 31st March, 1937 and the 31st December, 1937, have not yet been received. The total number of arms

licensed in the Punjab during the year ending the 31st December, 1936, was :—

Rifles.	Revolvers and pistols.	Breech loading guns.	Muzzle loading guns.
3,463	5,233	30,908	10,347

Sardar Lal Singh : Will the honourable member please state whether there has been any increase or decrease in the number of licences issued since the new Government came into power.

Parliamentary Secretary : I want notice for this question. I have already stated that figures for the period 31st March, 1937, to 31st December, 1937, are not ready.

ACTION TAKEN AGAINST GOVERNMENT SERVANTS WHO PARTICIPATED IN THE ASSEMBLY ELECTIONS.

***2178. Khawaja Ghulam Samad :** Will the Honourable Premier be pleased to state whether any inquiry was instituted and action taken against any Government servants who took active part in canvassing in the general elections and bye-elections to the Punjab Legislative Assembly, in contravention and defiance of the Government orders and against whom complaints were made by the candidates in writing ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : I regret that the answer to this question is not yet ready.

STATISTICS REGARDING ESTABLISHMENT UNDER CERTAIN DISTRICT OFFICERS IN AMBALA DIVISION AND KANGRA AND HOSHIARPUR DISTRICTS.

***2179. Khawaja Ghulam Samad :** Will the Honourable Minister of Revenue be pleased—

(a) to supply statistics in the following form with respect to candidates (clerical and menial) enlisted by the deputy commissioners, senior sub-judges, judges, small cause courts and the district and sessions judges for the last ten years in the Ambala division and Hoshiarpur and Kangra districts ; name and rank of officer enlisting the candidates, name of district Hindus (agriculturist, non-agriculturist), Muslims (agriculturist, non-agriculturist), Sikh (agriculturist, non-agriculturist) ;

(b) also to lay on the table a statement showing in the following form the establishment under the control of the officers mentioned in part (a) above in the Ambala division and Hoshiarpur and Kangra districts, designation of official, name of district, post held by him, Hindu, Sikh, Muslim ?

The Honourable Dr. Sir Sundar Singh Majithia : Government considers that the labour and time involved in collecting the information would be out of all proportion to the importance of the question asked.

Khawaja Ghulam Samad : It means that no question should be asked.

Mian Abdul Rab : On a point of order. May I ask whether the convention that no question relating to communal matters can be asked in this House, could be set up without consulting all members of this House?

Mr. Speaker : I have not quite followed the honourable member's point.

Mian Abdul Rab : Let me make myself more clear. What I wished to say was whether a convention, of which a reference has been made, that the Government would decline to answer questions relating to communal matters on the floor of this House, could be set up without consulting all members of this House. Could this convention be set up like this?

Mr. Speaker : I am not quite sure whether the Honourable Revenue Member was legally correct to call it a convention. What I can say is that it is in the power of a Minister to refuse to answer a question if he does not consider in the public interest to answer it. As questions on communal matters create bitter feelings and heat, he probably meant to say that answers to questions on communal matters were not to be given in the public interest. The Honourable Member may call it a convention.

Mian Abdul Rab : But this very House is established on communal lines.

Pandit Shri Ram Sharma : Has the Government given up the idea of communal representation in the public services?

Mr. Speaker : That question does not arise. It is not a supplementary question.

Khawaja Ghulam Samad : Reply to my question was that lot of time and energy was required to answer this question.

Mr. Speaker : That also amounts to saying that it is not in the public interest that so much expenditure should be incurred in collecting information for answering the question.

Khawaja Ghulam Samad : But the question was given notice of thinking that it was in the public interest.

Mian Abdul Rab : I want to know whether it is not for you, Mr. Speaker, to decide whether a certain matter is in the public interest or not?

Mr. Speaker : No, the sole judge of it is the Minister himself.

Khawaja Ghulam Samad : Without assigning any reason?

Mr. Speaker : Yes, without assigning any reason. (*Laughter*).

BOAT BRIDGE ACROSS RIVER BEAS NEAR DEHRA GOPIPUR,
DISTRICT KANGRA.

***2180. Pandit Bhagat Ram Sharma :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that there is only a boat bridge at Dehra Gopipur in district Kangra across the river Beas on Hoshiarpur-Dharamsala Road, which is suspended during rainy season;

(b) whether the question of constructing a pacca bridge on this river was taken up by the previous Government and estimates of expenditure were prepared ;

(c) if so, what action the Government intends to take in this behalf ?

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

(b) and (c) The question of constructing a road from Jowala Mukh to Hamirpur, which included a suspension bridge over the river Beas a Nadaun was considered by Government in the year 1936, but as the work is not of such urgency as to take precedence of more important projects, it has not been included in the road programme which is under consideration of Government.

Pandit Bhagat Ram Sharma : My question was about a boat bridge across river Beas near Dehra Gopipur. Will the Honourable Minister kindly give me answer about that? I did not ask any question about Nadaun bridge.

Minister : Is there any harm if I have given you complete information?

Diwan Chaman Lall : Address the Chair.

Pandit Bhagat Ram Sharma : I am seeking information with regard to a bridge near Dehra Gopipur.

Minister : I have given all the information.

Diwan Chaman Lall : Is the honourable member in order in using the term 'you'? You ruled that no honourable member should use the expression 'you.'

Minister : I was addressing you, Sir.

Pandit Bhagat Ram Sharma : Is there any scheme under the consideration of the Government to construct a bridge near Dehra Gopipur ?

Minister : There is nothing to add to what I have stated.

Pandit Bhagat Ram Sharma : But you have stated about Nadaun ?

Rai Sahib Lala Gopal Das : Is it in the public interest not to answer that question ?

Pandit Bhagat Ram Sharma : Is the Honourable Minister aware that due to suspension of bridge great inconvenience is caused to the public during the rainy season and the traffic and trade is altogether cut off between the two districts ?

Minister : There are hundreds of similar places in the Punjab. I wish we had funds to build all these bridges.

FERRY CHARGES FOR CROSSING RIVER BEAS IN KANGRA DISTRICT.

***2181. Pandit Bhagat Ram Sharma :** Will the Honourable Minister of Public Works be pleased to state—

(a) whether it is a fact that there are no bridges on river Beas in district Kangra and the only means of crossing the river are ferries ;

[Pandit Bhagat Ram Sharma.]

(b) whether it is a fact that ferry charges are six pies per head for each crossing and six pies extra for luggage weighing over 5 seers ;

(c) whether the ferry charges were three pies per head previously with no extra charge for luggage ;

(d) if answer to part (c) above be in the affirmative, reasons for increasing these ferry charges and whether the Government intends to reduce them ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) No. There are some bridges on Beas river in the Kulu Valley of the Kangra district. Further down there is the Boat bridge at Dehra Gopipur in charge of the District Board which is dismantled during the summer when crossing is effected by means of ferry boats.

(b) Yes, the ferry charges are six pies per head for each crossing. The rate for luggage, however, is 6 pies per head load exceeding 15 seers and 6 pies for every 20 seers of goods or fraction thereof.

(c) No. The ferry charges previously in force were 6 pies per head for passengers and every head load not accompanied by the coolie who carried the load to the ferry was charged for separately at the rate of 6 pies per head load.

(d) Does not arise.

COMPENSATION FOR DAMAGE BY THE INDUS DUE TO CONSTRUCTION
OF A WEIR.

***2182. Khan Bahadur Captain Malik Muzaffar Khan :** Will the Honourable Minister of Revenue be pleased to state whether the Government intends to compensate the inhabitants of the kacha area of the Bhakkar tahsil in Mianwali district, whose lands and wells have been damaged by the diversion of the course of the river Indus due to the construction of a weir across its western portion near Paharpur in district Dera Ismail Khan ; if not, reasons for the same ?

The Honourable Dr. Sir Sundar Singh Majithia : I regret that the answer to this question is not yet ready. It will be supplied to the honourable member when ready.

LESSER THALL CANAL PROJECT.

***2183. Khan Bahadur Mian Mushtaq Ahmad Gurmani :** With reference to the resolution passed by the Punjab Legislative Council on the 27th February, 1936, with regard to the Lesser Thall Canal Project and the reply given by the Government, will the Honourable Minister of Revenue be pleased to state—

(a) whether the officer on special duty said to have been appointed to examine the project, has submitted his report ;

(b) if so, will the Government please state the result of his finding regarding the financial prospects of the project and the suitability of the soil ;

- (c) will the Government place a copy of the report on the table of the House ;
- (d) what further action the Government has taken in the matter ;
- (e) when the Government proposes to start the construction of this project ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes. The project has been prepared.

(b) The project is estimated to pay between 5 and 6 per cent. The soil was examined by inspection in every ten acre rectangle in 1922-24 and the various classes of soil recorded. The project takes account of the soil recorded as good. No further soil survey has yet been done pending the examination referred to under (d).

(c) The project estimate and report has not been printed.

(d) The project is under examination of the other two Chief Engineers in the Irrigation Department and their report is awaited.

(e) Government has no definite date for starting this project.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : May I ask the Minister to specify the time when the report will be ready ?

Minister : It is very difficult to give the exact date. The project report is ready and is being vetted by the Chief Engineer : I cannot say when it will come to me.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Is it the usual course that such projects are submitted to the Chief Engineer for examination or was it done only in this case ?

Minister : I think it is the usual course.

MASTER DALIP SINGH, BABAR AKALI PRISONER.

***2184. Master Kabul Singh :** Will the Honourable Finance Minister be pleased to state—

- (a) whether it is a fact that Master Dalip Singh, Babar Akali prisoner, has been suffering from T. B. for a long time ;
- (b) Dalip Singh's condition of health, the jail he is now confined in and his present weight ?

The Honourable Mr. Manohar Lal : (a) Dalip Singh was treated as a case of tuberculosis from the 20th December, 1936, until February, 1937, when he was declared to be in the post tubercular gang. He does not show any active signs of disease, and there are no abnormal physical signs in his chest.

(b) His present state of health is good. He is confined in the Old Central Jail, Multan, and his weight is 116 lbs.

Sardar Hari Singh : May I ask the Minister to state whether the patient was X-rayed and whether there was any trace of the disease ?

Minister : I am not in a position to say whether he was X-rayed—probably it was done.

Sardar Hari Singh : Is he quite sure that he is free from T. B. ?

Minister : That is my report.

Sardar Hari Singh : May I ask what stage of T. B. he was suffering when T. B. signs were found ?

Minister : It appears he was suffering from T. B. for some time ; he is now free from the T. B. taint.

Sardar Hari Singh : May I ask the Minister to state what is the meaning of the expression 'post tubercular gang' ?

Minister : The expression is quite simple. 'Post T. B. gang' indicates a stage where a person can no longer be regarded as in a T. B. condition. Post T. B. means after the attack of T. B. is over. He belongs now to a class of persons who were once suffering from T. B. but are now declared to be no longer so suffering.

Sardar Hari Singh : May I ask if he is quite sure there is no danger of his relapsing into T. B. ?

Minister : There does not appear to be any such danger but relapse is always a possibility.

EXPENSES ON RURAL UPLIFT BLOCK, ETC., IN THE ALL-INDIA
EXHIBITION HELD IN LAHORE.

***2185. Dr. Sant Ram Seth :** Will the Honourable Minister of Development be pleased to state—

- (a) the expenses incurred by Government for setting up the rural uplift block with material in the last exhibition held at Lahore ;
- (b) whether or not tenders were called from the contractors before setting up the said block ;
- (c) whether it is a fact that the said block was sold with material after the exhibition was over ; if so, the highest final tender submitted and whether he will please lay all the tenders received on the table of the House ;
- (d) also the expenses incurred by Government for setting up the block for the Public Health Department especially the Model House ;
- (e) whether the Model House was sold ; if so, for how much ?

The Honourable Chaudhri Sir Chhotu Ram : The questions raised involve matters under the control of two ministries and I regret that my enquiries are not yet complete.

Pandit Muni Lal Kalia : From which other source was the enquiry made ?

Minister : From the Minister in charge of Education.

Pandit Muni Lal Kalia : What was his reply ?

Minister : I have not received a reply so far.

Pandit Muni Lal Kalia : Was any reminder sent ?

PUBLIC PROSECUTORS.

***2186. Rai Hari Chand :** Will the Honourable Minister for Finance be pleased to state—

- (a) the number of Public Prosecutors in the province and the number of those among them who belong to the statutory agricultural tribes ;
- (b) whether there is any among them who is a Hindu Rajput ;
- (c) what step Government propose to take to give Hindu Rajputs their due representation in this cadre ?

The Honourable Mr. Manohar Lal : (a) 29, of whom 13 belong to statutory agricultural tribes.

(b) No.

(c) Government cannot undertake to arrange representation for particular tribes and castes.

Rai Sahib Lala Gopal Das : On a point of order. May I know why answer to my question was refused : this is a similar question and the answer has been given. I think you should intervene in the matter and the Minister should say something in reply.

Mr. Speaker : I see the honourable member's point, but I wish he could refer me to some law or rule under which I can take the desired action.

Premier : May I point out that the lack of uniformity may be due to the fact that the decision taken by the Ministry and the formula which we have now adopted was circulated to the heads of the departments ; but answers to certain questions were prepared probably before that formula reached them. This particular question does not fall in that category so far as I can gather.

HINDU STATUTORY AGRICULTURIST INSPECTORS OF SCHOOLS.

***2187. Rai Hari Chand :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of Inspectors of Schools in the province and the number of those among them who belong to statutory agricultural tribes ;
- (b) the action the Government intends to take to give adequate representation to the Hindu statutory agricultural tribes among the Inspectors of Schools in the province ?

The Honourable Mian Abdul Haye : (a) It is not understood what the honourable member means by the number of inspectors of schools in the Punjab. If the honourable member means the divisional inspectors of schools, the position is as follows :—

Five. Of this number one belongs to a statutory agricultural tribe. If the honourable member desires information in regard to all members of the inspectorate in the Punjab, the position is as under :—

*Total number in the
inspectorate.*

227

*Number of members of notified
agricultural tribes.*

156

[Education Minister.]

(b) 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. As vacancies occur, the claims of duly qualified Hindu statutory agriculturists will receive the consideration they deserve.

HINDU RAJPUT SUB-JUDGES IN THE PROVINCE.

***2188. Rai Hari Chand :** Will the Honourable Premier be pleased to state—

- (a) whether he is aware of the fact that there is not a single Hindu Rajput sub-judge in the province ;
- (b) if the answer to (a) be in the negative, what steps the Government proposes to take to give the Hindu Rajputs their share in this service ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : (a) It would not be possible to give an accurate reply without special enquiries from all Hindu Subordinate Judges. Government do not think that any useful purpose would be served by instituting such an investigation.

(b) Government cannot undertake to allocate shares in the services to particular tribes and castes but the legitimate claims of all communities, including the Rajputs, will continue to receive due consideration.

Lala Bhim Sen Sachar : Are the agriculturists treated as a caste or a community ?

Parliamentary Secretary : They are neither a class nor a community.

Lala Bhim Sen Sachar : On what basis are they treated for purposes of answering communal questions ?

Parliamentary Secretary : Agriculturists form a separate economic class.

Rai Hari Chand : If there is no Hindu Rajput sub-judge, will the Government keep in mind the claims of the Hindu Rajput community when such a vacancy occurs ?

Parliamentary Secretary : Due consideration will always be given.

HINDU RAJPUT FIELD KANUNGOS IN DISTRICT HOSHIARPUR.

***2189. Rai Hari Chand :** Will the Honourable Revenue Minister be pleased to state—

- (a) the number of field kanungos in the Hoshiarpur district ;
- (b) the number of Hindu Rajput field kanungos in the said district ;
- (c) if the answer to (b) be in the negative, the action the Government intends to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) 24.

(b) and (c) I must decline with regret to answer questions which savour of communalism on the floor of the House. I am sorry to have to adopt this attitude but Government consider it necessary in the public interest

to establish a convention in connection with such questions. I shall, however, always be prepared to examine any particular instance of disproportionate representation which honourable members may bring to my notice in a more informal way.

HINDU STATUTORY AGRICULTURIST PATWARIS IN HOSHIARPUR DISTRICT.

***2190. Rai Hari Chand :** Will the Honourable Revenue Minister be pleased to state—

- (a) the number of patwaris in the Hoshiarpur district ;
- (b) the number of patwaris who belong to statutory agricultural tribes in the said district ;
- (c) the number of those among them who belong to the Rajput community ;
- (d) the action the Government intends to take to give adequate representation to the Hindu statutory agricultural tribes among the patwaris of the said district ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) 493.

(b) 859.

(c) 89.

(d) The instructions contained in paragraph 3·6 of the Punjab Land Records Manual are always kept in view in making the recruitment of candidates.

RESTRICTIONS REGARDING PURCHASE OF AGRICULTURAL LANDS BY MOHIYAL BRAHMINS AND GADHIOTE KANUNGOS OF JHELM.

***2191. Pandit Shri Ram Sharma :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the Financial Commissioner, Punjab, in his letter No. 5504, dated the 4th November, 1909, to the Commissioner, Rawalpindi division, directed the Deputy Commissioner of the Jhelum district that if Brahmins of the Rawalpindi district and the Mohiyal Brahmins and Gadhiote kanungos (Hindus) of the Jhelum district, who are hereditary land-owners and not engaged in trade or money lending, buy land from any member of any other agricultural tribe, sanction should be given without hesitation ;
- (b) whether it is also a fact that after 26 years it was pointed out in letter No. 2218-R., dated the 18th August, 1935, of the Junior Secretary, to the Financial Commissioners, Punjab, to the Commissioner, Rawalpindi division, that the letter mentioned in (a) had been superseded ;
- (c) if the answer to (b) above be in the affirmative, the time when and the authority under whose orders the instruction in the letter in (a) was suspended and the reasons for doing so ;

(d) whether it is a fact that the people concerned sometime back represented their grievances in the matter to His Excellency the Governor ; if so, with what result ;

(e) the action, if any, that the Government proposes to take in this matter ?

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

(c) The letter was superseded by the instructions contained in paragraph 37 of the Punjab Land Administration Manual as revised in 1931. It was cancelled to give the Deputy Commissioners concerned all the discretion that the law allows them.

(d) Yes, the representation was duly considered and rejected.

(e) None.

SHORT NOTICE QUESTION AND ANSWER.

APPEAL TO PRIVY COUNCIL FOR POSTPONEMENT OF EXECUTION OF KARTAR SINGH IN THE MANKO MURDER CASE.

Sardar Hari Singh : Will the Honourable Premier be pleased to state—

(a) whether it is a fact that one Bhola Singh of Chak Kalan, district Jullundur, has sent telegrams to the Sessions Judge and the Superintendent of District Jail, Jullundur, requesting for the postponement of the execution of his brother Kartar Singh (condemned to death in the Manko murder case) to afford him an opportunity to prefer an appeal in the Privy Council against the sentence ;

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

The Honourable Mr. Manohar Lal : (a) A petition was received by the Superintendent of the District Jail, Jullundur, that one Mohan Singh, brother of Kartar Singh, intended to prefer an appeal to the Privy Council. It is not known whether the Sessions Judge and the Superintendent of the District Jail have received telegrams from Bhola Singh, brother of Kartar Singh.

(b) Kartar Singh will be allowed the usual opportunity of appealing to the Privy Council.

DEMANDS FOR GRANTS.

PUBLIC HEALTH.

Minister for Finance (The Honourable Mr. Manohar Lal) : Sir, I beg to move—

That a sum not exceeding Rs. 17,24,600 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Public Health.

Mr. Speaker : Demand moved is—

That a sum not exceeding Rs. 17,24,600 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Public Health.

Chaudhri Muhammad Hassan (Ludhiana, Muhammadan, Rural) : Sir, I beg to move—

That the demand be reduced by Rs. 100.

I do not want to make a speech in support of my cut motion, as the number of speakers on this side of the House is very large.

Mr. Speaker : Demand under consideration, motion moved is—

That the demand be reduced by Rs. 100.

Sardar Rur Singh (Ferozepore East, Sikh, Rural) (*Punjabi*) : Sir, I beg to submit at the very outset, that we have now got a fine opportunity of expressing our views with regard to public health and that we shall be failing in our duty, if we do not avail ourselves of it. Before saying something about the state of public health in this province I would like to tell you what conditions are necessary for maintaining it at a high pitch of excellence. Good food, sufficient clothing and adequate living accommodation are indispensable for it. Let us see whether these things are available here in sufficient quantity or not. A country lacking in these necessities cannot show a high standard of public health. The masses of this country by which I mean the cultivating and labouring and middle classes, have no clothes, no food, and no houses. The cause of this state of affairs is that the section of population which controls the means of production quietly appropriates the earnings of the poor in some form or other, for example profit, interest, rent and land revenue. Thus no money is left with the poor.

Leaving aside the state of men, I would submit that animals which are the mainstay of our agriculture, are in the most wretched condition imaginable. If the wealthy dwellers of towns care to visit the villages of the Punjab, they will undoubtedly fall ill. The routes are so ragged and defective that if you were to travel in a village cart you might break your back. Before providing hospitals and medicines for men I would suggest that the Government should pay immediate attention to the animals belonging to the agriculturists. We should see whether veterinary hospitals have been provided for them or not. The fact is that if some cow or buffalo falls sick, the cultivator finds no hospital within a radius of ten or fifteen miles. If the animals are in this state of health how can you expect bumper crops. The bullocks of an average cultivator are too weak to perform the agricultural operations successfully.

The slums which accommodate the labouring classes are often too close together to admit any fresh air. The mosquitoes make them still more

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uninhabitable. But I am sorry to observe that neither the factory-owners nor the Government have any intention of bettering their housing conditions.

The Government came to the Treasury benches for public good—as they would like to put it. But the fact of the matter is that public good is not even their remotest concern. Their only business is to receive fat salaries.

Many an honourable member has reviewed the policy of the Government with regard to the zamindars, but I am pained to remark that the Government does not pay any attention to this pressing problem.

The present Government have neither decreased the land revenue nor made any arrangements for their education. However promises are being held out. But to our regret the Government have not ever tried to abide by their promises and to act according to their words. Let me say it openly that the masses would not be pleased with the present Government unless and until they give some practical proof. Now the masses cannot be taken in because their eyes are wide awake. How could we believe that the health of the public is better than before? I cannot understand when some of them have nothing but bread to eat with onion and some of them cannot make both ends meet how their health can be improved. When they have no money at all how can they get education? First of all money is required for maintaining health and for getting education. But most of the money is being wasted on giving bribes to the Government officials. As the Government is said to be national Government so I may remind them that they should pay full attention to this matter and they should take some practical steps in order to prove that it is actually a national Government. The public is more awake now and that is why the Government is being asked again and again to give practical proof of everything which they happen to say. May I assure the House that the masses would not be satisfied with them unless and until they actually do something substantial for the general good of the people. Therefore, I should submit with all the force at my command that if the present Government who have attained power by holding out promises to their constituents, would not be able to abide by those promises, their constituents will come to know that the Government is trying to throw dust in their eyes. Supposing this situation is created, then I would be the first man to challenge the Government to vacate the Government benches for us. If the Government are actually sympathising with our hard lot they should first of all devise some means to eradicate poverty and unemployment from the province. Our hearts can be touched by the Government if they seriously take practical steps in order to remove unemployment, poverty and destitution from the province. Sir, I believe that this sort of distress and affliction cannot be removed unless the present attitude of the Government is changed. The Unionist Government is working just like its predecessor. This can be more vividly said by a well-known Punjabi saying :

ان دنوں کے شریفی مڑ مڑ گھر دیان نور دیوے

(Cheers) So far the Government have been making false promises just as their predecessor used to do. They say one thing but mean something quite different as it is said in Punjabi:

ہاتھی دے دند دکھان دے ہو رہے کھان دے ہو رہے

Sir, the world is no longer in dark now. People realise where they stand and they are very well aware of the fact that the Unionist Government is for themselves and not for the people. Our grievances would never be ended unless they are redressed by the Government. This can be done in one way. First of all the Government should see whether they take real steps in this direction or not. I feel it necessary to tell that this is the duty of every honourable member of this House to see whether they can most conveniently place the grievances of their constituents before the Government because that is why we have come all the way from our ilaqas to this Assembly. We have come here to represent them and if we fail in doing so we are liable to be blamed for neglecting our foremost duty. We are absolutely of no use for our down-trodden electorate, I mean poor labourers and afflicted zamindars if we are put in such a position which may prevent us from abiding by our promises which we held out at the time of election. I see, how we are deprived of our language in which we should have expressed our views. Our permanent owners, I mean our electorate, send us here in order to make some arrangements for the welfare of their garden but what a pity it is that we are being patched by our temporary owners, I mean, the Government. Our swadeshi tongue is replaced by badeshi tongue. It looks very funny that our tongue is badeshi and the rest of the body is swadeshi. When we are being treated in this way who can expect that we would be able to express our troubles thread-bare on the floor of this House.

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

Sardar Rur Singh : Sir, the subject which is under consideration relates to our bodies. What I have been submitting is in regard to the public health. I was submitting how our body may remain healthy. If the honourable members of this House go to villages they will find village lanes full of dirt and refuse. But the medical officers pay no attention to them. The Government should see that the villages are kept clean and tidy.

Now we hear that doctors would visit villages and would attend patients there. But I may submit that if a doctor visits a village once and thereafter visits that village say after a period of three months, what benefit can possibly accrue to the villagers in general in this way ? I am of the opinion that the provision regarding the itinerary doctors aims at nothing substantial. But it is a mere show of sympathy with the villagers.

Again when the officers of this department as well as of other departments go to villages, they do not treat the village folk with due respect and kindness. So long as this mentality of the Government servants undergoes no change, no benefit can accrue to the zamindars. The Government servants should be instructed to treat the zamindars politely and with due consideration. They are not the masters, but they are public servants. They should regard themselves as the servants of the public, for it is the public who pays them. As long as they do not treat the public politely no good can be achieved.

Sir, I may submit that there are no female hospitals in the villages and if any village woman falls ill, she or her relatives have to go to a far off place in order to bring medical aid for her. This is a great hardship for village folk and something should be done to remove their trouble. Again,

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in hospitals where there are European nurses, they do not treat Indian women fairly. I would request the Government that they should see that in future Indian nurses are appointed in female hospitals.

Pir Akbar Ali : May I know whether we have not to be relevant to-day ? Is the honourable member speaking to the motion ?

Sardar Rur Singh : I am speaking to the motion and I am submitting things which are directly concerned with the public health department. Further, I am making suggestions for improving the public health. (*Hear, hear*). I am sorry to state that my honourable friend over there has remarked that I am irrelevant. I may submit that the spirit of divide and rule should be avoided and I would request the honourable member that he should not interrupt his brethren over here and thus he should not create water-tight compartments in this House. It behoves all of us to live like members of one family and everybody should treat his comrades with due respect and consideration.

In the end I would submit that the sum that is set apart for the Public Health Department is a very insignificant sum. Moreover unless and until the zamindars get food and clothing these medicines will be of no great use to them. The Government should first provide food for the poor zamindars and then they should adopt these measures in order to improve their health as well. With these words I support the cut motion now before the House.

Chaudhri Ali Akbar (Gurdaspur East, Muhammadan, Rural) (*Urdu*) : Sir, I have not been able to gather from the speech of Sardar Rur Singh whether he is opposed or is in favour of public health. He is simply harping on this that the Unionist Party should vacate these benches.

Mr. Speaker : The honourable member is irrelevant.

Chaudhri Ali Akbar : Let my honourable friend Sardar Rur Singh depute some one of his own choice to do the work that is being done by the Government in connection with the public health.

Mr. Speaker : The honourable member is not relevant.

Chaudhri Ali Akbar : I was submitting that I have not been able to follow the speech of my honourable friend Sardar Rur Singh. I do not know what he is aiming at. Does he require that the number of hospitals should be increased or that it should be decreased ?

Dr. Sant Ram Seth : The number of hospitals should be increased.

Chaudhri Ali Akbar : In my opinion the Government have opened a sufficient number of hospitals in the whole of the Punjab, so much so that after every five miles you will find a hospital now. Now the Government have provided bicycles and have granted grants-in-aid for the doctors who would tour the rural areas and would provide medical relief even to those rural areas where previously no such aid was provided. In my opinion this is a great achievement. May I enquire from the honourable member opposite whether it is possible to make better arrangements than these. I may also state for the information of the honourable members, that whenever any epidemic breaks out in a village or anywhere in the district, the Public Health Department takes effective measures to nip it in

the bud. For instance, *tha bhus* (a kind of fever) broke out in tahsil Shakargarh, district Gurdaspur. The Public Health Department at once took measures to put an end to this epidemic. Thousands of people availed themselves of Government aid. They recovered and thanked the Government in return. The people are really pleased on account of the medical facilities provided for them by the Government. I fail to understand why the opposition is accusing the Government of having done nothing in the matter of providing medical relief to the rural people, when it is a fact that they are spreading a net work of hospitals in the rural areas. An honourable member was pleased to remark that the patients should be provided with clothes. My submission is that they need medicines more than clothes, and medicines are being provided by the Government.

Sir, it would not be out of place to mention that ten or fifteen years ago epidemic of cholera occasionally broke out in our country and took heavy tolls of lives. But for the last few years we have not heard much about it. The reason is that Government have been adopting all precautionary measures to prevent its recurrence. Besides, in the event of an epidemic immediate steps are taken by the Government to prevent its incidence on a large scale. Again, I may be permitted to say that injections have been made available for the treatment of various infectious diseases. I wonder what the Opposition is driving at when in fact there is nothing to justify their vehement criticism of the Government. With these words I close my remarks.

Dr. Sant Ram Seth (Amritsar City, General, Urban) (*Urdu*): Sir, I used to read verbose statements and high sounding manifestoes issued by the Unionist Party in the papers before and after the Assembly election of 1937. I was under the impression that the Unionist Party were placing their programme before the electorate in right earnest and that as soon as they came to power they would endeavour to fulfil their promises held out to the electorate. But I am constrained to remark that inspite of the fact that they have been in office for about a year, they have utterly failed to give a practical shape to their promises. A Punjabi proverb جھوٹا پھول aptly applies to them and specially to the Treasury benches.

The demand now before the House relates to public health. It is a well known fact that five things are extremely necessary for the maintenance of health. They are fresh air, pure, fresh and wholesome drinking water, nourishing food, clean clothes and clean and well-ventilated houses. While talking of the last requisite I do not mean to refer to the palatial bungalows of our honourable ministers but I have in view the thatched huts and slums in which eighty per cent. of the people live.

The motion under discussion relates to rural as well as urban sanitation, but I will discuss the former one. When we go about the villages, we find that sanitation is totally neglected there. No arrangements exist for cleaning the dirty streets. Filth and refuse are found there in abundance. There being no proper drainage system, the water stagnates and becomes a veritable breeding place for mosquitoes. It is a thousand pities that the poor villagers are quite ignorant of the fact that mosquitoes are the enemies of their health. I think it is the paramount duty of the Public Health

[Dr. Sant Ram Seth.]

Department to carry out a strong propaganda in favour of sanitation. They should concentrate their efforts to teaching the rural people how to live clean. I may submit that our ministry has failed in this respect. It lacks in patriotism and does not realise the difficulties of the poor. As the honourable ministers are highly placed and draw fat salaries to the extent of three thousand rupees a month, it is difficult to think that they would ever feel for the poor. Sir, I was submitting that public health in this province is alarmingly bad. I have facts and figures in my possession by which I can prove to the hilt the great percentage of mortality in the province on account of bad sanitation. (*Voices from the Government benches*: What about Congress governed provinces?). I will come to that also. Sir, I was submitting that on account of bad sanitary conditions prevailing in our country people's lives are shortened. They die very early, because they cannot afford to get good food, wholesome water, fresh air and ventilated houses. They are surrounded by diseases and poverty of the worst type, because their purchasing power has decreased to a considerable extent. (*Voices from the Government benches*: It is the heavy debt that is proving the last straw on the camel's back). We are willing to write off all their dues, if this can bring health to them, but the difficulty is that you who are capitalists and possess hundreds of acres of land would not like this to be done so.

Mr. Speaker : No interruption please.

Dr. Sant Ram Seth : Sir, I would like to submit that the health of the zamindars is seriously suffering from lack of proper food, sanitary houses and pure air. Their bad health is responsible for the heavy toll of mortality which the poor peasantry of this province has had to pay every day. The root cause of the manifold ills of the masses in this country is their utter destitution and poverty. They do not get money enough to buy their clothes. I do not mean to say that they should have clothes of western fashion or that they should place orders for their suits with English firms. All I mean to say is that they should have at least enough to cover their naked or half-naked bodies to save them from the scorching heat of the summer sun or the pinching cold of winter. But as ill-luck would have it they do not get even their daily bread. I would, therefore, appeal to the Government that they should leave no stone unturned to increase the purchasing power of the cultivators. They work hard in their fields for full six months and sit idle for the rest of the year. The Government should try to find new avenues of work for them by introducing industries in the rural areas. I can say without any fear of contradiction that 80 per cent. of the population lives in the villages, where the Government has not established even a single maternity home.

Mrs. J. A. Shah Nawaz : Question.

Dr. Sant Ram Seth : For lack of maternity homes in the rural areas a large number of women die during childbirth. Many cases of abortion occur because of the ignorance of the villagers for want of adequate care during pregnancy. I may be permitted to quote a few figures which go to show the heavy toll of life that our country pays on account of negligence of the Public Health Department. The adult mortality in America is

11·5, in England 12·5, France 13·5 and in India 27·2 per cent. (*Voices : Per cent. or per thousand ?*) It is per hundred ; and the infantile mortality in England is 7·5, in France 10·8 and in India 19·4 per hundred.

Syed Amjad Ali Shah : May I also ask the honourable member if he has got figures for the increase of population in different countries ?

Dr. Sant Ram Seth : No, I have not got them.

Sardar Hari Singh : Mr. Few has got these figures.

Dr. Sant Ram Seth : Sir, these figures speak for themselves and tell a very dreadful story. I would appeal to the Honourable the Minister for Education to take due notice of these facts and figures and try to eradicate the evil of illiteracy from this country. It is a pity that whereas the total income of this province is about 11 crores and 42 lakhs, the Public Health Department is given Rs. 17,24,600 only. One would really feel sorry for this meagre sum provided in the budget for this very important department. I would sound a note of warning to the Ministerial benches that if the health of the public is neglected everything will go wrong, and I am afraid that this little sum is not going to improve matters to any great extent. Again, when we consider that a major portion out of this sum of Rs. 17,24,600 will be paid out to the various engineers that are employed by the department, it becomes clear that very little money will be spent on the poor masses of the country. I would say, without fear of any contradiction, that the Government squanders the whole of its revenues on establishment. We are aware of the fact that it spends at the most 2 annas or $2\frac{1}{2}$ annas in a rupee for the benefit of the tax-payers. It is a matter of regret that while the governments of other countries allocate in their budget a considerable amount of money for their departments of public health, our Government has failed to do its duty in this respect.

The other day I put a question to the Government as to whether there was any maternity home in Amritsar, and the answer that was given by Mrs. Shah Nawaz was in the negative. It is a matter of surprise for me that the white bureaucracy has been administering this province for the last 80 years and the Unionist Government has been in power since 1st April 1937 but no maternity centre has so far been opened in any part of that big commercial city which is inhabited by a population of 3 lakhs and amongst which there are at least 80 thousand married women. But when the attention of the Government is drawn to the necessity of creating such centre in any part of Amritsar, the Government keeps silent. Is it politic on the part of a government which claims to be a responsible as well as a popular one to turn a deaf ear to the legitimate demands of the masses ? It is evident from the budget that the Government is unwisely and wastefully spending crores of rupees on no useful purposes. The Government should make it a point to see that public revenues are not to be toyed with.

A few years ago the Government had not been treating the problem of public health so seriously. But ever since Mahatma Gandhi has taken an initiative in the matter of rural uplift the Government has been feeling its responsibility to some extent. His Excellency the Viceroy—

Mr. Speaker : The honourable member will please not refer to the Viceroy.

Dr. Sant Ram Seth : There is no gain-saying the fact that the Government is taking interest in the rural uplift simply because it is afraid lest the Congress should obtain a hold on the sympathies of the villagers. In view of the social activities of Mahatma Ji the Government of India was constrained to make a provision of one crore for the rural uplift. But I have reasons to believe that the fruitful results which the Congress can obtain by spending only one lakh of rupees cannot be achieved even if the Government were to allocate one crore in its budget for the welfare of the villagers. Because we are aware of the fact that the provision which the Government has made in its budget would surely be squandered on the establishment. It is a matter of regret that the Government spends only 5 per cent. of its budget for the welfare of the tax-payers whereas 95 per cent. of the total amount is disbursed in the form of salaries of establishment.

Next, I would like to say a few words in respect of milk. The statistics prepared by other countries show that every individual consumes at least 90 gallons of pure milk in a year, and one seer of milk is the average minimum quantity that is being served daily to every person living in Germany, France and England. But you would be surprised to learn that an average Indian cannot even get 2 chbataks of milk. If such is the case can anybody expect the Indians to be as stout and stalwart as the European nations are? The Government should manage somehow or other to increase the purchasing power of poor Indians. If we have not money enough to buy milk for keeping up our health it would surely get deteriorated and there is no doubt about the fact that it is being deteriorated for want of proper supply of milk. And no wonder if the next generation grows worse. I strongly appeal to the Honourable Minister concerned to give special attention to the Department of Public Health.

Now I take this question from purely Hindu point of view. It is said that Lord Krishna was a shepherd and he had got a number of cows in his possession. He used to tend a herd of cattle. Surely we hold the cow in great reverence and think highly of its milk but I will also say that it has been scientifically proved that cow's milk is a perfect food. If you want to maintain your children in perfect health and vigour; if you like to build bonny babies you will have to nourish your children with cow's milk. But it is a pity that the number of cattle is decreasing day by day in India. Figures show that in European countries especially in Finland every individual possesses at least 2 cows. But it is a matter of regret that in India a great many families have not got any cow in their possession. With these words I appeal to the Honourable Minister that he should see to it that the number of cattle is increased in the province. I am sure if any steps are taken by the Government in this respect the cow's milk would be found in abundance.

Mrs. J. A. Shah Nawaz : The honourable member says that in Finland every man possesses two cows per head. I would very much like to know of even one country in Europe where every person possesses even one cow.

Pir Akbar Ali : Sir, I expected a very good speech from the honourable member who has just resumed his seat. But

پہاڑ کہو دا چرہا نکلا

There was absolutely nothing at all in his speech except groundless condemnation of Unionist Party without showing in what direction the Unionist Party has failed. If he had referred to the speech of the honourable mover he would have found out that there was nothing in it to find any fault with the Government, otherwise my friend the mover would have stated in his speech the causes of the inefficient working of the department. But he kept quiet.

آگہی دام شنیدن جسقدر چاہے بچھائی
مدعا عنقا ہے اچھے عالم تقریر کا

I could not make out anything from the speeches because there is nothing to say against this department. Had the honourable members referred to the volume of new expenditure, page 100, they would have found that an amount of Rs. 6,41,980 has been provided for this department this year for several schemes to which I shall refer. But before I refer to those items, I think, it is proper to reply to certain remarks made by the honourable member who has just preceded me. He said that 5 things were necessary for public health, fresh air, pure water, good food, housing and clothing. I will tell him that 90 per cent. of the population of the Punjab is in villages where fresh air, housing and clothing are not so essential as pure water and good food. But the responsibility of not getting good food is not on the Government. It is the money-lender who is responsible for the sad plight of the villagers and of the people living in rural areas. Every grain of produce which they earn and every pie which they earn goes not to the Government but to the money-lender. This Government has done much to relieve the poor villagers and poor debtors, but in spite of the laws which have been made for the relief of these poor debtors nothing avails because ways and means are being found to defeat these measures. The Government is not responsible for that, but the money-lender. I would submit to the Government that they should now realise that the laws which they have made for the relief of the poor are not sufficient and a Bill, which is now before the Frontier Assembly, should be introduced in the Punjab without any delay.

Minister for Education : May I know what Bill the honourable member is speaking of?

Pir Akbar Ali : A Bill that all the debts upto 1st October, 1937, should be wiped off and that the rate of interest previous to that date should be calculated at 5 per cent. and after that date at 6½ per cent. This is the Bill which is under consideration of the Frontier Assembly. I read that in the papers.

Sir, if anybody now goes to villages he will find a lot of improvement there. They are living better than they used to do in better ventilated houses in villages and there are other amenities, such as, schools, hospitals in some areas and it is, I should say, ignorance to say that nothing has been

[Pir Akbar Ali.]

done in the villages. I would say that it is quite sufficient. The propaganda of rural uplift is also helpful for the rural areas.

I have to refer to one thing which my honourable friend just mentioned and that is that there is scarcity of milk in the Punjab. Who is responsible for that? Will my friend kindly let me know how many cows or buffaloes he has got? I will tell him that the poor zamindar, who is living in the village and who is, while compared with urban people nothing, he might be keeping at least a dozen cows. The money-lender is responsible for scarcity of milk, because the poor zamindar, who is keeping a dozen cows, is not allowed to have those cows, because somehow or other the money-lender attaches those cows. Again, I would submit that ours is a country in which cow is respected. But honourable members will also see that ours is a country where cow is the worst of its class. Is it not so? The cow of India should be the best in the world, but it is the worst. Who is responsible for that? Persons who are responsible for keeping cows are not allowed to keep them because the money-lender is after them and therefore, they take the cows from one place to another to conceal them where they can find place to conceal. That is why there is scarcity of milk.

I would submit that I admit that the Government has done much for public health, but I will say that much has been done in urban areas and very little has been done in rural areas out of this expenditure of about 7 lakhs. The first item under this head is town planning. I submit that I do not find anything for village planning. It is for the urban population which consists of at the most between 5 and 10 per cent. of the whole population. The second item is the creation of a post of assistant chemist in the Public Health Department. This appointment is common for both urban and rural areas. Now, if you refer to page 98, item 4, you will find that sanitary grant for urban sanitary works is 2 lakhs and for rural sanitary works it is 3 lakhs. I would respectfully submit that it is not a fair distribution. The population which is only 10 per cent. gets 2 lakhs and the population which is 90 per cent. or more gets only 3 lakhs. I cannot say why it is so, because sometimes methods of Government are not ordinary methods. There are different methods and everybody cannot understand them. Then Sir, some of the expenditure which is shown here can very well be met by the municipalities. In this connection I may say something about my district. If I submit anything about my district I am told, I will get a rebuke because district board has not made any move in that direction. But still, I would submit that when we move a thing in the district board about public health, we are given a reply that it is not the concern of the district board and that it is the concern of the Government and therefore it cannot be moved there. I also put certain questions in the Simla session in this connection and the answers are there.

There are certain villages in Fazilka and Muktsar in Ferozepore district lying near the border of Bikaner, Bahawalpur and Hissar district where people cannot get water at all. Not to speak of pure water, they cannot get water at all, and they have to bring water on camels and donkeys from a distance of sometimes four or five miles. There are villages in which the people are using for drinking purposes water mixed with the urine of buffaloes and cows. There is only one pond from which both human beings and

animals drink water and the rest I leave to your imagination. This is happening in this twentieth century when people have such high ideas about hygiene. This is what is happening in villages in my district.

It might be said that the district board should have done something in this direction but the district board could not do anything because it spends Rs. 80,000 annually on an institution which is a provincial institution. There is a hospital at Moga which is consuming about Rs. 80,000 of the funds of the district board of Ferozepore and that hospital is serving not only the Ferozepore district, but it is serving people living in far off places. People come to that hospital for cataract operation from distant places like Afghanistan and from the United Provinces. And what is the grant that Government gives for it? Only Rs. 4,000 a year. That is very little. Government should give at least Rs. 30,000 for this hospital because this hospital is the concern of the whole province and not of the Ferozepore district alone. I have invited the attention of Government to this fact during the last many years, and I hope that this Government which is alive to the needs of the people will attend to this matter very soon.

The honourable member who has moved the motion has not stated the object of his amendment. We do not know his reasons because he has not taken the trouble of stating them. Perhaps he has moved the cut motion at the instance of some other honourable member and perhaps he did not himself know the object. If he had stated the causes other honourable members would have been in a position to better understand his cut motion. With these few remarks I resume my seat.

Diwan Chaman Lall (East Punjab, Non-Union Labour): I think it is necessary after the speeches that have been made on the other side that we should settle down to a sense of reality regarding this particular demand. One honourable member who spoke a little while ago said that one of the great necessities for the public health of this province was fresh air. But he happened somehow or other to blame the Punjab money-lenders for the lack of fresh air. Another honourable member said that everything is marching very well indeed and asked: What more do you want, Government has already done everything, what more do you want in the Punjab? I am afraid those honourable members who have spoken have not really looked into the problem. The real problem in the Punjab is the problem of disease, of dirt, of poverty, of endemic disease. It is a problem which is fast decimating the population of this province. It is a problem which is knocking down the average physique of the population of the province and turning us not into a B class nation or even a C class nation, but, if I may use a mathematical expression, turning us into an Nth class nation physically. Since that is the state of affairs—which I do not think any honourable member of this House who is conversant with facts will deny—it requires drastic measures on the part of the Government to put this matter on a sound basis.

Governments have one thing in common with an animal which St. Francis of Assisi of blessed memory called his brother. Napoleon Bonaparte considered that particular animal to be well worthy of respect—he meant the donkey. (*Laughter*). Every Government has to bear a burden just as

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the donkey has to bear a burden—a very heavy burden. Every donkey has also to do something which most governments have to do, that is it brays and brays incontinently just as every government has to bray in praise of its own deeds. Then there is a third thing that a donkey does, Mr. Speaker. It is very easily deceived with a carrot, just as some members are easily deceived with the carrot of office. There is no doubt that our Government cannot be likened to that animal but it has a burden to bear, though certainly the burden it bears in regard to public health is a very minor one indeed. A sum of Rs. 17,24,600 has been budgeted for Public Health. Out of that sum nearly half the expenditure is reserved for establishment—that is of the actual sum given for public health about 7 lakhs is reserved for establishment. I am sure my honourable friends on the opposite side will say that the Punjab leads every other province in India. They said only the other day that the Punjab leads. Probably they meant that it is leading in the policy of repression. (*Hear, hear*). That is true. But to say that the Punjab leads in the matter of public health is to draw upon their imagination to a very considerable extent. They will say that they have given us a sum of Rs. 1,14,000 more in the budget for Public Health than they did last year. That is perfectly true. But if you examine the items, you will find that this sum of Rs. 1,14,000 is reserved for extra establishment. That is the actual state of affairs as regards the Public Health Department. You certainly give more money, but for what purpose? Had the extra amount been given for providing better health amenities, then we would have appreciated it, but you are providing it in order to foist more officers on the department and for establishment. That is the actual state of affairs as we see it. I said at Simla that the Punjab leads—as my honourable friends opposite always are anxious to tell us that it leads—in India in the death-rate barring Delhi and such like areas. If my friends look up the figures they will find that I am correct that the death-rate in the Punjab is practically the highest in the world barring Rumania. My friend got up at Simla and said that he had looked up the figures and found that my statement was wrong. He said that the Punjab's death-rate was not the highest. He mixed up both the death-rate and the birth-rate figures, and all the time I was talking of the death-rate, he was looking at the birth-rate column! (*Laughter*).

Mr. Speaker, if that is the true state of affairs, does it or does it not call for drastic remedy on the part of the honourable members of the Government? It is all very well for these members sitting behind, those gentlemen from rural areas, to turn round and say 'all is well.' Let them go back to their villages and say to those villagers that all is well and they will get the right reply. Let them have the courage to say to their own villagers, "inspite of this terrible menace of disease, all is well." Let them suggest that and they will realise pretty soon what will happen to them. All is unfortunately not well with the Punjab. May I for a moment digress and state that we are at one with the honourable member in any measures and any steps that he might take and let him take it from me—on behalf of the Opposition I make this offer to the honourable member—whatever new methods of taxation within reason he would like to adopt, he will have the support of the Opposition, provided the money is utilised for the betterment of the health of the province (*Hear, hear and applause*).

He will have every co-operation in this respect. (*Hear, hear*). But let it not be money utilised for extra establishment. Let is not be money wasted on high salaries when the crying need is for the cleaning up of the towns and the cleaning up of the villages, for decent milk supply and decent water supply, for every step to be taken to eradicate malaria, typhoid, smallpox and plague from the province. Those are the necessities of this province.

Now, Mr. Speaker, let us keep a sense of proportion. My honourable friend says, 'look at the amount that we are spending for the health of the province. See what other provinces have done. Nothing when compared to what I have done.' Let us not go to the other provinces for a moment. But may I go to my own province and may I ask my honourable friend over there who in season and out of season is always anxious to remind us that his party has been really responsible for the achievements of this Government in the Punjab—may I ask him whether it is not a fact that in 1929-30 the budget for public health was somewhere round about 26 lakhs? Is it or is it not a fact? And to-day under the Unionist régime it is not 26 lakhs but 17 lakhs—9 lakhs less than what it was. And my honourable friends congratulate themselves on a state of affairs like this. They think that they have achieved wonders. They say they have given us Rs. 1,14,000 more this year than last year, although the money, as I have stated, is mostly for the purpose of establishment. Let us develop a sense of proportion. A sum of Rs. 10,000 has been provided, for what purpose? For doctors to travel about in the rural areas? May I ask my honourable friend if he is really joking with this province? Is he being guilty of a colossal joke at the expense of the province? There are 24,000,000 people in this province and he provides a paltry sum of Rs. 10,000 for doctors to travel about in rural areas. Does he consider this to be adequate? I do submit that any person looking at the problem from a serious point of view will realise that a colossal joke is being perpetrated on this House. Even at the time of Lord Budha, honourable members will remember from history, they will find that for every ten villages there was a physician in those days appointed by the central government and my honourable friends are content when they find a sum of Rs. 10,000 for the travelling of doctors in rural areas. Let us have a look at another fact. A sum of Rs. 40,000 has been provided for paving and draining certain villages. A sum of Rs. 34,800 has been provided for sanitary wells in 232 villages. I take it that that is the figure. Imagine a sum of Rs. 34,800 for sanitary wells in 232 villages, when there are 34,000 villages in the Punjab—and I have already said, Mr. Speaker, a sum of Rs. 31,210 is provided for one town planner and his staff. A sum of Rs. 30,000 is provided for one officer, the vice-chancellor of the Punjab University and a sum of Rs. 34,800 is provided for sanitary wells in 232 out of 34,000 villages of the Punjab. May I ask my honourable friend to have a sense of proportion? Does he consider this adequate? Do the honourable members over there know that there is provision of nearly 2½ lakhs for four bungalows for my friends sitting over there and yet when it comes to sanitation, when it comes to the public health needs of the province, what is it that they have provided? Rs. 34,800 for sanitary wells in the villages. I give my honourable friend another example and a very important example when we are on this question. There

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is a certain provision in the budget for the purpose of providing free meals to poor patients in the hospitals. I notice this year, Mr. Speaker, that a sum of Rs. 7,000 for the provision for free meals to poor patients in the Mayo Hospital has been taken out of the budget. The sum has been reduced by Rs. 7,000 and a sum of Rs. 9,000 has been added on for providing uniforms for 175 nurses. This is the manner in which the health needs of the province, of the poverty-stricken masses of this province is being looked after by my honourable friend. My honourable friend knows this perfectly well but he will turn round and say, 'I have got a special development fund.' My honourable friend the Premier is rubbing it in day in and day out about this special development fund. He has got the special development fund for health as well. They cannot get out of the complex of the special development fund. For every thing they have got a special development fund and they have a special development fund for public health. Now my honourable friend says, "what are you worried about? There is nothing to worry about. Have I not given you a special development fund for public health, Rs. 1,40,000, a lakh for rural water supply, and Rs. 40,000 for the provision for sanitary wells?" Now my honourable friend the Premier has really got a very excellent bed-side manner. He is like a doctor who knows that the case of his patient is absolutely hopeless and although he knows that he will die he says 'to-morrow you will be better'. (*Laughter*). And to-morrow, Mr. Speaker, in his phraseology becomes the day after, the day after becomes the next session and the next session becomes the next election and the next election will become eternity. That is the manner in which we are being fed by idle hopes by my honourable friend opposite. Now, Mr. Speaker, let me—as I was on the subject of a sense of proportion—let me once again remind my honourable friends of a few salient facts. Rs. 50 lakhs is a sum which would practically pave and drain every village in the province according to the estimates of my honourable friends opposite—not my estimates, Mr. Speaker. What do we find? We find now that there are 140 I. C. S. officers. They get about 35 lakhs a year. There are about 20 odd gentlemen who sit on these benches. They get between themselves about 3½ lakhs a year. There are about 34 I. M. S. officers and between them they get about 8 lakhs. A sum of nearly Rs. 50 lakhs goes into the pockets of less than 200 men when that money could have been utilised for the purpose of building up the health of the province. (*Cheers*).

I ask my honourable friends opposite what is their justification?

Under the rules I understand the Secretary of State
4 P.M. lays down that 17 I. M. S. officers, should be in service, but on the other hand what do I find here? My honourable friend instead of 17 has appointed as many as 34. My honourable friends are more pro-British than even the previous Government and instead of 17 they have gone out of their way to appoint 34—my honourable friend the Leader of the Opposition tells me it is 37. As a matter of fact if you had only stuck to the figure given by the Secretary of State, you could have doubled the provision for rural areas in this province and brought the assistance of modern medical relief to the poor and to the peasant in every

village. But instead of that my honourable friends are not content with doing what the Secretary of State wants them to do. They want to be known as the good boys of the British Empire and they want to do something more than is really required of them. My honourable friend should know that that is not the way the Government of the province, a province which to-day is racked with disease and poverty of the worst type should act. The other day when the Public Health Commissioner of the Government of India was sent samples of ghee and milk he discovered that 45 per cent. of samples of ghee sent from the Punjab were adulterated and he found that 60 per cent. of the samples of milk were adulterated, and you should know how serious it is that the milk supply of the province should not be contaminated and what urgent steps are required to safeguard the health of the children in the matter of the milk supply and yet the Public Health Commissioner, reported that the Food Adulteration Act has failed miserably, because local bodies have no sense of responsibility in these matters and that the vested interests of food merchants make it impossible to put into force these Food Adulteration Acts (*hear, hear from the Honourable Premier*). My honourable friend is quite all right in saying "*hear, hear,*" but I want to know what his policy is in this matter and what steps he has taken to put right the state of affairs which he should have known have been exposed by the Health Commissioner. Very drastic steps are needed to safeguard the health of this province. Statisticians tell us that Rs. 4-10-0 per head is what the Government gets in the form of taxation, and in the matter of public health he gives us 1½ pice per head per month as the expenditure on public health. Take the case of Great Britain. My friends preen themselves and are proud of the fact that a lakh of rupees is now being utilized by this Government for a better rural water supply. Does he know that in Great Britain during the last budget a sum of 2½ million pounds was utilized for the purpose of a rural water supply and a sum of 1½ million pounds was utilized for the provision of public parks and playing fields and a sum of over 2½ million pounds was utilized for public baths and swimming pools and so on and so forth. These are the large scale measures taken by a Government because it considers its population should be an A-1 population, measures taken by a Government in order to protect its own people. I want to know what measures my honourable friends over there have taken in these matters. My honourable friend stated the other day that he is anxious that peasants should be given a certain measure of relief, but my honourable friend over there in the apple-green turban (Sir Chhotu Ram) draws about Rs. 4,000 a month straightaway by way of relief to himself. His relief is the first charge upon the revenues of the State. I do submit that my honourable friend should cast round for a definite plan in substitution of the present policy, a large scale well-planned Public Health Act which would result in a betterment of the state of health of the people and preservation of the health of the children of this province and I have not the slightest doubt that if my honourable friend casts round for a large scale plan he will get all the support that we can offer him on this side of the House (*cheers*).

Mrs. J. A. Shah Nawaz (Parliamentary Secretary) : My honourable friend who has just finished has given us a very fine picture of the Public Health Department of the Punjab Government. If all that he had said

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about that department were true, I would say, that the Punjab Government has done nothing and is prepared to do nothing for public health. He told us just now that Punjab stood perhaps the highest as far as the figures of death rate was concerned, highest in the whole world except one country. Let me remind him that as far as the increase in the population is concerned, the Punjab perhaps stands highest in the whole world not even excepting one country. Within ten years the increase in our population has been 5 millions—that is an addition of 50 lakhs. I draw the honourable member's attention through you, Mr. Speaker, to it. You will forgive me, if I talk of certain irrelevant matters because I find that in this House irrelevancy very often seems to be the order of the day and I shall not be very irrelevant either, because the matters that I wish to touch in my remarks will be with regard to the points that have been raised by the honourable members sitting on the opposite benches.

Mr. Speaker : The honourable lady member is irrelevant.

Mrs. J. A. Shah Nawaz : But I have to reply to the honourable members' points. I suppose the honourable member knows that in India there are 11 million more men than women. Why is it so? Is it because more boys are born? I am sure that the honourable member will agree with me that like all other countries the proportion of boys and girls that come into the world is practically the same, because nature always sees to it that an equal number of persons of both sexes are born. Then what is the reason? Is it not due to the old rusty customs of this motherland of ours, the customs that have chained the women to the four walls of their homes? Is it not because there is child marriage, and early maternity and because the women-folk have to be confined to their homes? You will find that there is a very high figure of mortality among the women of our province. Is it the fault of the Punjab Government? Even with a magic wand they could not do away with all these rusty old customs within 11 months and have a chance of showing a substantial reduction in feminine mortality.

Sardar Sohan Singh Josh : Who is to eradicate them?

Mrs. J. A. Shah Nawaz : I shall never forget the day when I had a talk with Mahatama Gandhi soon after my return from the First Round Table Conference in 1931. I said to him that a social revolution was needed in our country before we could talk of political emancipation. He turned to the 2 or 3 thousand women who had gathered there for prayers and said, "Have I not already done it?" I said, "No, Mahatama Ji, as long as women are economically dependent, as long as women have to live the lives that they have to, steeped in superstition and ignorance, I am afraid no political freedom is possible for our motherland." He agreed with me and said that in that he wanted my help and I told him that my help would be at his disposal always. But I must not wander away from the subject in hand. What I wanted to say is that unfortunately these figures are high but the reasons are many and the Public Health Department is not the only one that should be blamed for it. A good deal of work is required on all sides and with your permission I would like to show something of what the Public Health Department

is doing and plans to do in the future. The preventive work as well as the curative work are really two wings of one department and I am one of those persons who would very much like to see them under one head working together, co-ordinating their activities and thus trying to achieve real success. The departments as they stand at present work in their own spheres according to the means that we place at their disposal. As I said just now, there is unfortunately duplication of work sometimes. In our province the preventive side of the work was not undertaken on a well-organised basis until 1926. In 1926 a severe epidemic of plague broke out in the Punjab and a special staff was engaged to supervise the work and to undertake preventive measures on a large scale.

That special staff did excellent work and later on the Punjab Government, in the best interests of the province, had that staff placed on a sound footing and that is how the present Public Health Department came into existence. When an epidemic breaks out and is stamped out—it is said that such and such a department had done wonderful work, and Mr. so and so was really marvellous. So many people get Rai Bahaduris, so many are given Khan Bahaduris, but no one thinks of all those poor officials who are working day and night in order to prevent the recurrence of these epidemics—epidemics which, I remember, in my childhood days used to visit our province every now and then. I have read the report of the Sanitary Board, and while going through the various charts given in that report I was surprised to find how much reduction there has been in the mortality rate due to epidemics. Does any one think of those silent workers who are working behind the scenes without any one talking of their wonderful achievements? Why do we not say outside and inside this House that it is due to the labours of the silent workers that we have not had to face a heavy toll of life which used to be our fate so very often twenty, or thirty years ago? Just take the case of smallpox. You will find that in the year 1922 there were twenty-one thousand cases and nineteen thousand deaths. Smallpox was not a great scourge for some years after that but in 1926 figures began to run high again. For several years after that the number of cases went on decreasing but in the year 1935 again the figures began to rise. What did the Punjab Government do? They at once enforced the Vaccination Act—making vaccination compulsory. During the last year there have been over one million primary vaccinations and nearly three million re-vaccinations and the figure is reduced to nearly six thousand cases and two thousand deaths. Let us now take the case of plague. Plague was perhaps one of those diseases that used to visit the province every year. Sometimes it used to break out in one area and sometimes in the other and always leave its mark behind. There was a time when there were 22 deaths per thousand in the whole of the Punjab. But to-day the death rate is practically nil. In 1934 there was only one death per thousand and this year only three deaths have taken place. Let us now take the case of malaria. The officers of the Public Health Department are trying to do all that they can to provide quinine and other things. Of course it is very difficult for this department to be able to undertake anti-malaria work on a large scale with the small amount of money which we can place at their disposal. The officers of the Public Health Department carry on a good deal of

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propaganda work with regard to the anti-mosquito campaign. They ask the district boards to take the necessary steps and if the district boards sleep over the question, they try to wake them up. The Honourable Minister in charge of this department and I went to visit two or three districts where an epidemic of typhoid broke out in summer. We were surprised to find in Sheikhpura and Ferozepore districts how much work was undertaken by the different district boards and local bodies and what pleased me very much was to see that these district boards and municipalities were mostly working on creating a spirit of voluntary help amongst the people. They were trying to make the villagers realise their civic duties. People in different streets contributed small sums of money and an equal sum of money was usually added by the district board and thus the villagers were made to undertake the work of having their streets paved and their lanes made pucca. Sometimes the district boards themselves took up the work of having the *jauhars* filled up if the people living there could not afford to supply the necessary funds. I know that this type of work has been started recently but a beginning has been made on the right lines and this uplift work is being organised by the different deputy commissioners in their own districts. Of course some are more energetic than the others but I hope this will continue and the deputy commissioners of all the twenty-nine districts will try to organise work on a voluntary basis. I now turn to leprosy. In the year 1931 a survey was undertaken on behalf of the Punjab Government and nearly 5,574 villages with a population of 1,719,960 were surveyed. To-day there are nearly 80 leprosy clinics and 53 doctors are employed in those clinics. These doctors undertake the work of diagnosis, treatment and carry on propaganda for prevention as well. Apart from these there are five lepers' homes. I remember that nearly twenty or twenty-five years ago it was an ordinary thing to see lepers roaming about in the streets, now we do see them, but very seldom.

Coming to the question of tuberculosis which, as I said just now, has been a great menace to our country. Over six million people lose their lives in the whole of India through this disease alone. Unfortunately, it is very difficult to give any correct figures as far as tuberculosis is concerned because people do not usually come forward to say that they suffer from this disease. The Punjab Government is giving a grant to the Dharampore Sanatorium and another grant is given to Samli Sanatorium in Murree hills. We are very grateful to the Marchioness of Linlithgow for taking up the question of anti-tuberculosis work. We hope that when this fund is fully organised anti-tuberculosis work will be carried on on a large scale. There again, as I said, it is the social customs that are our greatest difficulty. Sir, when our future generations are born of mothers who in many cases have flushed faces and rising temperatures, is it any wonder that sons born of such ailing mothers are born with a slave mentality? There again I would draw the attention of the honourable members to the social customs. Unless and until our society is reformed of all social evils, health of the nation cannot be built up on right lines. Several of my friends on the other side talked of infantile and maternal mortality. One of my friends on the opposite benches said that the Punjab

Government was practically doing nothing as far as this question was concerned. If I place the figures before the honourable member, he will be very much surprised. Let me inform him that as far as the infant welfare work and maternity work goes—especially the welfare work—the Punjab is ahead of any other province. (*Hear, hear.*) Speaking at one of the meetings of the international council of women held in Calcutta in 1936, when I told the ladies present that there were two hundred Infant Welfare Centres working in the Punjab every one said that our province was decidedly the foremost so far as this work was concerned. To-day we have 77 centres and 119 sub-centres working in different areas of the province, rural as well as urban. It is true that the maternal mortality and infantile mortality figures are high as compared with other countries of the world but let me inform my honourable friends that the condition in Latin American countries was far worse about ten years ago.

In 1935 when I was in Geneva, the President of the Advisory Commission for the Protection of Children and Young People congratulated the Latin American countries for the excellent work which they had accomplished in reducing child mortality. I enquired from them as to how they had managed to achieve such success and I was told that it was due to the League of Nations' people giving them the necessary help in organising a supply of pure milk for children in all those countries. I do hope that if need be, we shall not hesitate to ask for the advice of certain experts even outside India when the question of organisation of milk supply is taken up. What is the figure of child mortality? As far as these figures are concerned, it was 270 per thousand in 1920 and 158·44 to-day. Just think of the reduction in the number. What is it due to? As I pointed out just now as far as welfare work is concerned our province is ahead of any other province in the whole of India. (*Hear, hear.*) How have these centres been organised? I have had the honour of being associated with the work of 5 Vicereines and I would be failing in my duty if I did not take this opportunity of paying them a deep debt of gratitude on behalf of the womanhood of India for the work which each one of them in succession has undertaken for the benefit of women and children. Lady Chelmsford organised the Lady Chelmsford Maternity and Welfare League. Under the auspices of this League the Punjab Health School was opened in Lahore which was taken over by the Punjab Government in 1925 and since that year the Punjab Government has been financing it. This Punjab Health School trains 12 to 14 and sometimes 15 health visitors every year. When trained health visitors are forthcoming either the Punjab Government or the Red Cross Society (provincial branch) initiates work of child welfare in a certain area and a health centre is opened. Now what is the work done in a centre? Health visitors trained in the Health School are placed in the centre with usually two or more trained dais. It is the duty of the health visitor and the dais to try to come into contact with all the expectant mothers within that area, firstly to give advice to these mothers many of them very young and secondly, to be present at the time of the confinement. Babies born are to be followed up to the ages of 4. Cards are kept of these babies and the women are requested to bring their babies to the health centres as often as they possibly can. They are weighed every month and the mother is given the necessary advice for the health and strength of the child. Apart from this all the

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indigenous dais round about that area are given training in maternity work. A class is opened and the dais working in that area are approached and made to attend that class. Usually twelve or six months training is given before certificates are issued to them. These trained dais do far better work and the result of these efforts has been that wherever a health centre is working and wherever trained dais are available there has been, and here I would very much like honourable members to note the figures, a very substantial reduction both in maternal and infantile mortality. In those areas where a centre is working, instead of 24 mothers out of one thousand losing their lives during confinement only 4 to 12 die to-day. Sir, with regard to this I would like to mention one or two things. The staff of this Punjab Health School ought to be doubled so that instead of training 15 health visitors every year we should have trained workers double that number, so that health centres could be opened in several places. There ought to be at least 800 centres in all the towns and some villages within the next few years. More work ought to be done in order to reduce infant mortality. There is one other thing about which I have to say a word or two. At present some of these centres are financed by the Red Cross Society (provincial branch), and some are under the direct control of the Punjab Government. Either all these centres should be taken over by the Punjab Government and this service provincialised or all these centres should be placed under the Indian Red Cross Society (provincial branch). As the present divided control does not make for efficiency, I think it would be better if this service is provincialised so that the interests of the health visitors should be safeguarded. Let us now take up the question of medical inspection of schools. In most cases this medical inspection is undertaken by the Medical Department but in some places Public Health officers carry on the work of medical inspection in schools and colleges. Six hundred and sixty seven primary and 364 secondary schools and 27 colleges were visited by our staff. Medical inspection of children, as my honourable friends are all aware, is the essential need of the moment. As Diwan Sahib pointed out, it is to be the future generation, that we have to look to. On their physical strength and happiness depends the strength and happiness of the nation. It is on safeguarding and improving the health of these young people that we have to concentrate upon. I was very glad to find that in the western countries this is something I brought home with me they concentrate all their efforts on improving the health of the child. They see to it that children learn personal hygiene in childhood. It is the duty of their tutors and teachers in schools and of the doctors who visit these schools to see that children learn to keep themselves clean. Small defects in their eyes, ears, throat or in their general health are detected by the medical officers of health and treated properly. Such defects in a child if taken in hand at the earliest possible moment can be easily cured; but when these things become chronic, it is not possible to cure them. Of course a great deal of more work is required in this connection, but providing medical inspection for nearly 1,000 schools and colleges is some work accomplished.

One of my honourable friends sitting on the other side was talking of bad food about which he told us that the Public Health Department had done practically nothing. Let me remind him that the Punjab Government

has already enacted legislation known as the Pure Food Act, which is now applied to nearly fifty areas and local bodies. Every year 10 or 12 local areas are added to it. We used to charge Rs. 15 for the inspection of ghee, to-day we are only charging Rs. 5 and we hope that very soon no such fee will be charged and food-stuffs will be inspected by our inspectors without any payment of fees.

As far as the spread of epidemics is concerned our difficulty is this that in limited areas Infectious Diseases Act has been applied, especially in the case of cholera. We are very anxious that there should be what one might call a barrier for it, because that is one of the epidemics that has not shown any sign of decrease, in fact sometimes it has been on the increase, therefore we are anxious that a barrier should be erected and whenever in certain areas there is cholera, we should be able to apply the Infectious Diseases Act and no person should be allowed to go from that area to another so that the infection should be localised.

A good deal of propaganda work which the Public Health Department is doing at present is at the different fairs. It is surprising to find how much work the Public Health Department does at these fairs. In fact, while going through the pages of different reports, I was surprised to find that not a single chance is missed for carrying on propaganda work for the prevention of disease at these fairs. Sanitary arrangements are made and a good supply of drinking water is arranged for. Not only a couple of hundreds but often thousands of rupees are spent on behalf of the Public Health Department. On these occasions in providing conveniences for huge crowds that attend these fairs, work was undertaken by the department on the occasion of several fairs, to mention a few names, Nurjiwna fair, district Rawalpindi; Choa and Katas fair, district Jhelum; Phaglu fair, district Karnal; Jawala Mukhi fair, district Kangra; Peshwa fair, district Karnal and Sun Eclipse Fair, district Karnal. This work is not only done during fairs held in towns but mostly in rural areas. Whenever such fairs are held the Public Health Department makes arrangements for a good supply of water and sanitary conveniences. At the same time propaganda work is carried on and cases of infectious diseases are isolated from the other visitors. After this can anybody say that the Public Health Department is doing nothing?

Now I come to the most vexed question of rural and urban sanitation. Let us see what the Public Health Department has done with regard to this. Several of the speakers on both sides mentioned in their speeches that very little if anything has been done in this connection. I may point out to them that the Government has spent a couple of lakhs of rupees on different schemes undertaken in urban and rural areas for water supply and drainage. In 1937-38, a sum of Rs. 4,35,074 was given as grant-in-aid to local bodies for water supply and drainage scheme and 10 times that amount is usually spent by the local bodies themselves. Apart from the money which is usually given by the Government every year, what do we find in this year's budget? Altogether 6 lakhs have been given by the Government for five special sanitary and water supply schemes. Previously in 1936-37, Government budgeted only 50 thousand for sanitary schemes but as soon as we took over office, we sanctioned Rs. 4,82,000 and this year we are

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sanctioning 5 lakhs for sanitary schemes only and one lakh for water supply in rural areas. It is all very well to say as my honourable friend opposite said, "Scrape off all the I. C. S. officers, do away with all the I. M. S. officers and by so doing save 2 crores or more and spend it on public health". May I ask him whether in the whole of India or in any of the provinces under the control of the party to which my honourable friends opposite belong any such thing has been undertaken? If they cannot do so, why are we expected to do it within the framework of the present Act? There again, one has to take into consideration the question of efficiency in administration and at the same time go on cutting one's coat according to one's cloth. I am at one with my honourable friend when he says that if not half, at least one-third or one-fourth of our income should be spent on public health and medical relief. Public health should be the chief concern of any civilised government in any country. A committee is sitting, at present which is exploring the question of retrenchment and fresh sources of income. As soon as we can lay our hands on more money, we shall be the first to come forward and spend it on such a deserving cause as public health. Believe me, we shall not lag behind any Congress province as far as the question of health is concerned.

My honourable friend, Dr. Sant Ram Seth—I am sorry he is not here just now—said something which pained me very much. He said that persons sitting on this side of the House had no love for their country or for their fellow beings and that is why they could not do as much as they would have done if they had not been devoid of patriotism. With your permission, Sir, I challenge him in this House to give proof of more love than I have for my country. (*Cheers from the Treasury Benches.*) Let us then see whether I lag behind or he does.

Now let us come to the question of planning. As far as that is concerned, let us see what the Punjab Government has done? There is a cut motion in the name of my honourable sister Mrs. Duni Chand which tells us that we have been working without any plan or scheme. Let me point out to her that there are some items in the budget about which so much criticism has been levelled at us. One is about the town planner and his staff. Why do we want a town planner? To plan the cities of this province. We do not wish to see new *abadis* springing up everywhere, a house here and a house there in a haphazard manner. We are very anxious that a planned improvement should be undertaken in the urban areas and for that an expert town planner is required who could tell us how new *abadis* are erected and up to date sanitary arrangements are made.

Then there is the appointment of a women welfare organiser. I would like to point out to my sister that the appointment of this welfare organiser means that the rural uplift work will be linked up with the welfare work and these two departments under the guidance of one person will work amongst the women of our province. The welfare and uplift work cannot be accomplished unless these two departments co-ordinate and co-operate with each other.

Then there is the creation of a field epidemiological unit. There again you will have an expert Entomologist working at the headquarters.

who will explore the avenues of how best to organise rural sanitation and what should be done to make anti-malaria, anti-cholera, anti-plague and anti-tuberculosis work a real success. Is it because of this planned working that we are being blamed? On the one side we are asked, why are we appointing these experts, why are we spending so much money on recruiting such people? On the other side we are being blamed for not doing things in a proper manner. I would very much like my honourable friends on the opposite benches to throw some light on this, as I fail to understand what they really mean by these different cut motions. I agree with them that nothing can be achieved unless and until we go on planning. I quite agree with them that as far as public health is concerned, it is the most useful, in fact the one department where every care has to be taken to carry on the work in a planned manner, but I request them to give it a very careful thought. I want to convey this message to my sisters and brothers assembled in this House that we cannot possibly afford to spend the lives of care-free citizens of great nations, we who have yet to build up a great nation. We have to go on planning and creating but not wholly on the lines of European countries. We have to combine all that the new western civilisation teaches us with eastern conditions. But for that we must all learn to labour and to wait.

Mrs. Duni Chand (Lahore City, Women, General) (*Urdu*): Sir, I rise to support this cut motion. Firstly I want to reply to the remarks of Begum Shah Nawaz. She has stated that the number of females in the province is less than that of males by one crore and ten lakhs. I ask the Government what is being done for maintaining their health. To my regret the facilities which should have been given to the women-folk for maintaining their health are not being provided at all. Let me tell the honourable lady member who is sitting on the opposite benches that the small population of women-folk does not mean that the birth-rate of the women-folk is less than that of men. But the fact is this that many of them die during their period of confinement and several of them fall easy prey to fatal diseases on account of the carelessness of uneducated dais. I admit that the Government is spending some money for maintaining the health of the public and is making arrangements in the cause of public health, but the question is this: what is being done for the health of women-folk? Let me inform the House that in the hospitals that are being run by the Government undue money is being asked for from the poor patients who cannot afford to pay fee to the doctors. I mean to say that even in Government hospitals free treatment is not being given to the poor.

Our greatest grievance is this, that trained dais and educated nurses are not available in villages. Those nurses and dais who have been appointed by the Government are insufficient to meet the needs of three crores of women. Moreover those nurses and dais stay at tahsil headquarters and that is why their help cannot be utilised in most urgent and immediate cases. My submission is that in big tahsils whose area is 30 or 40 miles on each side, it is very difficult to call for a trained dai when any of the inhabitants of neighbouring villages need nursing. My request is that some nurses should be kept in the area of two or three villages. I have been to countryside myself and on enquiring about this matter I have been told

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that there is no nurse in that locality and if there is any, nobody is aware of her presence in that ilaqa.

Just imagine the plight of a mother in the countryside. At the time of confinement she has but the dirty hands of an oil-presser's wife or not very clean hands of an old weaver woman to depend upon. If a lying-in woman escapes from the labour-trouble it is her own good fortune that counts and not the efforts of an uneducated dai whose dirty hands are the main cause of thousands of diseases. Once, in eleven labour-cases the patients died on account of unclean and infected hands of the nurse.

I have been listening to very lengthy speeches delivered on the floor of this House to the effect that the Government is making serious arrangements in this matter. I do not deny it, the Government might be doing so. But the most regrettable thing is this, that the death rate of labour cases does not decrease even with these arrangements. It means that no responsibility is being felt regarding this matter or the supervision done by the department concerned is most defective. Although money is provided for the public health no effect is visible in this respect.

Secondly, the honourable lady member stated that it was most difficult to control malaria. She has been to foreign countries so often and knows how epidemics are being controlled in other countries. For instance, Italy suffered very much on account of malaria and thousands of people died on account of this epidemic. But the doctors in Italy burnt mid-night oil on this subject and after much hard work and labour have eradicated this disease in their country. There is nothing impossible in the world as the axiom goes : Where there is a will there is a way. My honourable sister sitting opposite has also compared the Punjab Ministry to the Congress Ministry. I should submit for the information of the honourable lady member who is unfortunately not in her seat that the Unionist Government cannot attain the heights of the Congress Government, because this Government is for itself while the Congress Government is for the people (*Cheers*). Have you ever compared the salaries of the Congress Ministers with those of the Unionist Ministers? We regard the Unionist members as our brothers. We do not hate them. But our point is that they should redress our grievances and follow the footsteps of the Congress Governments ; and if they do so we will welcome them with all our love. We fight for justice and our greatest demand is that something solid, something real and something substantial should be done for the poor. I, therefore, refute the argument that has been advanced by my honourable sister opposite and I can safely say that malaria as well as other troubles of the public can be easily avoided, provided the Government have the will to do it.

Now I would like to say a few words regarding lepers and leprosy. My honourable sister opposite has stated in the course of her speech that the Government have opened many leper asylums and they have also made inquiries about the number of lepers in the rural areas. She has also stated that a large number of lepers are putting up in these leper asylums. In spite of all the precautions on the part of the Government, it is a hard fact that leprosy is such an endemic chronic constitutional disease which spreads very quickly. In spite of these arrangements of the Government for keeping

the lepers confined within the four walls of the leper asylums, we daily see countless number of lepers roaming about in the bazaars. They hang about the lorry stands and whenever any lorry full of passengers comes in, they go near it and request the travellers for charity. I may submit that their loitering about in the bazaars helps in spreading this loathsome disease. I am of the opinion that in this way more people fall victim to this unclean disease and thus the number of the lepers is increasing daily. What to speak of other places even in the city of Lahore, the capital of the Punjab, one can find lepers roaming about in the streets. I would, therefore, request the Government that a stringent law should be passed, which should prevent the roaming about of lepers in the public. In this way the danger of spreading of this unclean disease would to some extent be removed. It is a matter which requires serious consideration on the part of the Government and I hope the Government would take effective measures to put a stop to the spreading of this loathsome disease.

Again, Sir, my honourable sister has stated that Government cannot be held responsible for the outbreak of epidemics, and for the death of the people which takes place on account of these diseases. I would make it clear to her how the Government is responsible for all these epidemics and consequent deaths of the people. This is an age of inventions and everybody can very easily know the cause of the outbreak of an epidemic. I will not discuss the condition of the villages, for their sanitary condition is so bad that only God can help them. I will say only a few words regarding the city of Lahore, the capital of our province. Go inside the city of Lahore and you will find the shops of sweetmeat sellers and there you will see the big "thals" full of sweetmeats lying uncovered in their shops. On the sweetmeats you will find thousands of flies sitting and blackening the sweetmeats. In addition to this we daily see hawkers selling sweetmeats in the streets of the city. They carry their sweetmeats uncovered and dust and flies spoil those sweets. These hawkers sell these sweetmeats to small children. May I inquire from the honourable members opposite whether it is or is not the duty of the Government to order these sweetmeat sellers to keep their sweets under cover. These hawkers really sell poison to the people and it behoves our Government to put a stop to such state of affairs. Further many of my honourable friends might have seen flies swimming in the "rus" of the *rossogulas* of the hawkers. All these things are within the reach of the Government and the Government can very easily set these things right. I am constrained to remark that if the Government are unable to perform its duty, it does not deserve to be called Government. I may also submit that this will entail no large expenditure.

I may point out that whenever any sub-inspector of police finds any milk seller's milk bad, he gets it destroyed. But it is also a fact that if the sub-inspector bears enmity with a milk seller, even though his milk be good, he gets it destroyed. On the other hand if the milk seller happens to be his friend and his milk is bad, he will not destroy it and will be content only by having four or five rupees as the price of his letting him alone. I would like to make it clear that I do not mean that all the sub-inspectors are of the same type. There are honest officials as well. My honourable sister opposite has stated that it is impossible for the Government to do all these things. I can only say that the Government can do all these things very easily.

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Next I will say a few words as to why the Government is not able to do these things. In the budget for 1938-39, Rs. 18 lakhs have been provided for the public health. Last year only 12 lakhs were set apart for the Public Health Department. This means that the Government have increased this demand by Rs. 6 lakhs. I will now tell you on whom this money will be spent. Before I proceed with this I would like to say that a Punjabi proverb aptly applies to our Government. That is as follows—

پنچون کا بول سر عامیہ

پیر پر زالہ ارتیہ دا ارتیہ

This proverb exactly gives the pen picture of our Government. Our old complaints remain as they are, i.e., the money is spent on the salaries of the officers of the higher departments and nothing remains for the public. In this we only see a glimpse of the past regime. Two lakhs of rupees have been provided in the budget for improving the sanitary condition of the cities. Three lakhs of rupees have been set apart for the villages and Rs. 1½ lakhs have been provided in the budget for combating epidemics. That is, for a population of 3 crores only 6½ lakhs have been provided in the budget. This is the achievement of our Government. On the other hand if the honourable members look up the budget they would find that the Government has proposed to establish another new department of town planner. A town planner would be appointed. A fat salary has been provided for him in the budget. The large amount of the salary of the town planner shows that either some Englishman would be appointed or any "yesman" of the Britishers would be appointed as the town planner. I have said these things merely because I know that town planners, as we call them in Urdu as *nagsha navis* can be had on Rs. 30 or Rs. 40 a month. A sum of Rs. 15,950 has been provided for his salary and Rs. 1,100 has been set apart as his travelling allowance. Two subordinates will work under him. A sum of Rs. 4,400 has been provided for their salaries and Rs. 660 has been provided for their travelling allowance. The rest of the establishment would get something like Rs. 15,430. This is the expenditure of one department. On the other hand Rs. 6½ lakhs have only been provided for 3 crores of people. Out of Rs. 18 lakhs, Rs. 8 lakhs would be spent on such insignificant things. Rupees 6½ lakhs would be given to municipal committees and district boards for improving sanitary conditions of the cities and villages under their control. I am constrained to remark that we are at a loss to understand how a big enterprise like this can be accomplished with such an insignificant sum.

Next, I will say a few words with regard to the work of municipal committees and district boards. In this connection I should like to give a definite instance of the work of a district board. I had the occasion to go to Gopal Mochian. The Honourable Chaudhri Sir Chhotu Ram was also there. The district board had made excellent arrangements for according the Honourable Minister and other Government officers a warm reception. They had also set up a beautifully decorated shamiana in honour of the guests. I may make it clear that all this was not done for the sake of the public. They

have not even potable water to drink. The district board did all this for the sake of pleasing the officials and thereby to win their favour.

(At this stage Mr. Speaker left the chair and it was occupied by the Deputy Speaker.)

I would like to draw your attention to the fact that the work of rural reconstruction is most indispensable in this country.

5 P.M. We have not been able to pay proper attention to the village sanitation for lack of funds. Infectious diseases like malaria, small-pox, plague, cholera and influenza take a heavy toll from this unfortunate country and over and above this tuberculosis has increased to such an extent that if no immediate and adequate steps are taken by Government, there is every likelihood of its going beyond control. But it is gratifying to note that the medical science has discovered effective remedies for these diseases in the form of injections. I, therefore, suggest that if injections are resorted to the patients are sure to make a speedy recovery.

Besides, the villagers have to undergo great hardships in getting adequate and wholesome water supply, because their wells are neither cleaned nor chlorinated. It is an admitted fact that the health of a person is sure to deteriorate if he is not provided with good water. In view of this it is a matter of great regret that in spite of Government's having established the Public Health Department, they have so far made no arrangements to remove this difficulty of the poor villagers. I may also mention that the streets of the villages are hopelessly insanitary. Generally a drain exists in the middle of the street, on both sides of which one can see heaps of filth and refuse. These heaps serve as veritable breeding places for the flies and mosquitoes, which spread diseases.

Sir, in connection with the scarcity of water-supply I wish to ventilate the grievances of the Ambala city, which is the headquarters of six tahsils. The inhabitants have been complaining for the last thirty or thirty-five years that adequate water supply has not been made available to them, but so far their voice has proved a cry in the wilderness. I may inform the honourable members that the poor people who cannot afford to have a water pump, are compelled to use stagnant water of ponds and tanks. Again each mohalla is provided with only one water pump. Early in the morning the people begin to flock around it. It is a pitiable sight to see a long line of earthen pitchers and the people clamouring to get their turns. The result is that the people who reach late cannot get water on account of a great rush there, and after weary waiting they are disgusted with this state of affairs and are forced to draw water from dirty ponds. The Honourable Minister had promised to remove this difficulty of the Ambala citizens, but so far no action has been taken by him in this direction.

Now I turn my attention to the roads. It is a well-known fact that the clouds of dust that rise on account of the cars, lorries and tongas, are responsible for so many diseases. It is, therefore, very essential that the condition of our roads should be improved. There are some good roads in the cities but you will see none in the villages.

I have yet another complaint to make against the Department of Public Health; that is in regard to the present arrangements for removing dirt and filth out of the city of Lahore. I may submit that when I was a small girl

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reading in a school, I remember that refuse and filth was carried out of the city by bullock carts. Now even after so many years, I find that the same old arrangements continue. I fail to understand why Lahore has lagged behind in adopting modern methods introduced in other countries. Whenever we ask the Government to take steps in this direction, we are given the same stereotyped reply of lack of funds. Personally I am of the opinion that the Honourable Minister does not see his way to earmark a large sum for sanitary purposes, because he is afraid that by doing so he would be reducing his own allowances. I, therefore, suggest that conservancy vans should be provided to carry filth and refuse out of the city. I would also ask the Government to provide the villagers with latrines. At this stage I may mention that the conservancy arrangements made at the Haripur Congress, which although very simple, were good and satisfactory. There a drain was dug out behind a curtain with sufficient number of clods of clay over there. Everybody after easing himself covered the stools with earth and thus the chances of spreading of bad smell disappeared. I would submit that if arrangements of this kind are made in the villages, it would involve no huge expenditure, but would rather improve village sanitary conditions.

Now I would like to refer to house plans sanctioned by the municipal committees. I feel that house plans should be in conformity with the principles of sanitation. In our country no heed is paid to this matter. I think it is the paramount duty of the authorities concerned to devote their special attention in this direction. It is a pity that in cities the people get plans of dark and dingy houses sanctioned by offering bribes to the authorities. It is incumbent on the Government to make investigation in such cases whether or not illegal gratification has been accepted in sanctioning the plans. I would also ask the Government to build small and well ventilated model houses in the villages for the guidance of the villagers who intend to build new houses. It would not be out of place to mention that the condition of the houses in which the labourers reside, is very deplorable. I relate something about the miserable plight of the labourers working in the brick-kilns in the Ambala city. It would not be an exaggeration of facts if I say that dogs would not like to live in those slums where these poor labourers are putting up. There are no ventilation and air arrangements in their houses. As they cannot afford to pay high rents, eight or ten persons are forced to reside together in each of the cells of the houses and more often than not fall an easy prey to various diseases. I fail to understand why in cities the municipal committees pay no attention to the housing arrangements for labourers when they are very particular about the house plans submitted by the well-to-do persons. I desire that labourers should also be provided with well ventilated houses, so that their health may not be impaired.

One factor that is responsible for the ill-health of women is, I think, the custom of veil among them. But as it is a matter of religion with some of them, I do not propose to dwell on this point any further, and would proceed to discuss the mal-treatment of women by their husbands. It is really a blot on the fair name of civilisation and humanity itself that husbands in India should subject their wives to repression and physical beating.

Nothing could be more inhuman than beating a poor woman. This cruel beating goes in the long run to impair the health of women and make their life intolerable for them.

Chaudhri Krishna Gopal Dutt : My honourable friend, Lala Duni Chand, authorises me to declare on his behalf that henceforth the honourable lady member shall never be subjected to any such cruelty. (*Laughter.*)

Mrs. Duni Chand : I am already proud of the fact that I am never made a target of any hardship of this kind, and I wish that my other sisters should also enjoy such a good fortune as I do. At present I propose only to refer briefly to the sad plight of the women-folk in our country. I am just reminded of the sad story of an unfortunate girl who was branded with hot iron by her cruel husband. Nobody came to her help and her lot was most pitiable. There is yet another unforgettable instance of cruelty to dumb women-folk which is at this time uppermost in my mind. It made my hair stand on end. It was just this. A beastly husband lost his temper, I do not know exactly for what reason, and he threw an earthen pitcher full of water on her. Poor thing broke her leg and she became lame for life. This happened at Kasauli. I appeal to the honourable ladies and gentlemen assembled here to do something so that such incidents should become an impossibility in our country. Oh, they are such a dark stain on the fair name of our motherland! Have you the patience of hearing another heart-rending incident from the life of another sister of ours? She was living at Ludhiana. The treatment, mal-treatment to be precise, she met at the hands of her husband drove her to despair and she refused to go back to the house of her husband. The house was not a home; it was a butchery for her. So, in short she abhorred it, she feared it and she refused to return to it. But the tyranny of the law would compel her to go there.

Deputy Speaker : Will the honourable member please speak to the motion?

Mrs. Duni Chand : Well, I would not give more examples but only submit that I have already given notice of a Bill which aims at preventing this cruelty by penalising the offence of beating a woman by her husband, and in view of the urgency of this measure I have submitted an application to the Honourable the Premier to facilitate the consideration of this Bill by providing a day out of the days reserved for Government business, for the consideration of this Bill. Reverting to the story of that unfortunate girl who was mercilessly beaten by her husband, I may be allowed to add that the poor soul could not move away from her bed for 3 months and could not even change her sides in the bed. The whole of the House will be deeply concerned to learn that this inhuman act resulted in the death of that poor girl. I will say without any fear of contradiction that this cruelty cannot be permitted to be perpetrated even on dogs in free countries. I am reminded in this connection of an incident that happened in London. A man used to beat his dog and the cries of this poor creature annoyed the neighbour so much that he filed a case in a law court claiming damages for the inconvenience to which he was put by the cries and yells of the dog in agony. The court inflicted a fine of £ 1 on the man who used to beat the dog. I leave it to the good sense of the House to judge what a great

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difference there is between the treatment of free countries towards animals and the treatment that we mete out to our womenfolk here in India.

Now I come to another very important question which relates to the prevention of epidemics. The foremost devices in this connection are vaccination, inoculation and cholera injection. Besides, the masses should be trained to keep their eatables clean and pure. Women can help the most in this matter. They should, therefore, be provided with necessary education to do their job successfully. There is yet another point which needs the active support of the Government and it is that they should distribute quinine among the masses free of any charge.

The only point which remains to be discussed now is the appalling state of illiteracy among our teeming millions. This is the root cause of our manifold ills. The Unionist Government would be well advised to spread enlightenment among the agriculturists instead of carrying on the propaganda of their party. The zamindars are capable of understanding everything provided it is presented to them in the right way. They are remarkably intelligent but the pity is that they are not given the necessary education. In short I would appeal to the Government to educate the masses and train them in personal hygiene.

In the end, I may allude to a possible misunderstanding, namely, that I have all along been criticising the Unionist Ministers for drawing fat salaries and allowances and have not taken account of the Opposition at all. Let me make it perfectly clear that I bear the Unionists no grudge. At the same time I will not spare the Congress if they fail to do their duty towards the country. In this connection I would point out that the present system of taxation in this country hits the poor very hard. It should be so modified as to give some relief to the poor and shift more burden on the rich as they are able to pay more than what they are paying at present. The imposition of additional taxes on the well-to-do classes will yield a large amount of money for affording relief to the poor peasantry of this province. The Honourable Ministers may also reduce their salaries and save a large sum of money to be spent on the beneficent departments.

With these words, Sir, I strongly support the cut motion now before the House.

Begum Rashida Latif Baji (Inner Lahore, Muhammadan Women) (Urdu) : Sir, we have been discussing for the last 3 days the various demands for grants. The first two days were devoted to the consideration of the demands relating to the department of police and to-day we have taken up the cut motion concerning the Public Health Department. I have carefully listened to the speeches delivered by the honourable members on either side including the Honourable Ministers as well as the Parliamentary Secretaries and pondered over the views expressed by them. I am reminded in this connection of a story of ancient days. It is said that a king once saw in a dream that his teeth were falling. This dreadful dream filled the mind of the king with horror and after consulting his courtiers and ministers he sent for two men of learning to interpret that dream. One of them said that the interpretation of the dream was quite clear and did not require any serious thought. He forthwith declared that the dream foreboded an early death

of all his kith and kin. This interpretation enraged the king who sentenced the scholar to a term of imprisonment. The other man of learning was called in and he humbly submitted with joined hands that the first interpretation was wrong. In reality the dream indicated that the king would enjoy a very long life and during that long period he would witness various unpleasant things. This pleased the king so much that he granted a *jagir* to him. It is manifest from this story that the two statements made by the two men of learning were fundamentally the same but the way of expression was different, with the result, that the first man displeased the king and the second pleased him by putting the same thing in a different way. The same is the case with the honourable members of this House. The aim of the Congressites as well as of the Unionists is the same but the former displease the Government while the latter please them with their speeches. What I mean to say is that whenever any honourable member whether from this side or from the other side of the House rises to express his views on the budget, he is sure to complain that the amount provided in the budget for his particular district or locality is hopelessly inadequate and thereby great injustice has been done to the people of his *ilaga*. But the honourable member fails to observe that the budget was prepared after careful consideration and now no change can be made in it even though we vehemently protest against such injustice. After the completion of the budget no addition or reduction can possibly be made in it because the Government resents the very idea of making any change in a thing prepared by it.

It is admitted on all hands that general health of the province is not satisfactory and it is steadily going from bad to worse. The youngmen of this age look older than their grand-fathers and similarly the young girls of our times have grown feebler even than their grand-mothers. The reason is that the villagers, due to their poverty, fail to get wholesome diet. In the past they used pure milk and took bread and butter for their daily meals. But now they are constrained to use *chhachh* instead of milk and they eat unbuttered bread in lieu of buttered one. With this sort of food it is physically impossible for them to acquire vitality and to maintain their general health. Now I want to say a few words about the people living in towns. In towns the sanitary arrangements are far from satisfactory. The insanitary conditions of towns cause epidemics to spread. Just take the case of the premier city of the province. Here the sanitary conditions of both the city proper as well as the civil lines are equally bad. We had thought that the supersession of the Lahore Municipality would do good. Although Mr. Jones was relieved by Mr. Macnabb there has been no improvement in the sanitary conditions of the city. The same old carts loaded with rubbish and refuse are still allowed to pass through the bazaars and nightsoil and other refuse are found trickling from them. We still see streets covered with refuse and drains filled with rubbish. In fact no improvement has been made so far in the sanitary conditions of the city. In view of these conditions I held a public meeting in October, 1937, in which certain resolutions regarding the sanitary condition of the city were passed. I sent copies of those resolutions along with the cuttings of the newspapers which published them to Mr. Macnabb. Moreover, I wrote him a letter saying that no improvement in the sanitary condition of the city was possible without the help of women. I suggested that one woman from each mohalla should be en-

[Begum Rashida Latif Baji.]

gaged on a salary of Rs. 10 per mensem to make propaganda work in favour of sanitation and advise the women of their respective mohallas how to deposit rubbish and refuse in dust bins kept outside their houses. They should also instruct the women of their mohallas how to keep corn in tact and how to wash and keep their children clean. The women are expected to maintain health of their children and look after the sanitation of the streets and mohallas in the manner suggested by the women appointed for this purpose. It is said that Mr. Macnabb much appreciated my proposals but I am sorry to say that he has not translated them into practice as yet. Secondly, in towns we cannot get fresh milk and pure *ghee*. Unfortunately vegetable *ghee* has been chemically prepared, and it is extremely difficult at present to distinguish pure *ghee* from the impure one. The latter form of *ghee* has impaired our health to a great extent. Our brains have become weakened and we have lost our bodily vigour. Vegetable *ghee* has caused great harm to our throats. I appeal to the Government that it should appoint inspectors in *ghee mandis* whose duty should be to penalise those people who adulterate pure *ghee*. *Ghee* should be examined properly before it is obtained from the *mandis* for sale in the towns.

Sir, all of us know it perfectly well that the deterioration of our health is mainly due to the present curriculum of education. Now, unlike the past the students are being taught in several subjects and they are made to study several difficult books on those subjects. The students become book-worms and as a result thereof they get their health impaired by constant study of such books. Now, take the case of girls. God has imposed different duties upon men and women. But our present curriculum has removed all such differences. The textbooks meant for girls are the same in which the boys are being taught. I ask the Government as to whether the girls are expected to apply for a post in Government service. I request the Government that instead of Algebra and Geometry the subject of Hygiene should be made compulsory for all girls and in lieu of History and Geography the subject of Domestic Economy should necessarily be taught in girls' schools. Arithmetic meant for girls should be simple one. The girls should be made acquainted with the principles of health so that they may be able to bring up their children properly. Although our girls are well versed in English language they are unaware of the principles of domestic economy. They can neither cook nor manage their household affairs. Although they have passed several University examinations yet they do not know how to bring up their children. They do not know how to maintain the health and vigour of their children. Sometimes in order to bring up even one child they engage several house-maids. They nourish their children on condensed milk instead of pure human milk even though the former may cost them sixty rupees per mensem. But it is seen that such mothers always complain against the unsound health of their children. The educated women feel it disgraceful to take part in their household affairs. If the Government were to change the present curriculum of education it would not entail any special expenditure. The Government should manage to improve the curriculum which is responsible for shattering the constitution of our present generation. On the occasion of the last budget session held at Simla I appealed to the Government to look into the matter and I again emphatically appeal to the Government that it should appoint a committee consisting only of lady members

to make a report as to the defects in the present curriculum of education meant only for the girls and make suggestions for its improvement.

The honourable lady member who preceded me has remarked in her speech that certain ignorant and illiterate people belabour their wives. I fail to understand how far this matter relates to the demand in question. I make a submission for her information that it is not the business of any doctor to prevent such cruel and tyrant husbands from beating their wives. The Government cannot interfere in such family affairs.

Again, the same lady member remarked in the course of her speech that in almost all cases the health of those women who observe purda is far from satisfactory. I wonder how she has formed this idea. I think she has not considered my case. Sir, it is my belief and I say on the strength of my personal experience that the women who observe purda are more healthy than those who do not. I believe that my health is more satisfactory than that of any women of this city. I challenge that even a healthy man cannot sit here in *burqa* for so many hours. You may have observed, Sir, that I remain here for full five hours like a dutiful soldier. (*Hear, hear*).

If you were to go through the death roll of our province you would be appalled by the figures of infantile mortality. There is no gainsaying the fact that in the Punjab a considerable number of women die annually during their confinement. If the Government is in right earnest to reduce the number of such casualties it should feel its duty in this respect and open child welfare centres and maternity homes in each and every town. I would like to make a suggestion in this behalf which, if given effect to, would not entail any special expenditure. The Government should issue instructions to every commissioner and deputy commissioner in the province to hold a durbār in his respective division or district in which every big landlord and capitalist of that division or district should be invited and requested to contribute towards the fund created for opening the maternity and child welfare centres. I am confident that there are several landlords and capitalists who alone can open such centres. I have heard that recently a man from Amritsar donated one lakh of rupees for the construction of the Lady Emerson Hospital. If other charitable persons like him were to come forward, it is obvious that you could have a big hospital in every tahsil. It is not fair to throw the whole burden for the provision of hospitals on the shoulders of the Government. Some honourable members have cited instances from America and Europe in this connection. I would submit that there hundreds of taxes are levied on the people and this facilitates matters for the Government which is able to build Rome in a day. But in our country it is impossible to add to the existing burden of taxation and I will be the last person to advise the Government to do so. For a man who pays one rupee as land revenue it is as difficult to pay two pice more as it is for a rich man to pay rupees two lakhs. It is easier to tax the rich, the landlords and big zamindars or to ask them to subscribe to a fund raised for this purpose. Titles should be awarded for their encouragement—not the usual titles of Khan Bahadur and Rai Bahadur but such titles as Khadim-i-Qaum or Khadim-i-Millat which may be a source of pride for them and which should be tokens of some real practical good work done for the country and the nation. In this province many people have died after dedicating large properties and

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leaving large trusts. I would suggest that the income from these sources should be appropriated for this purpose. If the people of a district grow slack, His Excellency the Governor should be invited there. Then you will see that all the zamindars and money-lenders will be attracted to that place as iron to a magnet, and will give liberal subscriptions for the welfare of the country. If you were to shift some of the burden of expenditure to the municipalities, your work will become far easier. How can those people who can secure the services of two or three doctors for mere sneezing realize the difficulties of the masses in this respect? It is impossible for those who can have the services of several doctors to remove their headache, to feel the intolerable hardship which our poor sisters have to undergo in child-birth.

In addition to this the Government have started the work of rural uplift. Obviously it will take time to complete. Anyhow if the Government finds that no voluntary workers are coming forth in this connection it should employ youngmen to work in villages and give them some remuneration. The villagers should be taught the fundamental principles of public and personal hygiene. They ought to be told how they can improve their lot. But I would submit once more that it would be unreasonable to expect a hundred years' work to be completed in one year. So we should show some patience. One way of expediting this work is that the Honourable Ministers should preach these things to the public during their tours. It is a patent fact that the spoken word has a far stronger appeal than the printed page. Moreover the majority of men readily admit the truth of what is said by high-placed persons. I would specially request the Honourable Minister for Development to pay more attention to this matter. His efforts would, I am sure, destroy not only mosquitoes but even snakes.

I would now say something about the condition of Lahore which is the capital of our province. The Honourable Ministers should go inside the city and see the conditions for themselves. In old times the kings used to roam about secretly in towns to ascertain what opinion the people had about them and whether they had any troubles or not. When the Viceregal Durbar was about to be held in Lahore, I asked the Government through a press article to give the poor a chance of meeting the Viceroy. Had this request been granted I would have put a tablet bearing the record of their troubles round the neck of everyone of them. I would again ask the Ministers to go and see how conditions are inside Lahore. Filth is lying in heaps and it makes it impossible for a man to go about. I know the Honourable Minister would reply "This is a filthy place, we can't go there. We are sure to get some disease if we go there." I live inside the city so that my voters may not have cause to complain of my being inaccessible to them which would be the case if I choose to live in a bungalow outside the old city walls. If the Ministers so desire I am prepared to show them round the town.

My honourable sister, Mrs. Duni Chand, complained about the buzzing abundance of flies in the city of Lahore. This is quite true. But surely it will take time to remedy this evil. To remove this the provision of markets is very essential. Provide markets for the sale of meat and sweetmeats

outside every gate and you will get rid of the flies. The Municipal Committee will, I am sure, derive big profits from these markets in the form of rents.

I have placed two things before the Government. One is that it is very necessary to amend the syllabus for girls. The second thing which I would like the Government to do is that they should arrange a special *darbar*, collect funds and thus provide maternity hospitals in all centres. This is the easiest way of completing the work of public health in this province.

Lala Bhagat Ram Choda (Jullundur, General Rural) (*Punjabi*): Sir I am amused to find that most of the speeches coming from the Treasury benches though outwardly devoted to the support of the Government have in reality been made in its opposition, in so far as every speaker has denounced its policy in respect of public health. This is because truth must come out sooner or later, and because it is impossible to conceal reality for long. The honourable the lady member who has preceded me, emphasised at the outset the sad plight of the poor and the hardships of the masses. But when we on this side of the House applauded her plain-speaking, she at once toned down her speech and said, "The Ministers will certainly make improvements but they will do so gradually."

The honourable member from Gurdaspur too has been vehemently criticising the Government, for facts are too stubborn to be kept under a veil for a long time. But the regard which he has for the Government and considerations of the party discipline have again compelled him to uphold the policy of the Government.

I would like to submit, Sir, that the hospitals that exist in towns are of no use to the poor. I am well acquainted with the conditions prevailing in the Civil Hospital at Ludhiana. Nobody can get a bed in that hospital unless he tips the hospital staff in the form of *nazar*—an euphemism for bribery. A man who lacks money or some other means of influencing the hospital staff cannot be admitted to the hospital. Conditions are still worse in district board hospitals. The doctors there refuse to let the poor come near the premises of the hospital. Unless you are able to present a *nazar* to the compounder, you cannot have any bed. In Jullundur I have seen that a man without money can have no admission to the hospital.

In the hospitals also no heed is paid to the poor and even from the Government hospitals they cannot gain anything at all. I fail to understand why so much importance is being given to these hospitals by the Government when the Punjab has many competent *vaids* and physicians. What should we conclude from this sort of indifference except this, that the Unionist Government do not like to encourage the efficient men of the province in this line? How regrettable it is that they do not like to use Indian-made bandages, cotton-wool and surgical instruments in these hospitals? With reference to the district board hospitals in Jullundur, I beg to submit that the Government should pay serious attention to them and they should also encourage the *vaids* and *Unani* system of treatment in the province so that this system of treatment may prosper in the country. Much can be done in this direction with a small sum of money, provided the Government prefer indigenous system of treatment to allopathy and in this way much

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help would also be done to the poor. The indigenous system of treatment is more popular than allopathy in the Punjab. Have you not ever seen multitudes of patients standing at the shops of physicians and *voids*. Some patients amongst them are so poor that they come with earthen pots to take medicine because they have not got phials and the physicians who give them free medicine, also give them phials. I ask the Government to name a single hospital where phials are also supplied free to the patients. Sir, I strongly appeal to the Government that the grievances of the poor may be redressed with a small expenditure, provided chances are given to competent and efficient physicians and *voids*. It is a different thing that the Government is not going to listen to our complaints and it will have its own way.

Now let me say something about the health officers. They give a pamphlet to a peon and send him to the villages where he preaches to the zamindars that they should sleep under mosquito nets and construct ventilators in their houses for getting fresh air and sufficient light. I would like to ask the honourable lady member who has just sat down after finishing her speech in which she has praised the Rural Reconstruction Department, where will the zamindars who live under thatched huts fix ventilators when they have no walls? The people who spend most of their time at wells do not require fresh air and light. How strange it looks that the poor villagers who cannot afford to build a wall are being asked to purchase mosquito nets worth Rs. 3! If a zamindar has got three rupees to buy a mosquito net he should have first of all purchased clothes to cover his semi-naked body. This shows that the Government has not ever seen a poor zamindar in the real sense. The beggars who are seen loitering in the town streets are in reality villagers who left their places on account of destitution, poverty and affliction. They had nothing to eat and so they had to come to town without even paying the railway fare. It would not be justifiable to instruct such poor people to have milk after they have taken quinine. The honourable lady member from this side has remarked that in villages pits should be dug deep for the purpose of latrine. In this connection I would like to point out that in villages the zamindars are in the habit of going to fields in order to answer the call of nature and if they are compelled to do so within the four walls of their houses they are apt to fall ill. These measures may be advantageous for the people in cities but nature has done its best for the convenience of the villagers in this respect. This convenience may be suitable for those who live in palaces but not for those who live in huts.

We can apprehend from the speeches made by the honourable lady members on the floor of this House that they have a soft corner for the nation and I say they must have. I am very glad to say that they do feel what their nation's troubles are. I am of the opinion that women can do more work than men in education and public health and that is why a lady has been made a Parliamentary Secretary. I expect that she will do something to redress our grievances.

The honourable lady member sitting on the opposite benches related a story which, in my opinion, should be like this :—A Raja was taken ill and a poor man came to serve him. He was asked to take a

rosary and pray to God for the Raja's recovery and in compensation he would be given Rs. 10 a month with lodging and boarding free. He did not know how to pray with a rosary. However he began to say on every bead of the rosary "We pray for Raja's victory, we pray for Raja's victory". After some days another man came, he was also asked to pray for the Raja's recovery and the *wazirs* told him that he would be given lodging and boarding free. He took the rosary. But he did not know what to say. He saw another man keeping count of the beads of a rosary but he could not hear what he was saying. He began to say, "I say, what you say, I say what you say." (*Cheers*). Similarly a third man came who also called for a rosary. He tried to make out what those two men were saying. One was saying "We pray for the Raja's victory." Second was saying, "I say what you say." The third began to say, "How long will it go, how long will it go." (*Cheers*). A fourth man came, he was also given a rosary and asked to pray for the Raja's health. He began to say, "As long as it goes, we are ready." I do not want to say more in this matter. What the Government officers want is to carry on the administration of the country and to squeeze as much as they can out of the pockets of the poor. I can tell my honourable friends opposite that in this way they cannot win the sympathies of the public. They should take into consideration the pitiable condition of those poor people who sleep with stones tied on their bellies. If they are not going to pay any attention to their troubles, of course they would turn against them in future elections and they would vote against my honourable friends opposite. I admit that the members of the Unionist Party have been elected by the people, but at the same time I may warn them that if they fail to fulfil the promises which they held out to their electorates, they will not be able to deceive them once again. If their electorates once know of the real state of affairs they would surely vote against my honourable friends opposite. I want to state it for the information of my honourable friends that daily we hear about the break up of the ministries of Sindh and Bengal. They may change or not, but I want to tell the Punjab Government that it is surrounded on either side by the millstones of the United Provinces and Frontier Governments, and when these millstones begin to work properly the Unionist Government would be ground to powder. I, therefore, request the Government to pay special attention to the troubles of the poor.

Mir Maqbool Mahmood (Parliamentary Secretary): Sir, so far as the principle underlying this motion is concerned, there cannot be two opinions in the House and I can through you, Sir, assure my honourable friends on the opposite benches that we are as keen as they or perhaps more, to bring forward all necessary reforms in the sphere of public health in the province. But if we have not been able to speed up all the plans, which we wish to introduce in the province, in the present budget, I have a double barrelled reply to that. My first submission is, if you will permit me to quote one extract from the speech on a similar occasion of the Honourable Premier of the United Provinces, the Premier of the present Government, not of the *interim* Government, this is what he stated :

I fully sympathise with my friends opposite who wish to speed up reforms in these directions. It is their natural desire, and it should be shared by every one, that this province should make progress, that it should cover as expeditiously as possible the leeway that it has to make up. That is but a natural desire and we are no less impatient than they, but finance, Sir, is a rigid taskmaster. Its

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rules are, almost inviolable and whatever else we may make without bricks and straw we cannot manufacture dollars, rupees and pounds by mere words of mouth. Financial difficulties, therefore, stand in our way, as they would in the way of every other person. Even with the best of will and with the most earnest desire to advance ahead we have to reckon with all these handicaps.

This, Sir, is the first difficulty in our way. But that is not all. The present Government has committed itself to solve courageously, to face boldly, the financial difficulties in the way of its beneficent programme and the reason why they have hesitated to bring forward a recurring clear-cut and detailed programme this year, is clear. They have stated on page 2 of the memorandum which has been presented with the budget that schemes involving recurring expenditure have not been introduced in the current budget because the Government is awaiting the report of the Resources and Retrenchment Committee and as soon as it comes, you may be sure that the Government will come forward with definite, clear-cut plans for the province in which recurring expenditure may be involved, and I hope when that occasion comes, my honourable friends opposite will join us in supporting the necessary taxation on the classes which can bear taxation, in order to bring forward these schemes. (*Honourable members* : Yes, certainly).

Having said that, let me apply myself to some of the specific charges that have been brought forward against the Government in this cut. Let me first congratulate my honourable friend Diwan Chaman Lall, whom I am sorry not to find in his seat, on the excellent speech which he delivered to-day. He is a great orator and his arguments will make even the most steady element sway by the felicity of his speech. But when angels gave him that, they deprived him of that sense of realities which likes to put forward facts and figures as they really are. What was the main charge which he brought against the present Government? In his felicitous style he said, "look at the budget figure of 1929-30, the bureaucratic Government then budgeted 8 lakhs more than what you budgeted to-day under the public health grant"—a very pertinent argument indeed. But I would invite my friend to realise that in 1929-30 public health expenditure included an item of 8 lakhs for drainage schemes in rural areas which since then has been transferred to the Irrigation Department, and if he will look at the figures of the Irrigation Department for drainage for rural works he will find that the figure provided this year is Rs. 12,84,000 and therefore if he combines this figure of Rs. 12,84,000 in the budget with the other figure, he will, I hope, in fairness concede that we have this year a budget in which the Government has provided larger grant for public health than any previous government and that too without any additional taxation. Not only that, he will further find that compared *per capita* and on the percentage of expenditure—and that I think is the only misfortune of this budget—the Punjab leads not only all the Congress provinces but the whole of India on the expenditure on beneficent departments as well as on the Public Health Department. Therefore, I submit, with due deference to my honourable friend that comparisons are sometimes odious. But I do not take my stand nor does the Government say that all that we have provided for public health is enough for the requirements of the province. We are fully alive to the needs and the requirements of the poorer classes of this province and I can assure the House through you that the Government is

out to stop all leakages in the incomes of the poor zamindars of this province whether in the form of interest or in taxation or in the way of leakages in marketing. We are committed to bring in all these measures to improve the earning capacity of the poor peasant and when we deal with these matters we do not take up the attitude of my honourable friend opposite who is not in his seat now, who has verbal sympathy with the cultivators but who on a public occasion started criticising the Marketing Bill, which is the greatest need of the zamindars. But I need not waste my time on that aspect of the case. The point I was making was that we on this side and my friends opposite are agreed that we must do something big to relieve not only the economic distress of the province but also to improve the beneficent activities. That is granted and agreed. We should also be agreed, if they dispassionately apply themselves to the figures, that we in the Punjab have led all other provinces, despite our difficulties in providing funds for the improvement of public health and other beneficent amenities. The third thing on which both sides of the House are agreed is that urgent funds are needed to see that greater leeway is made with regard to these items. That being common ground, I do not think there is any occasion for the two sides of the House to enter into any serious recriminatory charges against each other. All we need is—I am sure that my friends opposite will be prepared to respond to that—that we should all try to bring in constructive and ameliorative reform in this province and honourable gentlemen on both sides of the House should join in finding the necessary means to introduce them.

One word with regard to the new expenditure that we have provided this year for public health.

(At this stage Mr. Speaker resumed the Chair.)

My honourable friends opposite have more than once challenged the Government that they have provided a big sum in the budget, in new expenditure for the salary of the town planner and his establishment and therefore no good can accrue to the rural or the city tax-payer. I would invite the honourable member's attention to certain salient facts of the budget and here I am sorry that with his felicity of style Diwan Chaman Lall forgot to tell the House that out of the salary which we have provided for the town planner, which is in the interests of the cities and the towns the Government is paying only one-third of his salary and the remaining two-thirds are being paid out of the Lahore Improvement Trust funds and therefore it is not correct to say that we are taxing the general tax payer to that extent. If my honourable friend will turn to page 98 of the New Expenditure he will find that the first important item is with regard to the creation of the post of an assistant chemist to the Public Health Department. It is not merely the creation of a job for one man. They will find that this expert is expected to chlorinate wells in all the places where festivals are held. Do they cavil at this expenditure that we are providing for this specialist so that the people who in their honest zeal go to social festivals are provided at least good water to drink, water which is pure and does not carry disease? We are also asking this expert to analyse the food and food-stuffs sold at these festivals. Is it an expenditure which any reasonable man need cavil at? Passing on to the next item, we have provided for a special staff to deal with the question of malaria and plague

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and cholera epidemics in the Punjab. I feel confident that no argument is needed to show that in the Punjab particularly in the central districts we have a very bad malarial country. Punjab is perhaps one of the worst provinces in the whole of India, and instead of allowing people to die, we have provided for a special expert staff to deal with this question. Is it wasting money, or is it a question of solving the big problems, the big health problems of the rural and urban population of the province? I come next to the question of expenditure which we have provided under the Special Vaccine Institute. There again my honourable friends opposite will realise that the latest development in medical science, I speak subject to correction, because there are many eminent doctors here including the Honourable Leader of the Opposition, sitting on these benches, show that vaccine is the latest treatment which is getting in vogue and in certain cases, as in my own of asthma, it is very effective. Are we guilty of breach of our duty if we are providing a special staff which will make the vaccines of this institute available to the poorer classes of the province? I am sure that if my honourable friends opposite will apply themselves dispassionately to this aspect of the question, they will realise that Government have within their financial limitations and the limitations of the Government of India Act done what they could in the present circumstances of the province and they have definitely committed themselves in the memorandum and their speeches on various occasions to a plan of 5 years' programme of beneficial activities in the province as soon as we have recurring income available to us. My honourable friend Diwan Chaman Lall in the course of his speech also invited attention to the fact that here while the Government is only charged to keep 17 members of the I. M. S. they have provided for as many as 37. Here again, though this is not technically a matter of Public Health Department, but relates to the Department of Medicine, let me assure the honourable members opposite, that the real decision is not that we are limited to 17, the question of limit is under consideration and correspondence and in the meantime I am informed, that not a single European officer more than the requisite number has been employed in the province by this Government and I can assure my honourable friends opposite that the Government will sympathetically consider all cases wherever it is possible to utilize Indian officers. With these words I appeal to my honourable friends to work in the spirit of service to the province, and not to take these problems merely from the point of view of Treasury benches and Opposition benches. There are times where we can behave as members of the Treasury benches and members of the Opposition benches, but there are times when in the interest of the province we should all join in a constructive spirit to find a solution of these problems.

Lala Bhim Sen Sachar : May I ask my honourable friend a question? Will my honourable friend be pleased to say whether it is not a fact that in spite of the fact that according to him the matter is still under correspondence between the Secretary of State and the Punjab Government or the Government of India, 13 Europeans have actually been appointed and are holding appointments in the Medical Department so that these posts have already been filled by Europeans?

Mir Maqbool Mahmood : My information is that not a single European more than is necessary has been appointed by the present Government and I can also tell my honourable friend that as soon as the scheme is finally settled, the whole cadre will be reconsidered.

Lala Bhim Sen Sachar : The number 18 is yet to be fixed and is still a recommendation, but it has already been acted upon.

Chaudhri Ram Sarup (Rohtak Central, General, Rural) (*Urdu*) : Sir, I have heard the speeches made by the honourable members opposite with rapt attention and I am constrained to remark that they have said many things on behalf of the zamindars but in reality they have in view their own self-interest. In support of my contention I will cite instances. My honourable friend Dr. Sant Ram Seth, while advocating the cause of his own profession, was pleased to remark that the villagers were in a miserable plight inasmuch as they could not get proper medical aid, and further said that there was a paucity of doctors in rural areas. I may be permitted to say that the greatest need of the zamindars is not doctors but what they require presently is that some arrangements should be made to save them from the pangs of hunger (*Cheers*). They need only the bare necessities of life. It is a pity that no honourable member on the opposite side has cared to put forward constructive suggestions in this direction. Again, one honourable lady member on those benches remarked that Lahore should be provided with conservancy vans for carrying dirt out of the city. I may submit that zamindars would not derive any benefit from this scheme. If the honourable lady member had pleaded for the provision of more bullock carts for this purpose, the suggestion would have proved beneficial to the poor classes, because the introduction of conservancy vans would deprive many of them of their meagre livelihood and moreover the money spent on such vehicles would go to foreign countries. May I know if this is the way in which they serve their country ?

Besides, what I have gathered from their speeches and especially from that of the honourable Diwan Chaman Lall, is that fresh taxes, be imposed on the richer sections of society, so that relief might be given to the poor. This is a laudable proposal, but I should like to know whether they mean what they say or they simply indulge in high sounding rhetoric to earn cheap popularity. I know that the honourable members opposite including Diwan Chaman Lall brought forward Bills with the object of doing good to the poor, but I have never seen them bringing in any measure to the effect that fresh taxes should be levied on the richer sections of the province to lighten the burden of the poor. Again the whole House is agreed on this point that they simply talk and do not endeavour to translate their professions into action.

Now the question is as to which party should bring forward a measure to impose fresh taxes on the richer sections of the province.

Sardar Sohan Singh Josh : The Government should come forward with it.

Chaudhri Ram Sarup : May I enquire why the Congress party should not take the initiative in this matter ? It is a thousand pities that whereas every section of the House agrees that something must be done to lighten the burden of the agriculturists, no one comes forward to undertake any

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practical measures for the purpose. In this connection I am particularly surprised at the attitude of the Congress workers in this province who protest against the proposed measures of imposing fresh taxation on the richer classes of the province and are trying to bring the Honourable Sir Chhotu Ram into disrepute for having thought of this salutary measure. It is very strange indeed that when the Congressites speak in favour of the poverty-stricken masses of the country they are described as the greatest patriots that ever lived on the face of this earth, but when the Honourable Sir Chhotu Ram undertakes to give a practical shape to the lip sympathy of the Congress, he is dubbed as an instigator of class-war.

Sardar Sohan Singh Josh : Come on with the Bill ; we will not oppose it.

Chaudhri Ram Sarup : Very well, but, I am afraid when the proposed measure is brought forward, the cat shall have to be out of the bag and the cloak of your sympathy for the zamindars will be torn away and the opposition will be seen in their true colours. I am saying this in view of the fact that whenever the Congress finds that something substantial is going to be done for the zamindars, it raises a hue and cry against it, but ordinarily it goes on expressing its lip sympathy for the poor peasantry of the province. Why does the Congress hesitate to propose fresh taxation for the well-to-do people of the Punjab so that the amelioration of the poverty-stricken masses may be undertaken. Here I may be allowed to repel the suggestion that our Ministers are drawing heavy salaries. It does not lie in the mouth of the Congress members to make this allegation while they themselves are drawing Rs. 22½ per day for attending a meeting of this House. Why do the Congressite members of this House not draw the same amount of allowances as the honourable members of the Congress governed provinces are drawing ?

Sardar Sohan Singh Josh : We are drawing the same amount.

Chaudhri Ram Sarup : The honourable member who has given this reply was the loudest in claiming at Simla that he would draw Rs. 22½ and not a single pie less. At that time the honourable member was not prepared to make any sacrifice. Now they have acquiesced in the policy of the Unionists. I am reminded, in this connection, of a good old village maiden ; a *harijan* by the way. When she came to her father-in-law's house for the first time she felt bad smell everywhere, but later she became accustomed to it and said that it was she who had purged the house of all bad smell. So is the case with our honourable members of the Congress. They feel absolutely no pricks of conscience while receiving daily allowances at the rate of Rs. 22½ per day. What is more they listened to the Honourable the Premier's speech when he introduced the Punjab Legislative Assembly Members' Allowances Bill, with such rapt attention as if Mahatma Gandhi himself was speaking (*Cheers from the Ministerial benches*). Let me make it clear that the principle which the Unionists have in view is that every man should be given according to his worth.

Mr. Speaker : The Honourable member should confine his speech to the motion before the House.

Chaudhri Ram Sarup : Well, I give up that topic and divert my attention to the objections that were raised by the honourable members of the Opposition just a little while ago. It was said that what the rural population needed most was that trained nurses should be provided for the villages. I strongly repudiate that suggestion. What the masses need most is bread and nothing but bread. Again, it was argued a little while ago that the insanitary conditions of the villages are responsible for the outbreak of epidemics in the country. I would challenge that statement and submit on the other hand that epidemics always come from the cities and more particularly from Karachi and Bombay. If ever an epidemic breaks in the Ambala district, it reaches there from Delhi. I may be permitted to make it clear that the zamindars do not suffer from any disease except the pangs of hunger. Let every well-wisher of the zamindars, therefore, try to lighten their burden of taxation by taxing the richer classes whether they be zamindars or non-zamindars. In this connection I would particularly appeal to the honourable members of the Opposition to bring forward a Bill which would impose more taxes on the richer sections of the province and mitigate the sufferings of the poor peasantry of the Punjab. If the Opposition takes the courage to bring such a Bill, it will be supported by the Government. On the other hand, if the Government proposes this legislation, I am afraid the Opposition will resist it. With these words, Sir, I oppose the cut motion and close my speech.

Sardar Partab Singh (Amritsar, South, Sikh, Rural) (*Punjab*) : Sir, the speech of the honourable member who has just resumed his seat reminds me of an Urdu proverb which says نہ تینوں میں نہ تیروں میں نہ. My honourable friend was pleased to remark that the fund which would be realised by imposing fresh taxes on the richer people of the province would be utilised to lighten the burden of the poor peasantry of the Punjab, while the honourable Parliamentary Secretaries Mir Maqbool Mahmood and Begum Shah Nawaz were pleased to observe that the money raised by subjecting the richer sections of the province to fresh taxation would be made over to the Public Health Department or other beneficent departments. In the face of this clear statement of the Parliamentary Secretaries it is not quite intelligible how my honourable friend from Rohtak would be able to utilise the proposed sum to reduce the burden of the poverty-stricken agriculturists. I am afraid his hopes are not going to be fulfilled and his unwarranted statement is neither here nor there.

My friend from Rohtak got up to say something in favour of Honourable Chaudhri Sir Chhotu Ram. He heard the Opposition members mentioning the Honourable Minister's name and he got up to say something without caring much as to what we said. We mentioned his name by the way and let me tell him that personally we have no grudge or grouse against anybody. If we ever make any personal remark against any Minister it is only in his official capacity that we take him to task and it is not our business to interfere in his private and personal affairs. Our present ministry consists of big landlords, jagirdars, and factory owners whereas the masses which they claim to represent in the House are poverty-stricken. In view of this glaring contrast the representatives of the poorer classes have every reason to blame them.

[Sardar Partab Singh.]

The honourable member who has just resumed his seat used the following *Punjabi* saying during the course of his speech :—

جدون دي بياہي آئی ہاں تدون دا مشک بت گیا ہے

I would like to pay him in his own coin. Once a girl was married to a skin-dyer. Due to the strong offensive odour of unclean hides the whole atmosphere of the house of the skin dyer was filled with noxious smell. His bride-complained to the effect that the unclean hides should be removed from the house as they gave out awfully unwholesome odour. But the poor fellow could not help. He refused to give up the profession as it was his only means of livelihood. The next day the girl again complained about the bad smell. But by and by in a few days she got accustomed to it. One day she told her husband that she was indeed fortunate because ever since she came in his house the bad smell had disappeared. The husband was aware of the fact. He knew that the smell was still there, it was only she who had got accustomed to it. Sir, similar is the case of the Honourable Chaudhri Sir Chhotu Ram. When he used to sit on this side of the House he was a gallant defender of the interests of the poor masses, but since he has gone over to that side of the House, he has got accustomed to—

Mr. Speaker : The honourable member is requested not to be personal. He has clearly made a personal reference to, nay an attack on the Honourable Chaudhri Sir Chhotu Ram.

Sardar Partab Singh : Sir, I have made this remark against the Honourable Minister in his official capacity and not against his private conduct. Sir, there is a well-known *Punjabi* saying—

دوبی تان ہے ساء نہ آیا

It is said that once an old woman was drowned in a pond. Her body was taken out of it by her relatives. They sent for a physician. When he came they asked him as to whether she was dead or alive. The physician felt her pulse and pronounced her dead. The relatives of the dead lady asked him the cause of her death. The physician replied that she met her death simply because she could not breathe in water. (*Laughter.*)

It is a matter of surprise for me that the honourable lady member Begum Shah Nawaz remarked in her speech that she sought an interview with Mahatma Gandhi in 1931, that during her interview she requested him to make efforts to bring about a social revolution in the country and that Mahatma Ji replied that he had been already doing the same thing, but the honourable lady member contradicted him by saying that he had done nothing of the sort. The honourable lady member is referring to an incident that took place some 7 years ago.

Mrs. J. A. Shah Nawaz : On a point of personal explanation. I did not say that Mahatma Gandhi said to me, "You do not try to bring about social revolution". What I said was he asked pointing to the ladies gathered there to listen to the prayers, "Have I not already done it"? I said it was

not sufficient and unless and until he secured economic independence for women I would not call it social revolution.

Sardar Partab Singh : Mahatma Ji was perfectly right in saying so. If the Congress has failed to bring about any social economic revolution in the country I request the lady member who is highly qualified and who has been gifted with every kind of virtue by Providence to come forward and lead us in this direction. But I know it perfectly well that she would give the same old reply that the Government would levy new taxes and manage to utilise them properly.

Now, Sir, I come to the real point. The condition of India from the hygienic point of view is far from satisfactory. Just go to any village and you would find lofty dung hills on all sides of it. Heaps of rubbish and refuse would be seen scattered here and there. Big ponds of unwholesome and muddy water would be found near by the village. Above all in almost every village you would find wells sunk not far off from such ponds. Just imagine the miserable sight which these villages present in rainy seasons. During such seasons these ponds rear swarms of mosquitoes and other germs which cause malaria and other epidemics to spread in the neighbourhood. I ask the so-called zamindara ministry as to whether they have ever supplied any amount of potassium permanganate or any other germicidal drugs to these villages for combating diseases spread by the mosquitoes or germs.

The Punjab villages are inhabited not only by zamindars but also by carpenters, blacksmiths and village *kamins*. If they are enjoying robust health it is not due to the so-called beneficial activities of the present Government but to the fresh air and open atmosphere provided by God. Had they depended on the help of the present Government they would have become extinct by this time.

It would be admitted on all hands that ever since the advent of the British Raj in India the average height of the Indians has been decreasing day by day. Statistics prepared by the American Government show that the average height of men in America is 5 feet 10 inches and the average height of American ladies is 5 feet 6 inches. But in our country men only 5 feet 6 inches in height are required for service in the army. When such candidates for military service are made to stand by the side of measuring rod very few youngmen reach the required standard. I am pleased to see that inside the House there are several honourable members whose height is even more than 5 feet 6 inches but those whose height is less than this, have made up the deficiency in their height by wearing long *turras*. (Laughter).

Sir, perfect health can be achieved only by using fresh milk and pure ghee. But these are the things which we lack miserably. In olden times people used milk and ghee in abundance and it is why they used to enjoy robust health. But what we find to-day is that even those families which keep cows are not getting pure milk. In big families a limited quantity of milk has to be served to every member of the family. So it is often seen that women mix certain quantity of water with the milk which they get from the domestic animals.

[Sardar Partab Singh.]

It is a matter of regret that the Government has made a provision of only 17 lakhs in respect of public health. My honourable friend Mir Maqbool Mahmood had remarked in his speech that the Government has provided about 30 lakhs and not 17 lakhs as it intends to spend 12 lakhs of rupees for the improvement of the drainage system of the province. Sir, it is an admitted fact that the province has incurred a considerable loss by way of waterlogging due to the Government canals. If the Government undertakes to spend 12 lakhs to undo the havoc wrought by waterlogging it cannot be said that the Government is spending overmuch and that it is overliberal in its expenditure of money and is doing all to improve the health of the people of the province.

At this stage the Assembly adjourned till 2 P.M. on Tuesday, 22nd March, 1938.

PUNJAB LEGISLATIVE ASSEMBLY.

2ND SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Tuesday, 22nd March, 1938.

The Assembly met in the Council Chamber at 2 P.M. of the clock. Mr. Speaker in the chair.

STARRED QUESTIONS AND ANSWERS.

GRANT TO INTERMEDIATE COLLEGE AT LUDHIANA BY THE MUNICIPAL COMMITTEE AND DISTRICT BOARD, LUDHIANA.

*2192. **Pandit Shri Ram Sharma** : Will the Honourable Minister of Education be pleased to state the number and the amount of stipends granted to the students of a Government Intermediate College at Ludhiana by the Municipal Committee and the District Board, Ludhiana, during the last three years ?

The Honourable Mian Abdul Haye : Stipends granted by Municipal Committee, Ludhiana—

Year.			Number.	Rate.	Amount.		
					Rs.	Rs.	A. P.
1935-36	..	..	B.A. 4	20	}	1,214	8 5
			F.A. 4	12			
1936-37	..	..	B.A. 4	20	}	1,690	11 5
			F.A. 4	12			
1937-38	..	..	B.A. 2	20	}	865	2 8
			F.A. 2	12			

Stipends granted by District Board, Ludhiana—Nil.

Pandit Shri Ram Sharma : Do the Government have any objection to the local bodies helping students ?

Minister : In what manner ?

Pandit Shri Ram Sharma : By giving scholarships to students.

Minister : Government can have possibly no objection.

STIPENDS BY LOCAL BODIES FOR COLLEGE EDUCATION.

***2193. Pandit Shri Ram Sharma :** Will the Honourable Minister of Education be pleased to state, districtwise, the number and the amount of stipends granted by the local bodies in the Punjab to students for college education in the year 1936-37 ?

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

PRISONERS ON HUNGER-STRIKE IN DIFFERENT JAILS.

***2194. Sardar Sohan Singh Josh :** Will the Honourable Minister of Finance be pleased to state whether all the prisoners on hunger-strike in the Lahore, Multan and Montgomery jails have since given up hunger-strike ; if not, the names of those who are still on hunger-strike ?

The Honourable Mr. Manohar Lal : Yes.

PERMANENT EXHIBITION AT LAHORE.

***2195. Pandit Muni Lal Kalia :** Will the Honourable Minister of Development be pleased to state whether representations regarding a permanent exhibition at Lahore have been made to the authorities ; if so, the action that the Government proposes to take in the matter ?

The Honourable Chaudhri Sir Chhotu Ram : The matter will receive careful consideration in all its aspects.

Pandit Muni Lal Kalia : Have the buildings and structures that were erected there been removed by this time ?

Minister : Some of them have been removed.

Pandit Muni Lal Kalia : Even the model houses ?

Minister : I am not sure of that.

PERMANENT EXHIBITION AT LAHORE.

***2196. Sardar Hari Singh :** Will the Honourable Minister of Development be pleased to state—

- (a) whether he is aware of insistent and enthusiastic appeals from some quarters for a permanent exhibition at Lahore ;
- (b) whether the Government has so far come to any decision in the matter ; if not, the approximate period within which a decision is likely to be reached in the matter ?

The Honourable Chaudhri Sir Chhotu Ram : The honourable member's attention is invited to the reply given to Assembly question *2195 asked by Pandit Muni Lal Kalia (above).

UNDER-SECRETARIES IN IRRIGATION SECRETARIAT.

***2197. Dr. Sant Ram Seth :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that out of the four permanent posts of the under-secretaries in the Punjab Irrigation Secretariat no more than one post has ever been held by Indian officers of the Irrigation Branch of the Public Works Department ; if so, the reasons for this discrimination ;
- (b) whether the post of under-secretary in charge of the establishment in the said Secretariat has ever been held by an Indian officer and if not, why not ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Selections are made irrespective of race or creed of those who are best qualified for the duties. Out of 5 under-secretaries two are Indians.

(b) No. Selection is made of an officer who is best qualified for the duty.

Lala Bhim Sen Sachar : In how many cases have there been supersessions in the selection ? I take it that there were senior Indian officers available and they were not considered fit but junior European officers were appointed.

Minister : There is no question of supersession. The best man is selected.

Lala Bhim Sen Sachar : Am I correct in understanding that there were senior Indian officers and they were not considered fit to take charge of this department ?

Minister : My honourable friend may draw any conclusion from the reply that I have already given.

Sardar Sohan Singh Josh : May I know the meaning of the 'best man' ? Is a white-skinned man the best or some other man ?

Minister : May I know if this is the only test which is going to be applied to it ?

Lala Bhim Sen Sachar : May I know what considerations weigh with the Government in selecting junior European officers in preference to senior Indian officers ?

Minister : I cannot add anything more to the reply that I have given.

Lala Bhim Sen Sachar : Is the Honourable Minister prepared to reconsider this question and reverse his previous policy ?

Mr. Speaker : That is a request for action.

Lala Duni Chand : Has the Honourable Minister ever tried to find out the best Indian suitable for this post ?

Minister : Unless you put the question through the Chair, I am not going to reply.

Lala Bhim Sen Sachar : Is the Honourable Minister aware that there is a great deal of resentment amongst senior Indian officers over the procedure that is adopted by him ?

Minister : I am not aware of any such resentment.

Lala Bhim Sen Sachar : You will not be able to make yourself aware of any resentment.

Minister : The honourable member may draw that conclusion, but I have said that the best man is selected.

REPRESENTATION OF AGRICULTURISTS IN P. E. S. AND S. E. S.

***2198. Chaudhri Sumer Singh :** Will the Honourable Minister of Education be pleased to state—

(a) the number of Hindu statutory agriculturists excluding Brahmins and Tagas, and the number of Muslim statutory agriculturists excluding Sayads, Qureshis, and Ansaries in the P. E. S. and S. E. S. separately ;

(b) whether it is a fact that the representation of Hindu and Muslim statutory agriculturists, excluding Brahmins and Tagas from the former and Sayads, Qureshis and Ansaries from the latter in the said services is very meagre ; if so, the action that the Government proposes to take to redress their grievances ?

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

Lala Bhim Sen Sachar : Is it because the Honourable Minister is being precluded from answering a communal question ? Why is he sorry ?

Minister : We are happy.

GRANT-IN-AID FOR GIRLS' SCHOOLS.

***2199. Mahant Prem Singh :** Will the Honourable Minister of Education be pleased to state whether it is a fact that Government has recently passed orders to the effect that for sometime no new school should be brought on the grant-in-aid list in future ; if so, whether these orders apply to the girls' schools as well ?

The Honourable Mian Abdul Haye : The reply to the first part of the question is in the affirmative. In very exceptional cases it may be possible to give grant-in-aid to a girls' school if the local body concerned has funds. But ordinarily no new school is to be brought on the grant-in-aid list.

Lala Duni Chand : Is the non-opening of schools in pursuance of the Government scheme to introduce primary and compulsory education ?

Minister : There is no question of non-opening of schools. I am not opening new schools for boys.

Lala Duni Chand : Your answer indicates quite otherwise.

Minister : That is a question of grant-in-aid. I am opening new schools for girls.

***2200.** *Cancelled.*

POST OF MODELLING TEACHER IN MAYO SCHOOL OF ARTS AT LAHORE.

***2201. Mian Sultan Mahmud Hotiana :** Will the Honourable Minister of Development be pleased to state whether he intends to recruit a Punjabi or a non-Punjabi for the vacant post of a Modelling Teacher in the Mayo School of Arts at Lahore ?

The Honourable Chaudhri Sir Chhotu Ram : The post has been advertised. Other things being equal, a Punjabi will naturally be preferred.

FEES FOR EXAMINATION IN X-RAY AND OTHER GOVERNMENT LABORATORIES.

***2202. Mian Sultan Mahmud Hotiana :** Will the Honourable Minister of Education be pleased to state the rates at which the fees charged for medical examinations from patients in X-Ray pathological, and clinical Government laboratories is distributed between Government and doctors and the reasons why the doctors who conduct these examinations and who are wholetime Government servants are paid a portion of this fee ?

The Honourable Mian Abdul Haye : The fees realized for laboratory and X-Ray examinations from private patients are apportioned between the medical officer concerned and the Government in the ratio of 60 : 40 per cent. The present incumbent of the post of Bacteriologist has, however, been allowed, for so long as he holds that post, to retain 96 per cent. of such fees. The medical officers are given a share of such fees as in the terms of the conditions of their service they are entitled to private practice as long as it does not interfere with the discharge of their official duties.

Diwan Chaman Lall : Will the Honourable Minister please state whether they are utilising Government machinery for the purpose of conducting these X-Ray examinations ?

Minister : I assume so.

Diwan Chaman Lall : If that is so, what right has the doctor to charge a fee from a private patient ?

Minister : The matter will be inquired into.

Lala Duni Chand : Is it true that the scale of fees for X-Ray examination is prohibitory and is beyond the means of many patients ?

Minister : Not at all, Sir.

Lala Duni Chand : What is the scale of fee ? Is it not true that Rs. 10 is charged for an examination ?

Minister : I would require notice.

Mian Sultan Mahmud Hotiana : If the medical officers are getting their pay, why should they be allowed to charge fee for conducting these examinations ?

Minister : I have already indicated that this matter will be inquired into and a proper decision taken.

CIVIL DISPENSARY, RAMDAS.

***2203. Mian Sultan Mahmud Hotiana :** Will the Honourable Minister of Education be pleased to state whether it is a fact that no Muslim doctor has ever been appointed as in charge of the civil dispensary at Ramdas, district Amritsar, since the time of its establishment ; if so, reason for the same and the action the Government intends to take in the matter ?

The Honourable Mian Abdul Haye : I must decline with regret to answer this question which savours of communalism on the floor of the House. I am sorry to have to adopt this attitude but Government consider it necessary in the public interest to establish a convention in connection with such questions. I shall, however, always be prepared to examine any particular instance of disproportionate representation which the honourable member may bring to my notice in a more informal way.

COMPLAINT AGAINST THE HEAD MISTRESS, GOVERNMENT HIGH SCHOOL FOR GIRLS, LYALLPUR.

***2204. Mian Sultan Mahmud Hotiana :** Will the Honourable Minister of Education be pleased to state whether he is aware that on 15th January, 1938, the Head Mistress of Government High School for Girls, Lyallpur, invited a young Hindu to show physical feats in the school ; if so, the action the Government intends to take in the matter ?

The Honourable Mian Abdul Haye : Yes. The Head Mistress has been warned that such performances should, under no circumstances, be allowed in the future. Instructions have also been issued to other Head Mistresses of Government Girls' Schools to the effect that they should not allow men to lecture or demonstrate in their schools, without the permission of the Circle Inspectress.

MUSLIM REPRESENTATION IN THE MECHANICAL ENGINEERING DEPARTMENT OF THE MACLAGAN ENGINEERING COLLEGE, LAHORE.

***2205. Mian Sultan Mahmud Hotiana :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that the post of a professor has fallen vacant in the Mechanical Engineering Department in the MacLagan Engineering College, Lahore ;
- (b) whether it is a fact that there are very few Muslims in the aforesaid department ;
- (c) if so, the action the Government intends to take to make up their deficiency ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : I must decline with regret to answer questions which savour of communalism on the floor of the House. I am sorry to have to adopt this attitude but Government consider it necessary in the public interest to establish a convention in connection with such questions. I shall, however, always be prepared to examine any particular instance of disproportionate representation which honourable members may bring to my notice in a more informal way.

Lala Duni Chand : I want a ruling from the chair. If a question is in order under the rules, is it open to an Honourable Minister to refuse to answer that question?

Minister : This point has been raised and decided.

Mr. Speaker : This point was raised, and decided by me, yesterday or the day before. When a question is in order, it should be answered unless the Minister does not deem it advisable to answer it, in the public interest. He may also decline to answer it without assigning any reason.

PANDIT SHIV DAT RANGA OF MUZAFFARGARH.

***2206. Munshi Hari Lal :** Will the Honourable Premier be pleased to state if it is a fact that Pandit Shiv Dat Ranga residing at Muzaffargarh is being kept under the close watch of the Police; if so, the reasons for this close surveillance?

Parliamentary Secretary (Mir Maqbool Mahmood) : It is not in the public interest to answer such questions.

Sardar Hari Singh : What is it the answer to which is not in the public interest—the fact or the reasons?

Mr. Speaker : It is enough if he says that it is not in the public interest to answer the question.

Sardar Hari Singh : May I ask whether he is aware that Pandit Shiv Dat Ranga is under the surveillance of the police?

Parliamentary Secretary : I regret I cannot add anything to the answer already given.

Diwan Chaman Lal : Will he please say what particular aspect of the public interest would be injured by the honourable member answering the question?

THEFT CASES IN ABADI NEAR RAILWAY STATION, ABDUL HAKIM.

***2207. Munshi Hari Lal :** Will the Honourable Premier be pleased to state the number of thefts that have taken place during the last three months in the New 'abadi' which has sprung up in the vicinity of Railway Station, Abdul Hakim, in district Multan as reported in the Police Station of the Ilqa with results of the investigation in each case?

Parliamentary Secretary (Mir Maqbool Mahmood) : Two. The first case, which related to a series of burglaries committed in four shops in one bazar on the same night, had to be filed as untraced. The second case is still under investigation.

INADEQUATE REPRESENTATION OF MUSLIMS ON THE DISTRICT
BOARD, JULLUNDUR.

***2208. Mian Abdul Rab :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the population community-wise of the Jullundur district ;
- (b) the voting strength for the District Board, Jullundur, community-wise ;
- (c) the representation of various communities in the District Board, Jullundur ;
- (d) the reasons for inadequate representation of the Muslims, with the steps the Government propose to take in this matter ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : I must decline with regret to answer questions which savour of communalism on the floor of the House. I am sorry to have to adopt this attitude but Government consider it necessary in the public interest to establish a convention in connection with such questions. I shall, however, always be prepared to examine any particular instance of disproportionate representation which honourable members may bring to my notice in a more informal way.

MUSLIM REPRESENTATION IN MUNICIPAL COMMITTEE, PHILLAUR.

***2209. Mian Abdul Rab :** Will the Honourable Minister for Public Works please state—

- (a) the voting strength community-wise of the Municipal Committee of Phillaur in the Jullundur district ;
- (b) the reasons why during the last elections inadequacy of Muslim representation in the said Municipal Committee was not removed by nomination ;
- (c) what steps the Government proposes to take in the matter ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : I must decline with regret to answer questions which savour of communalism on the floor of the House. I am sorry to have to adopt this attitude but Government consider it necessary in the public interest to establish a convention in connection with such questions. I shall, however, always be prepared to examine any particular instance of disproportionate representation which honourable members may bring to my notice in a more informal way.

MUSLIM REPRESENTATION IN MUNICIPAL COMMITTEE, BANGA.

***2210. Mian Abdul Rab :** Will the Honourable Minister for Public Works please state—

- (a) the voting strength community-wise of the Municipal Committee, Banga, in the Jullundur district ;

- (b) whether it is a fact that the Muslims are inadequately represented in that Committee; if so, the steps the Government propose to take to remedy the grievance?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : I must decline with regret to answer questions which savour of communalism on the floor of the House. I am sorry to have to adopt this attitude but Government consider it necessary in the public interest to establish a convention in connection with such questions. I shall, however, always be prepared to examine any particular instance of disproportionate representation which honourable members may bring to my notice in a more informal way.

MUSLIM REPRESENTATION IN MUNICIPAL COMMITTEE, KARTARPUR.

***2211. Mian Abdul Rab :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the voting strength community-wise of the Municipal Committee of Kartarpur in the Jullundur district ;
 (b) whether it is a fact that the Muslims are inadequately represented in this Municipality ; if so, the steps the Government propose to take to remove this grievance ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : I must decline with regret to answer questions which savour of communalism on the floor of the House. I am sorry to have to adopt this attitude but Government consider it necessary in the public interest to establish a convention in connection with such questions. I shall, however, always be prepared to examine any particular instance of disproportionate representation which honourable members may bring to my notice in a more informal way.

HUNGER STRIKE OF SARDAR GURMUKH SINGH, REPATRIATED ANDAMAN PRISONER.

***2212. Munshi Hari Lal :** Will the Honourable Minister of Finance be pleased to state—

- (a) whether Sardar Gurmukh Singh, a repatriated Andaman prisoner, now confined in Old Central Jail, Multan, is still on hunger-strike;
 (b) whether it is a fact that he has suffered in his health on account of hunger-strike ;
 (c) his weight before 20th November, 1937, and his present weight ;
 (d) whether it is a fact that he is being forcibly fed ; if so, whether forcible feeding has produced any effect upon his normal health ?

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

(b) His hunger strike has resulted in loss of weight. He complains of sciatica from an attack of which he appears to have suffered during his hunger strike.

(c) His weight on the 20th November, 1937, was 134 lbs. and on the 6th March, 1938, 127 lbs.

[Finance Minister.]

(d) He was being artificially fed during the hunger strike. The reply to the second part is in the negative.

PART TAKEN BY THE EMPLOYEES OF THE DISTRICT BOARD,
LUDHIANA, IN DISTRICT BOARD ELECTIONS.

***2213. Sardar Lal Singh :** Will the Honourable Minister of Public Works be pleased to state whether it is a fact that Sardar Wazir Singh, Senior Vice-Chairman, District Board, Ludhiana, in August, 1987, complained to the Chairman (Deputy Commissioner), in writing that certain employees of the Board had taken sides and part in the last District Board elections; if so, whether any inquiry was instituted into the allegations and; if not, why not?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : Although no written complaint is traceable Sardar Wazir Singh did complain to the Deputy Commissioner about the activities of certain employees of the Board in the last elections, but the allegations made by him were vague and indefinite, and were not substantiated on inquiry.

Sardar Lal Singh : Was an inquiry actually held?

Minister : Yes. When I say that the allegations were not substantiated, I mean that it was held.

Sardar Lal Singh : Was the complainant called to substantiate his allegations? Was the inquiry held according to the usual procedure?

Minister : I cannot say off-hand.

Chaudhri Muhammad Hassan : What was the nature of the inquiry?

Minister : The usual inquiry about certain allegations.

Chaudhri Muhammad Hassan : Who made the inquiry?

Minister : The Deputy Commissioner.

Chaudhri Muhammad Hassan : Who were the witnesses called?

Minister : If the honourable member wants names, then I require notice.

Sardar Lal Singh : If the complaint is not traceable in the office may I know whether there is any record relating to this inquiry in the office?

Minister : I have stated in my reply that the Deputy Commissioner says that the gentleman did complain to him.

Sardar Lal Singh : May I take it that the Honourable Minister's reply is based on the reply of the Deputy Commissioner?

Minister : Yes, I did not hold the inquiry personally.

Chaudhri Muhammad Hassan : Who were the employees complained against—the clerks, the engineers or the secretary?

Minister : If you want names, you should give notice.

PROSCRIPTION OF PUNJABI *Kirti*, LAHORE.

***2214. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state—

(a) whether the Government have proscribed the Punjab edition of the *Kirti*, a Lahore weekly of 18th February, 1938 ;

(b) if so, the reasons for so doing ?

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

(b) Does not arise.

INTERMENT OF N. S. SANDHU OF VILLAGE KHARA, DISTRICT AMRITSAR.

***2215. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state—

(a) whether Mr. N. S. Sandhu of village Khara, Police Station Sarhali, district Amritsar, was interned in his village for one year in 1936 ;

(b) whether his internment order expired in 1937 ;

(c) whether he has been again interned in his village for one year ;

(d) if so, the reasons for the same ;

(e) whether the Government proposes to give him any maintenance allowance during the period of his internment ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a), (b) and (c) Yes.

(d) For having acted and being about to act in a manner prejudicial to the public safety and peace.

(e) No.

Diwan Chaman Lall : May I ask whether an inquiry was held in this particular case as to whether this individual was going to act in a manner prejudicial to the public safety and peace ?

Parliamentary Secretary : Government satisfied itself before taking action.

Diwan Chaman Lall : In what particular manner did Government satisfy itself ?

Parliamentary Secretary : By making suitable inquiries.

Diwan Chaman Lall : What was the agency employed to make the suitable inquiry ?

Parliamentary Secretary : Local authorities.

Diwan Chaman Lall : Who were they ?

Parliamentary Secretary : Local authorities are local authorities.

Diwan Chaman Lall : I want to know whether the local police man was one of those who were involved in making the inquiry ? Or was it the local revenue patwari who was one of the local authorities ? The honourable member's reply is incorrect.

Parliamentary Secretary : If the honourable member wishes to inquire whether certain conditions were satisfied in making the inquiry, I would require notice.

Diwan Chaman Lall : May I point out that in answering my question the honourable member has given an incorrect reply on the floor of this House. He said 'local authorities.' I asked him as to who those local authorities were. How can he now reply 'no ?' Either his first reply is incorrect or his second reply incorrect.

Mr. Speaker : The honourable member is cross-examining.

Diwan Chaman Lall : May I ask him another supplementary question ? What was the nature of the evidence placed before the people who made these enquiries ?

Parliamentary Secretary : I would not answer any question unless my honourable friend withdraws the statement that incorrect replies have been made by me on the floor of the House and I seek your protection.

Diwan Chaman Lall : May I draw your attention to the actual state of affairs when the honourable member says 'local authorities.' Even a patwari is a local authority ; the local policeman is a local authority. The honourable member discloses an ignorance of what a local authority is and yet he is glib enough to stand on the floor of this House and say that the local authorities made an enquiry when he does not himself know who those people were. Therefore, Sir, I assert that it is an incorrect reply.

Mr. Speaker : His answer may be correct or incorrect. I am not concerned with the merits of his answer. But if a reply given by a Parliamentary Secretary or a Minister on the floor of this House, is to be criticised, the only way to do this is to move an adjournment motion. To call it incorrect, though not unparliamentary, is not dignified. Can the honourable member refer to any rule under which he can comment on an answer given on the floor of the House ?

Diwan Chaman Lall : An honourable member is perfectly within his rights in asking another honourable member whether his reply is correct or whether the reply as given is an incorrect reply. I am perfectly within my rights in asking whether he has given an incorrect reply or not.

Mr. Speaker : To the extent of asking whether he has given this or that reply and whether there is any inconsistency or contradiction, there may be no objection. But to make comments or pass remarks cannot be allowed.

Diwan Chaman Lall : I am making no comments. Probably I have not been able to make myself clear. I repeat the question again whether the honourable member is aware that he has made an incorrect reply ?

Parliamentary Secretary : I am aware that I have given a correct reply and my honourable friend has either misunderstood it or refuses to understand it.

Diwan Chaman Lall : May I ask once again as to whether the local policeman and the local patwari were the people who are considered to be the local authorities who made the enquiry ?

Parliamentary Secretary : In this particular case higher persons than these made enquiries.

Diwan Chaman Lall : Will the honourable member now please tell us who the higher persons were ?

Parliamentary Secretary : They started with the Deputy Commissioner and the Superintendent of Police and a police officer was deputed to make certain enquiries.

Diwan Chaman Lall : May I ask whether the honourable member will tell this House as to the persons who were enquired of regarding this particular matter ?

Parliamentary Secretary : If my honourable friend gives notice of that question and it is not thought against public interest to answer it, it shall be answered.

Lala Duni Chand : May I ask whether any statements were recorded in connection with this enquiry and if so whether he can disclose the names of the persons whose statements were recorded.

Parliamentary Secretary : I require notice of that question.

SUSPENSION OF LICENCES OF SARDARS KUNDAN SINGH AND BALWANT SINGH.

***2216. Sardar Hari Singh :** Will the Honourable Premier be pleased to state in reference to answer to starred question No. 1062¹, regarding suspension of gun licence of Sardars Kundan Singh and Balwant Singh of village Baddon, district Hoshiarpur,

- (a) the nature of the serious allegation against them ;
- (b) whether the district magistrate has completed his inquiry into the matter ; if so, with what result ; if not, when the inquiry is expected to be completed ?

Parliamentary Secretary (Mir Maqbool Mahmood) : The District Magistrate has since passed an order cancelling the licences. The facts established by his inquiries are stated in the order, a copy of which is placed on the table.

Order of the District Magistrate, Hoshiarpur, dated the 10th March, 1938.

I have had further inquiries made into the complaints against Sardars Kundan Singh and Balwant Singh of village Baddon whose gun licences were suspended by me on the report of the police. I am satisfied that the complaints against them are genuine. The report of the police shows that the relations between Sardars Kundan Singh and Balwant Singh on one side and Balbhadar Singh, their near collateral on the others are much strained and there is a dispute between them over property regarding which some litigation has also been going on. It is further reported that Sardar Kundan Singh is now financially very badly off, and his lands have been sold. The police and the Tahsildar, Garhshankar, both recommend that their licences should be cancelled. I now cancel the licences of Sardars Kundan Singh and Balwant Singh.

PUNITIVE POLICE POST AT VILLAGE DIHANA.

***2217. Sardar Harjab Singh :** Will the Honourable Premier be pleased to state whether it is a fact that a punitive police post was posted at village Dihana, thana Mahilpur, district Hoshiarpur, in the years 1922-23 ; if so, reasons for the same and also the sum realized from the village as cost of the said post ?

Parliamentary Secretary (Mir Maqbool Mahmood) : The honourable member is invited to refer to the reply given in the last session to his question *916.¹ He would not expect that there is any occasion to give reasons or to justify action taken more than fifteen years ago.

PREVENTION OF LEPROUS BEGGARS FROM ENTERING CITY OF LAHORE.

***2218. Begum Rashida Latif Baji :** Will the Honourable Minister for Education be pleased to state whether the Government has ever considered the question of preventing the leprous beggars from coming into the streets and bazars of the city of Lahore and from spreading the germs of leprosy among the people; if so, the manner that has been found feasible to check this nuisance to the public?

The Honourable Mian Abdul Haye : The question of ridding Lahore from leprous beggars was thoroughly considered in 1931-32 and again in 1934-35. It was not considered advisable to extend the Lepers Act of 1898 to the Punjab and in consequence no legal action can be taken against lepers. The best way of eradicating the evil is to extend measures for diagnosis and treatment of leprosy throughout the province. This method is now being vigorously pursued. A survey of 15 districts has been completed and there are now 80 leprosy clinics in different parts of the province.

Sardar Hari Singh : May I enquire whether the present Ministry has considered the question of extending the Lepers Act to this province?

Minister : No.

Sardar Hari Singh : May I know whether he intends considering the question?

Minister : The reason for not extending the Lepers Act to the Punjab in 1934-35 was obviously that there was no accommodation in the leper homes and the same conditions exist even at present.

Sardar Hari Singh : May I know whether he intends to consider this question?

Minister : No.

Begum Rashida Latif Baji : Does he realise the seriousness of this matter?

Minister : I do certainly realise.

Begum Rashida Latif Baji : Then why has he not gone into the details and taken action?

Minister : It is a question of funds.

Begum Rashida Latif Baji : Supposing the lepers of the city go to the bungalow of the Honourable Minister, what will he do with them?

Minister : I shall welcome them and try to assist them.

Lala Bhim Sen Sachar : Does he know the number of such lepers? Has he any idea?

Minister : In Lahore? No.

Lala Bhim Sen Sachar : What would be the cost of making such an arrangement for housing them ?

Minister : I require notice.

Begum Rashida Latif Baji : Is the honourable member aware that leprosy is prevailing in the province ?

CAPTAIN SARDAR JAGPAL SINGH, HONORARY MAGISTRATE,
DISTRICT LUDHIANA.

***2219. Chaudhri Muhammad Hassan :** Will the Honourable Minister for Finance be pleased to state :—

- (a) the educational qualifications of Captain Sardar Jagpal Singh, Honorary Magistrate ;
- (b) the number of transfer applications submitted to the District Magistrate, Ludhiana, during the last three years for the transfer of cases in the court of the said honorary magistrate with the names and residence of the applicants ;
- (c) whether the Government is aware that the said honorary magistrate was heavily under debt before his appointment to the present post ;
- (d) the total amount of his liabilities at present and whether any decrees are outstanding against him ;
- (e) whether any warrants of arrest were issued against him in execution of money decrees during the last three years ;
- (f) the names of those who obtained decrees against Captain Jagpal Singh during the last three years ?

The Honourable Mr. Manohar Lal : (a) Read up to the Diploma standard in the Aitchison College, and subsequently studied in England.

(b) Twelve—by no means a large number. A statement giving the names and addresses of the applicants is laid on the table.

(c) This is not correct.

(d) and (f) I do not think that the House would wish particulars to be given of the Honorary Magistrate's private affairs. It will suffice for me to say that his liabilities are trifling, compared with his income. I should like to add that the Sardar has not only shown himself a good magistrate but has done most useful work in promoting rural development in his tahsil.

(e) No.

Names of applicants.

1. Harnama, son of Daula, Jat, of Khana (accused).
2. Piru, son of Birbal, Jat, of Bija (accused).
3. Gammu, son of Jiwa, Jat, of Rajewal (accused).
4. Mai Ditta, son of Sita Ram, Brahmin, of Bagli Kalan (accused).
5. Atua Ram, Head Master, Jodhwal (accused).
6. Shadi, son of Isa, Gujjar, of Hadon (accused).
7. Labhu, son of Sundar, Jat, of Poonian (accused).
8. Dost Mohammad, son of Fatta, Jat, of Mangarh (accused).
9. Kalu, son of Rura, Jat, of Berwali Khurd (accused).
10. Ganda, son of Santu, Jat, of Nanowal (accused).
11. Kadar Singh, son of Babu Ram, Saini, Machhiwara (complainant).
12. Waryam Singh, son of Sumand Singh, Jat, of Takhran (accused).

Lala Duni Chand : Will the Honourable Minister be pleased to state whether the state of bankruptcy of an honorary magistrate is not sufficient to take away his magisterial powers ?

Minister : How does this question arise ? I have already said that this honorary magistrate is a good magistrate and is not suffering from any bankruptcy.

Lala Duni Chand : The question raises the matter of heavy indebtedness of this gentleman, my supplementary question therefore clearly arises out of the answer given by the Honourable Minister. The question has been raised whether he is heavily indebted and when that has been answered I want to know whether the state of bankruptcy is a sufficient ground for removal of the magistrate or not. I want your ruling whether the question arises out of the answer or not.

Mr. Speaker : The question is whether the Government is aware that the said honorary magistrate was heavily indebted *before* his appointment.

Lala Duni Chand : May I invite your attention to part (d) which asks for the total amount of his liabilities at present and whether any decree is outstanding against him ?

Mr. Speaker : If a man was heavily indebted before or at the time of his appointment as honorary magistrate the fact that he is now heavily indebted is immaterial.

Lala Duni Chand : That question deals with the subsequent indebtedness of the gentleman.

Mr. Speaker : Does the honourable member contend that his liabilities have increased further ?

Lala Duni Chand : That is what I understand.

Minister : I can answer that question straight away. His liabilities are very small in comparison with his annual income.

Pandit Muni Lal Kalia : What is his annual income ?

Minister : I have already refused to discuss on the floor of the House the private affairs of a gentleman. But I am satisfied myself that his annual income is so large that the small liability that attaches to him at the present moment is of no consequence.

Chaudhri Muhammad Hassan : Were his liabilities considered at the time of his appointment ?

Minister : All relevant matters were considered, and his liabilities are extremely small.

Pandit Muni Lal Kalia : Is he a good magistrate for the reason of his judicial decisions and work done or on account of his rural work ?

Minister : He is a good magistrate because he is a good magistrate. He does his work as a magistrate well and properly and his work is spoken of in the highest terms by those who are competent to judge.

Pandit Muni Lal Kalia : May I know in how many of his cases has the District Magistrate interfered ?

Minister : I do not know.

Lala Duni Chand : Is this gentleman a good magistrate simply because the Honourable Minister is pleased to say that, he is a good magistrate?

Mr. Speaker : That is not a question.

Chaudhri Muhammad Hassan : How many warrants of arrest were issued against him?

Minister : No warrants of arrest were issued against him.

Pandit Muni Lal Kalia : May I know whether a resolution of the Bar Association of Samrala was passed against him pointing out the matters which are now raised in the question.

Chaudhri Muhammad Hassan : May I know whether warrants of arrest were issued against him at the instance of his own cousin Sardar Ude Singh Sahib.

Minister : I am not aware of any such incident.

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ABSENCE OF A MEMBER FROM THE MEETINGS OF THE MUNICIPAL
COMMITTEE, RAIKOT.

***2220. Chaudhri Muhammad Hassan :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that a member of the Municipal Committee, Raikot, twice remained absent from the meetings of the said Municipal Committee for more than three consecutive months;
- (b) whether on both the occasions his absence was brought to the notice of the Deputy Commissioner, concerned; if so, whether any action was taken against him; if not, reasons for the same?

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

(b) Yes, necessary action is being taken.

Chaudhri Muhammad Hassan : When was it for the first time brought to the notice of the Deputy Commissioner that the gentleman remained absent for three months?

Minister : I cannot state the date.

Chaudhri Muhammad Hassan : What is the nature of the necessary action taken against him?

Minister : A warning has been issued.

Chaudhri Muhammad Hassan : Has it been issued or is it only being issued?

Minister : It is being issued.

Chaudhri Muhammad Hassan : By whom is it being issued—by the Honourable Minister or by the Deputy Commissioner?

Minister : By the Government.

UNSTARRED QUESTIONS AND ANSWERS.

MINERAL SPRINGS.

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

- (a) whether mineral springs of medicinal waters found in different parts of the Punjab by the Surveying Authorities of the Government of India are being popularized amongst the public through Government doctors and certificated medical practitioners in the various parts of the Punjab ;
- (b) if so, which of these springs have been notified so far in this way ;
- (c) if none hitherto, whether the Government propose to take any action in the matter ?

The Honourable Mian Abdul Haye : Government have at present no information about any such mineral springs. The Survey Department of the Government of India are being asked to supply the necessary information, after which suitable action will be taken, if necessary.

IMPORT OF PATENT MEDICINES WITHOUT THEIR FORMULAE DISCLOSED ON THEIR LABELS.

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

- (a) whether it is a fact that secret medicines having no formulæ of their own disclosed on their labels and patent ones are being imported into the Punjab from several foreign countries of the world ;
- (b) if so, whether arrangements have been made anywhere in the Punjab for testing their efficacy or freshness ;
- (c) if not, whether this matter has ever been referred by the Punjab Government to the Central Advisory Board of Public Health for their investigations and recommendations in this direction ;
- (d) if not, whether the Government proposes to take any other action in this matter ?

The Honourable Mian Abdul Haye : (a) Yes ;

(b) and (c) No.

(d) The matter is receiving the consideration of Government.

FACTORIES HAVING THEIR OWN MEDICAL AND EDUCATIONAL ARRANGEMENTS.

349. Lala Deshbandhu Gupta : Will the Honourable Minister for Development be pleased to state—

- (a) the number of factories in the province employing more or less a labour force of about five hundred manual, clerical or supervisory workers every day throughout the last financial year ;

(b) the number of those factories in the province having at present their own separate hospitals and schools catering for the needs of the families of those workmen ;

(c) whether the Government intends to take any steps with regard to those factories whose medical and educational arrangements are not satisfactory ?

The Honourable Chaudhri Sir Chhotu Ram : (a) 16.

(b) Nine have got their own hospitals and schools. Six have dispensaries each with a doctor in charge but no hospitals or schools. One has neither.

(c) There is no provision under which factory owners could be required to provide their own hospitals or schools.

PHYSICAL TRAINING IN BOARDING HOUSES.

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

(a) the percentage of boarding houses of recognized schools and colleges (male and female) where morning physical training was compulsory throughout the last calendar year ;

(b) whether Government intend to take any steps towards making morning physical exercise compulsory in such boarding houses ?

The Honourable Mian Abdul Haye : (a) It is not in the public interest to collect this information.

(b) Morning physical exercises cannot be made compulsory, but resident students are always encouraged to do them.

NUMBER OF STUDENTS IN PRIMARY CLASSES OF PRIMARY SCHOOLS OF MUNICIPAL COMMITTEES AMBALA DIVISION.

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

(a) the number of municipal schools of the Ambala division, in the 1st primary classes of the primary schools, of which the average attendance of students was more than forty-five in any month of the last calendar year, with a single teacher in charge of the classes in spite of the objections of the district inspectors of schools ;

(b) whether the Government proposes to take any action in the matter ?

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

STUDENTS SUFFERING FROM DEFECTIVE VISION IN SCHOOLS.

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

- (a) the respective percentages of high, middle and primary schools (male and female) the eyes of the students of which were examined by teachers or doctors in each educational division during the last calendar year ;
- (b) the percentages of the students of different grades of schools who were found suffering from defective vision ;
- (c) the percentages of those students for whom spectacles were provided ?

The Honourable Mian Abdul Haye : It is not in the public interest to collect this information.

FIRST-AID CERTIFICATES SECURED BY STUDENTS IN HIGH CLASSES AND ARTS COLLEGES.

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

- (a) the present percentage of students (male and female) in high classes and Arts colleges who have secured first-aid certificates
- (b) whether the Government propose to take any steps to increase the number of such students ?

The Honourable Mian Abdul Haye : The time, labour and expenditure that will be involved in collecting the information does not appear to be commensurate with its usefulness.

RENT OF GOVERNMENT SERVANTS QUARTERS AT SIMLA.

354. Lala Deshbandhu Gupta : Will the Honourable Minister for Public Works be pleased to state the total amount of rent money received during the last financial year from Punjab Government servants housed in different Punjab Government quarters at Simla ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : The total amount of rent money received during 1936-37 from Punjab Government servants housed in different Punjab Government quarters at Simla was Rs. 28,862.

CASES INSTITUTED BY MUNICIPAL COMMITTEES.

355. Lala Deshbandhu Gupta : Will the Honourable Minister for Public Works be pleased to state whether Government is aware that several cases instituted duly in regular courts of law on behalf of municipal committees fail on account of the negligence of secretaries or their other municipal officials ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : Government have no reason to believe that the complaint is a general one. There may be some isolated cases and if the honourable member will specify the particular cases of municipal committees he has in mind I will be only too glad to make the necessary enquiries with a view to taking such action as may be called for.

REVISION AND SANCTION OF SCHEDULE OF OCTROI DUTY OF SHAHABAD
MUNICIPAL COMMITTEE.

356. Lala Deshbandhu Gupta : Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that the octroi duty schedule of the Shahabad municipal committee in the Karnal district has been revised and sanctioned in the absence of the elected representatives of the public during the period of the committee's suspension and that the new enhanced rates are doubled in many cases ;
- (b) if the answer to (a) be in the affirmative, whether he will place a copy of the previous and the new schedule on the table ;
- (c) whether the Government is also aware of the fact that on 25th January, 1938, the first day for the schedule's enforcement, all the shopkeepers unanimously observed a complete *hartal* in protest of the revised heavy rates and they also ventilated their grievances through the press ;
- (d) if the answer to (a) be in the affirmative, will he please state what measures he proposes to adopt in the matter ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) Yes. The rates have been enhanced in some cases and reduced in others, but the enhanced rates have been doubled in a very few cases only.

(b) Copies of the old and new terminal tax schedules are enclosed.

(c) A partial *hartal* was observed on the 25th January, 1938, but there is nothing to show that the grievances of the Shahabad public were ventilated through the press.

(d) The revised schedule was sanctioned after taking into consideration all the objections received on the publication of the schedule and the local conditions of the town. Government, therefore, do not propose to take any action in the matter.

[Minister for Public Works.]

The 1st June, 1907.

No. 323.—Notification.—The following schedule of octroi rates proposed to be levied in the Municipality of Shahabad in the Karnal district, having been approved by His Honour the Lieutenant-Governor, is published for general information under section 43(9) of the Punjab Municipal Act, 20 of 1891.

The proposed tax shall come into force on and from 1st July, 1907 :—

(SCHEDULE).

Articles.	Rate of Octroi by maund- age.	Advalo- rem.	By tale.
	Rs. A. P.	Rs. A. P.	Rs. A. P.
CLASS I.			
ARTICLES OF FOOD AND DRINK.			
1. Wheat and wheat flour	0 0 3	..	..
2. Rice	0 1 0	..	..
3. Barley and barley flour	0 0 3	..	..
4. (a) Grain and other food grains	0 0 3	..	..
(b) Suji and other flour	0 0 6	..	..
5. Refined sugar (i.e., white or crystallized sugar) i.e.—(a) <i>Khand</i>	0 9 0	..	..
(b) Sugar Candy	1 6 6	..	..
(c) Sugar refined by European methods	0 12 0	..	..
6. (a)—			
(i) Unrefined sugar	0 4 6	..	..
(ii) <i>Gur</i>	0 2 3	..	..
(iii) <i>Shakkar</i>	0 3 0	..	..
(b) <i>Shira</i>	0 1 6	..	..
7. <i>Ghee</i>	0 12 6	..	..
8. Other articles of food and drink—			
(a) All fruits	0 1 0	..	..
(b) All vegetables	0 0 6	..	..
(c) Potatoes and edible roots	0 1 0	..	..
(a) Jams and condiments not being spices includ- ing assafetida, betel nut and linseed—			
(b) Oilman's store .. ..	..	} 0 0 6	..
(c) Tea and Indian Coffee .. ..	..	
(f) Fish .. ..	..	
(g) Cotton seeds and oil cakes	0 1 3	..	..
(h) Betel leaf .. ..	..	0 0 0	..

Articles.	Rate of Octroi by maund- age.	Ad valo- rem.	By tale.
	Rs. A. P.	Rs. A. P.	Rs. A. P.
CLASS II.			
ANIMALS FOR SLAUGHTER.			
(a) Buffaloes	0 14 0
(b) Cow	0 2 0
(c) Sheep and goat	0 3 0
(d) Pig	0 10 0
CLASS III.			
ARTICLES USED FOR FUEL, LIGHTING AND WASHING.			
1. Oil seeds	0 1 3	.. .. .	.. .. .
CLASS IV.			
ARTICLES USED IN BUILDING.			
1. Timber, logs and planks and articles made there- from	}	0 0 6	.. .. .
2. Bamboos and <i>ballies</i>			
3. (a) Bricks and tiles <i>pacca</i> (large)	0 5 0
(b) Bricks and tiles <i>pacca</i> (small country bricks, etc.)	0 1 0
4. Sun-dried (<i>kacha</i>) bricks	0 0 6
5. Building stone, lime and <i>bankar</i>	}	0 0 6	.. .. .
6. Paints, colours and turpentine			
7. Thatching grass, cane, <i>munj</i> , hemp, matting and ropes of all kinds.			
CLASS V.			
DRUGS, GUMS, SPICES AND PERFUMES.			
1. Drugs except <i>charas</i> , <i>bhang</i> and <i>ganja</i>	0 0 9	.. .. .
2. Chemicals	0 0 6	.. .. .
3. Spices	0 0 9	.. .. .
4. Gums	0 0 6	.. .. .
CLASS VI.—TOBACCO.			
Foreign tobacco including <i>churat</i> , cigars and cigarettes and country tobacco	0 0 6	.. .. .
CLASS VII.			
PIECE GOODS AND TEXTILE FABRICS.			
1. Cloth and clothes of all kind, including things made of cotton, wool, pashmina, shawls, curtains, articles of millinery and haberdashery, fancy and piece goods	0 0 3	.. .. .
CLASS VIII.			
METALS.			
Metals and articles made wholly or partly thereof	0 0 4	.. .. .

NOTE.—All articles of any class received in marriage dowry are exempted from octroi duty.

**REFUSAL BY HONOURABLE PREMIER FOR AN INTERVIEW TO TRADERS'
DEPUTATION OF SHAHABAD**

357. Lala Deshbandhu Gupta : Will the Honourable Premier be pleased to state the reasons for his refusing an interview to the deputation of the Shahabad Traders' Association during his recent visit to Shahabad ?

The Honourable Major Sir Sikander Hyat-Khan : The request of the Shahabad Traders' Association for an interview was received much too late for inclusion in the list of engagements which was already very full. Moreover, only a fleeting visit was paid to Shahabad.

**NEW SCHEDULE OF OCTROI RATES FOR SHAHABAD MUNICIPAL
COMMITTEE.**

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

(a) whether it is a fact that the Municipal Committee, Shahabad, on having been reconstituted recently prayed to local Government through the Deputy Commissioner, Karnal, to postpone the enforcement of the new schedule of octroi,—vide their resolution No. 6, dated the 21st January, 1938 ;

(b) if the answer to (a) be in the affirmative, what orders have been passed on that prayer ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) The Committee has not so far referred the matter to Government.

(b) Does not arise.

DEMANDS FOR GRANTS.

PUBLIC HEALTH—concluded.

Mr. Speaker : The House will now proceed to discuss the demand, moved yesterday, relating to Public Health.

Khawaja Ghulam Samad (Southern Towns, Muhammadan, Urban), (Urdu) : Sir, many honourable members have delivered speeches on the cut motion now before the House. They have stated their troubles turn by turn and have suggested remedies for them. But, Sir, the constituency from which I have been returned has different kinds of troubles from those which have already been given expression to by the honourable members before this House. One of my honourable sisters who like me is a resident of the Ambala City and my honourable friend Chaudhri Ram Sarup who belongs to the constituency from which I am returned have stated to some extent the difficulties experienced by the people of my ilaqa. I would like to throw some further light on them. My honourable sister with whom I fully agree stated the other day in the course of her speech that the people of the Ambala City were terribly suffering from scarcity of potable water, on account of which they fall an easy prey to various diseases. There is no doubt about that. Previously I brought this very fact to the notice of

the Honourable Minister for Education, but he did not pay heed to it. I may submit that it was all the more his duty to remove our trouble, because he has been elected from this constituency. But I am sorry to remark that so far he has done nothing towards the amelioration of the hardships of his constituents and consequently we have been forced to bring this matter before this House. I once again request him that he should do his best to remove this grievance of the people of this ilaqa. He should rather thank those who put the needs of his constituents before the House than feel annoyed at them. They discharge duties which he would have done as a member.

I do not like to say much about the item of Rs. 17,24,600 which has been provided in the budget for the Public Health Department. I would confine myself to describing the hardships of the people of the Ambala division with which they are faced in respect of drinking water. The residents of Hissar, Rohtak, etc., are suffering on account of scarcity of drinking water. They have to drink water of *tobas* and ponds. The result is that they suffer from "Norwegian" disease. The zamindars residing in rural ilaqa fall an easy prey to this deadly disease and it is such a terrible disease that when anybody contracts it, it is very difficult for him to escape death.

The doctor tries to diagnose the causes of the disease while he examines a patient. The main cause of the disease of men of the Ambala division is scarcity of rains in that ilaqa. They do not have good harvests and are thus poverty-stricken and subjected to lots of diseases. The Government should try their best to supply the people of that area with sufficient quantity of water for drinking and irrigation purposes. In my humble opinion the establishment of hospitals is not so necessary as provision of wholesome water to the people, who for want of such water supply, are forced to use stagnant water of ponds and tanks. I may point out that the disease of which I have just made mention proves very fatal. In this connection I am reminded of a couplet of Shaikh Saadi, which aptly applies to the seriousness of the disease :

بے راحکیت کنند از ملوک - کہ بیماری رشتہ کردش جو دوک

The persons suffering from this disease are by degrees reduced to a skeleton. They develop spleens and their digestive system is irreparably impaired. I would suggest that the Public Health Department should concentrate its efforts to remove the root cause of these diseases instead of endeavouring to provide more medical relief. The crying need of the people is adequate water supply. If that is provided to them, I am sure, their disease would disappear to a great extent.

Besides, I may submit that there are certain villages in the Ambala Division, which are situated at the foot of a mountain. The inhabitants of these villages are suffering from various diseases on account of use of water, containing ingredients which are injurious to health. By using unwholesome water, they have developed goitre. The result is that their throats get swollen and they cannot speak easily. Their bellies bulge out on account of enlarged spleen and consequently they are rendered unfit for manual labour. I would request the Government to make arrangements

[Khawaja Ghulam Samad.]

for adequate water supply to these poor people and thereby alleviate their sufferings.

Next, I would like to bring to the notice of the Government that hospitals are in fact meant for the rich, because there invidious treatment is accorded to the poor. Good medicines are prescribed for the rich and their prescriptions are prepared with elaborate care, while the poor are almost neglected and the medicines provided to them do not prove very efficacious. We are told that the introduction of the system of injection and vaccination is proving very beneficial to the people. I may submit that the poor cannot derive any substantial benefit from this system because in their case fresh lymph is not used and the poor cannot afford to pay the costs of injection. Neither is this process experimented on them.

When the demands relating to general administration and police were under discussion, a great hue and cry was raised that corruption was rampant in those departments. I may point out that it exists in the Public Health Department as much as in other departments. For example, when vaccinators go into the villages they wish their palms to be greased. I may cite an instance here. In the Rawalpindi district a vaccinator was deputed by the Public Health Department to vaccinate the people of a certain village. The vaccinator demanded illegal gratifications from the villagers before vaccinating them. They reported the matter to the authorities but for unknown reasons the case was hushed up by the department and no action was taken against him. I would submit that corruption cannot be eradicated if authorities connive at the corrupt and dishonest officials. They should be severely dealt with. The Deputy Commissioner, Rawalpindi, as far as I know did not approve of this act of the Public Health Officer.

The Epidemic Research Officer of Rawalpindi sounded a note of warning to the authorities that the district abounded in malarial germs and there was every likelihood of an epidemic breaking out. But the health officer there did not take it seriously and adopted no effective precautionary measures. My honourable friends from Rawalpindi can bear me out that malaria did break out there. I would ask the Government to transfer those officers who did not perform their duties honestly to some other undesirable places. They should not be allowed to remain posted at one place for a long time. I have already stated that corruption in the Government departments has become the order of the day. Many suggestions have been put forward for its eradication. I would like to suggest to Government a very easy method. It would involve no extra expenditure and the Government would be able to get rid of this evil to a considerable extent. I propose that Government should grant special promotions to those officers who perform their duties honestly, conscientiously and efficiently. Their sons should be employed in Government service in recognition of their meritorious services. This action on the part of the Government will give an incentive to the corrupt officials to give up this evil habit of accepting illegal gratifications, because they would know that they would be rewarded for the honest performance of their duties.

Besides, I would request the Government that while appointing officials to responsible jobs they must take care to post there experienced ones. Previously officers with an experience of 15 or 16 years of service were appointed to high and responsible posts, but it is a thousand pities that now no heed is being paid to this matter. I. C. S. people coming direct from England and having little administrative experience are appointed to responsible posts. They are made the executive heads of the districts. The results are quite obvious. It would not be out of place to mention that the reason why communal riots occur, is that these officers being inexperienced are unable to handle the situation tactfully. Hissar riots are the consequences of this.

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

Khawaja Ghulam Samad : I am speaking to the motion.

Mr. Speaker : My ruling is that the honourable member is not speaking to the motion.

Khawaja Ghulam Samad : It is claimed that the Government have provided a civil dispensary in a radius of every five miles in the province. I may be permitted to point out that there are certain ilaqas in which no civil dispensary is to be found within 20 miles of a big city. In this connection I had given notice of an interpellation in which I drew the attention of the Honourable Minister concerned to the fact that the Tohana Tahsil has been neglected by the Medical Department to this extent that one fails to find a hospital between two places 20 miles distant from each other. On a closer examination many more places like this may be found out where there is no hospital or a dispensary for miles and miles together.

Another point to which I wish to draw the attention of the Government is that poor people are not given the same medicines which are given to the richer persons. The doctors and the compounders show absolutely no regard for the poor, and, more often than not, give them mere coloured water with the result that the poor never recover from their illness or take lot of time to recover inspite of their using the medicine given to them. Genuine medicines are only given to the rich. I would protest against this attitude of the Government doctors and request the Government with all the emphasis that I can command to eradicate this evil at the earliest opportunity. This work should receive preference over that of multiplying the number of dispensaries in the province.

Now I will advert my attention to sanitary inspectors who are appointed in the cities. They prove a great nuisance to the poor 'Chhabriwallas' in as much as they compel them to throw away their articles of sale to the dust if their palm is not greased. Thus a poverty-stricken 'Chhabriwala' who cannot afford to give any illegal gratification to the sanitary inspector is not allowed to go on with his business, and thus starves. The big shop-keepers who can afford to please these inspectors are allowed to sell even rotten things. These are some of the evils which call for an early eradication. If the Government fail to uproot these minor forms of corruption, we would not be able to expect them to undertake bigger tasks. (*An honourable member from the Opposition :* Why do you support this Government ?)

[**Khawaja Ghulam Samad.**]

I support it because the Congress governments are no better than this Government. On the contrary I find that they are composed of selfish persons. I shall not be a party to the selfish people. The Congressites have in fact no real sympathy with the poor peasantry of the province beyond the lip-sympathy. If you come to help us with your minds open and clean heart, we will not fail to respond to your gesture of good-will. But I am afraid you are not sincere at heart.

Pandit Shri Ram Sharma : Is the honourable member addressing the Chair?

Khawaja Ghulam Samad : Not at all. I am referring to the honourable members occupying the benches of the Opposition and who request me to join them. I feel that they do not relish the truth about them. But I do not wish to add anything more to what I have already said and so I close my speech.

Professor W. Roberts (European) : Sir, I think all sides of the House are agreed that public health is a very vital item in the budget of a country under any government which pays its attention to this important matter of the health of the people ; but I am rather surprised to find some of the members on the Opposition, in particular my honourable friend, the member for labour making some unfair comparison in his criticism. He drew attention to the fact that Government was spending 2½ lakhs on four bungalows and only ten thousand for travelling allowance for rural dispensaries. These 2½ lakhs can be justified on merits. After all the Ministers or whoever the Government servants may be, must pay house rent and such expenditure can be therefore justified even as a loan. The Punjab Government can raise money at 8 per cent. and surely on these bungalows they will get better rate of interest than 8 per cent. At the same time I do agree with him in one respect, and it is this that this expenditure on rural dispensaries travelling allowance is a very important item which is being tried only in five districts. It should in my opinion be tried in all the districts of the province because unless these rural dispensaries get into touch with the villagers they are not functioning in the way in which they should do. I hope, therefore, in future, Government will try to expand this very useful item and arrange that these dispensaries get in real touch with villagers all over the province. After all the material in the Punjab is first class. In spite of what my friends on the Opposition have been saying I consider that most of the material in the villages is still first class. It is our duty, quite apart from the question of curing disease to preserve and to build up the health of villagers, because it is intimately connected in the end with their economic development and, the raising of their standard of living. I trust therefore that the Government will make a determined effort to extend to the people a scheme of medical relief and develop it along really popular lines which will appeal to the great mass of the people of the province.

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General, Urban) : Mr. Speaker, I have to say a few words about this very important question of public health. I crave the indulgence of the House to hear me patiently because I am unable to

undergo much strain involved in speaking loudly. If the honourable members on both sides of the House put a stop to their whisperings, then I hope that despite my present physical weakness my voice will be audible enough to convey my ideas. (*Voices : Loudly please*). I am sorry my health does not allow me to speak loudly. I would say a few things on this subject because I think it my duty to avail myself of this opportunity to put my ideas before the House and before the Government. I do feel that I am taking a little risk by speaking under the circumstances, but I want to impress the importance of the subject upon the honourable members of this House, who have got a duty towards their constituents, who have got a duty and responsibility with respect to the very lives and deaths of millions of people, millions of men, women and innocent children in this province. It was very regrettable that yesterday when such an important subject was being discussed here, most of the benches in this House were empty, and sometimes, I feel that even the Honourable Minister for Education and Public Health is perhaps not so serious about it as he ought to be. Even now when I am speaking I find that the Honourable Minister for Education is not occupying his seat which is against the convention of this House. I do not know, Mr. Speaker, how you feel on this point after having given your ruling in the preceding Punjab Legislative Council that the Minister should be in his seat when his particular department was being discussed or criticised. (*At this stage the Honourable Minister for Education entered the House and occupied his seat.*) I feel personally on this question because to-day I want to put before the House certain new points, I want to strike a new note which may appear fantastic to the Honourable Minister for Education unless he were here to hear with his own ears what I am going to say. Anyway, I would like the House to understand that I am a little bit crank and faddist but I would ask the indulgence of the House to tolerate my crankish ideas. What is a crank? What is the definition of a crank? As a very well known American writer has said, "a crank is one who thinks ahead of other people". So, when I am going to put before this House certain new ideas, on public health, I would request the Honourable Minister for Education to give his very serious consideration to them, because I am not as much a layman as perhaps he considers me to be. I am very much interested in the subject of medicine and in fact this is my hobby, this is my life-passion and therefore I feel very strongly on this point. I would be prepared to offer whatever co-operation I can to the Honourable Minister of Education and Public Health and to his very charming and intelligent secretary, so that the health of this province scores an improvement unheard of in any other province or in any other country. Yesterday I was listening to some speeches and I regret to say, that although there were some fire-works on both sides, very few practical suggestions were put before the House. (*Hear, hear from the Treasury benches.*) Those people who some times cry hoarse in saying 'hear, hear' are the most outstanding victims of my charge. I was saying that on both sides, and most of the speeches perhaps were delivered by the speakers on the opposite benches and they were bringing in very minor matters before the Honourable Minister for Education, who has got many important things to do, who comes here to hear important things, to hear useful and practical suggestions of vital importance to the province. I am glad to say that at least one speaker from our side, Mrs. Duni Chand, put practical proposals and suggestions

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before the House, and I was very much impressed by the speech she delivered. I need only say that, excepting of course one or two points, I entirely agree with the suggestions she put forward and I hope that the Honourable Minister for Education and Public Health will seriously consider those suggestions which she made and will try to translate them into action.

The first suggestion that I have to put before the Honourable Minister is that he should himself study this very important subject of preventive medicines. Mr. Speaker, I am very serious about this because I feel that if the department is handled by a Minister—I am not making a personal reference—who is not conversant with the subject or who does not know the scientific aspect of the question, I think, he will be just a willing tool in the hands of the department or in the hands of health officers and petty doctors. Sometimes the health officers may be wrong. Sometimes their methods may be old and antiquated and they might make the Honourable Minister agree to doing things which are not only not beneficial to the health of the province but are definitely detrimental and injurious to it. So it is very essential that the Minister for Education in this province, just as he studies the various education theories, the Montessori system, the Dalton plan, the Kindergarten and other systems, just as he not only studies all the educational problems but also tries to be conversant with the latest methods of education, similarly he should try to study and understand the modern methods employed in public health. Education is not the only subject in his charge. There is a more important department of which he has charge and that is the Public Health Department, and if he thinks that he is going to run the Education Department himself on his own original ideas, but leave the Health Department in the hands of a "trade-union"—that is how Bernard Shaw has described the Medical Council—or in the hands of the health officers, then I am afraid he will cut a very sorry figure and he will have to be under the fire of the Opposition. But if he takes an intelligent interest and if the Honourable Secretary, Mrs. Shah Nawaz, takes an intelligent interest in the Public Health Department studying the latest methods and researches in preventive medicine, then I can assure the Honourable Minister that we on this side will do whatever we can in co-operating with them, so that the province may be bubbling with radiant health.

With due deference to the efforts and activities employed by the Health Department in this province for combating disease, for eliminating ill-health and for bringing in an era of glowing health, I beg to submit that their methods are incomplete, inadequate, old and antiquated and in certain respects, injurious and detrimental to the health of the people. It is a pity that sometimes when certain emotional and sentimental questions are discussed here many members take an active interest in them, but when the question of health, a question which affects the very life and death of every individual in this province, is discussed, then most of us show a callous indifference. I think most of the people in the province are hopelessly uneducated as to what health is, how it can be achieved, how social health and how mass health can be achieved, and how tuberculosis, typhoid, diphtheria, cholera and plague can be got rid of. Whenever there is a fear of an epidemic in this province, whenever there is a scare of an infectious

disease, what does the health department do, what does the Honourable Minister for Public Health do? He issues a statement in the press that there is a scare of smallpox and that people should beware of it and go to the health centres and get themselves vaccinated or inoculated. The health officer satisfies himself to have done his duty if he is able to show to his boss that he has performed ten greatest number of vaccinations and inoculations. Sir, despite hundreds of thousands of vaccinations performed by him, smallpox would not listen to him. Smallpox would be in full swing, and there would be hundreds and thousands of people who would die of smallpox. What is the lesson we learn? Has the Honourable Minister for Education ever discussed the question with independent authorities? Has he ever cared to inquire into this matter? Has he or Mrs. Shah Nawaz, who is the Parliamentary Secretary of this Department, ever cared to see that India is the greatest vaccinated country in the world and in spite of that India is the worst smallpox-ridden country in the world? Vaccination is not a minor question. It affects millions of innocent small babies and children whose blood stream is polluted many times by vaccination, re-vaccination and re-re-vaccination. I do believe that vaccination in certain selected cases does offer immunity from smallpox, but my contention is this. I have studied this subject to a certain extent and I believe that vaccination as a mass weapon has failed to grant India the immunity desired. If the Honourable Minister for Education studies the blue books, and compares the figures for smallpox in this province or in this country with the figures of other countries, he will find that England and Australia, for instance, are the two countries in the world which are least vaccinated. A majority of people in England and a majority of people in Australia are not vaccinated while here in this country vaccination is compulsory. On force of law, on force of punishment, on force of fine, on force of imprisonment and all that, every child in this country has to be vaccinated. Not only vaccinated, but re-vaccinated and re-re-vaccinated. What is the result? After so much primary vaccination, re-vaccination and re-re-vaccination we have not been able to get rid of smallpox. Every epidemic that comes is more severe in form than the previous one and still we are going on singing the tune of vaccination and re-vaccination. Why is it that a majority of people in England are not vaccinated and yet there is very little of smallpox in that country? Why is it that there is practically no smallpox in Australia though a very large proportion of the population there is not vaccinated? There is no elaborate programme of vaccination in Australia, yet the country is free from smallpox. Is it not enough food for thought? I think it is, and it is a bold Minister who can act in the matter and not a Minister who leaves himself entirely in the hands of trade union of the Medical Council and the health officers. We want a man who can assert himself, no matter howsoever crazy he looks, no matter howsoever fantastic views he puts before the people. We want a Minister who tries to find the truth and having found it sticks to it and puts it before the people. I have no time, otherwise I would place before him the views of some of the health officers of some of the London counties, who do not believe in vaccination. By an Act of Parliament, vaccination is not compulsory in England. If a person does not wish to be vaccinated all that he has to do is to go before a magistrate and declare that he is a conscientious objector and that he does not believe that vaccination grants immunity or that his child has got some latent disease.

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and if the child is vaccinated that latent disease will flare up. That is all. So many medical authorities believe, even a man like Dr. Osler, the father of modern medicine, believes that if a child who has a latent disease like tuberculosis, or syphilis or gonorrhoea, is vaccinated then the latent disease may flare up. I am not saying that vaccination should be abolished forthwith from this province. (*Hear, hear*). There is no question of saying "hear, hear". I might one day after I have collected facts come before the House and ask for its abolition, but to-day I am not saying that. What I am saying is this, that whenever there is an epidemic of smallpox, all that the Health Department does is to call out the boys and girls and men and women to have them vaccinated. To-morrow there is a cholera epidemic, and the Health Department issues a poster asking people to have themselves inoculated. The day after, there is a plague epidemic, then the Health Department asks the public to have themselves inoculated against plague. The next day there is the diphtheria epidemic, and then anti-toxin is advised. Do you not realise, that life is becoming one inoculation after another? Do you think that our blood stream is really so impervious to dangerous toxins and vaccines and sera that our bodies can with impunity be vaccinated and inoculated day in and day out? So many of you must have heard of babies being vaccinated and dying the following day. I think every gentleman in this House would perhaps recall to himself some instances of this kind during his life. I do not want to waste the time of the House by asking them to study those figures. The present is not the time. I know that the province is not prepared for that. I know it is a big fight. I know the Honourable Minister for Education will perhaps be not strong enough to fight these vested interests of Parks Davies & Co. and other chemists who are putting these vaccines and the sera before the public. Life is becoming dependent on bottled medicines—patent medicines; life is becoming dependent upon serums and vaccines. This is the only time when we who think about this matter have got to come here and place these important points before the House and the Government. It is not only for politics that we come here but we are also deeply interested in the health of our innocent babies, our innocent men and women, a credulous public which know nothing about the subject but which just submit to the vaccinator, to the inoculator and do not bother about what happens. But it is the duty of the Honourable Minister for Public Health to study this question. I submit to the Honourable Minister for Education that other countries which are progressive countries do not depend so much on vaccination or inoculation. They have got entirely different methods of improving the health of the people. For instance, may I draw the attention of the Honourable Minister to what happened only a few weeks ago in England? A few weeks ago I was myself in London and I witnessed with my own eyes one of the greatest campaigns for health ever launched in any country. My heart went out to those people, and I said, Oh, here is a country which is free. People can do what they want; they can make their lives as they want. These people are educated—educated not merely literally but educated in the right sense. They know that health is important. They know that health is as important for them as perhaps the discussion of Hitler's policy or Austria or anything else. Can you imagine, Sir, that that campaign

for health in England was carried on from one end of the country to the other? And what was the name of the campaign? 'Keeping fit campaign'. And who takes part in that? Patricians and plebians, aristocrats and the poor people, the King and the Queen, Mr. Chamberlain and Mrs. Chamberlain and all the wives of the Ministers and the Ministers themselves. They are not ashamed of mixing with the common folk. They think that it is just an act of providence that some are born rich and others poor, that so far as health is concerned it is common to all, that if the health of the poor is bad, the health of the rich can never be good. The rich people should realise that as long as there are slums in the country even the rich people cannot get rid of disease. So long as the next door neighbour is suffering from disease, you cannot be free from disease, you are liable to fall a victim to that disease. Hence the health campaign by the rich men as well as the poor men. And what were the items in that campaign? No vaccination, my dear Honourable Minister, no inoculation. It was a keep fit campaign and what were the two most important items? Diet and exercise. Mrs. Chamberlain—a lady like Mrs. Chamberlain—taking the girls out and giving them graduated exercises and teaching them what to eat and how to eat! May I know from the Honourable Minister for Health whether, apart from issuing circulars on scores of diseases and inviting people to get themselves vaccinated—I have seen hundreds of circulars and pamphlets issued by the health department which say nothing but this 'get vaccinated'—whether they have ever issued any pamphlet—and if they have I would like to know, I have not seen any so far, not even a single one—whether they have issued any pamphlet telling the people how to eat, what to eat and when to eat, how to exercise, when to exercise and how to create resistance to disease? By creating individual health, you are creating social health, national health. After all a nation consists of individuals. It is these matters which are now employed in countries like England and America. No such thing as Health Department issuing merely circulars on vaccination. That is not enough. Sometimes it is worse than useless. Something much more is required. What is required now is a new era? We are told that we are having in this province a new era in fact and indeed. Let us see it materialised. Let us see with our own eyes that people are rightly educated, that they know what health is, that they are taught elementary principles of dietetics and physical exercises and all kindred things. These are more important than any other thing which the Health Department takes credit for or on which the health department sometimes wastes money. I am not at all enamoured of this, that the Honourable Minister has got so much money and that so much money has been set apart for the Health Department. I know most of it will be wasted. I say that with a full sense of responsibility. I am not indulging in any irresponsible talk when I say that most of the money will be wasted on circulars and other things. My complaint is that the health department has never spent money on real sanitation. I have no time to develop all those points which other friends have referred to. I have no mind to expatiate upon them. I am in full agreement with what has been said in regard to sanitation. The Honourable Minister for Public Health and my honourable friend, Begum Shah Nawaz, should know that it is impossible to exaggerate the harrowing, the stinking, the most hopeless insanitation

[Ch. Krishna Gopal Dutt.] prevailing in this province. But what I want to impress upon the Government is that sanitation is no doubt required, but external sanitation alone is not enough. But what is also required is the development of individual resistance, so that the national resistance towards disease may increase, so that we may develop the maximum power to combat disease. To achieve that end not merely external sanitation but "internal sanitation" should be looked after. That is the most important point that I am putting before the Health Department. It is not only external sanitation, it is not only wiping out dirt and filth and slums that will give us health, but it is the internal sanitation which will go a long way to achieve that end. And what is this internal sanitation? Making the blood system pure—and that can be achieved by diet and exercise. That is what the Minister of Health in England is doing. I myself interviewed one of the secretaries of that department and learnt from him certain facts. I was marvellously impressed with the things he told me they were doing to improve the health of the people. I think that in this province if I speak of those things I would be considered a crazy person but there I would not be considered as a crazy person. The gentleman I interviewed thinks that is the national work in his life. He thinks that it is the most important work before the nation in which the King and the Queen participate, in which the Honourable Premier participates, in which the Ministers participate—not only they but their wives and children. But here, may I know what the Honourable Begum Shah Nawaz has done? Has she ever cared to go to the small towns and villages, take out the girls and give practical demonstration in exercises and give them a schooling in dietetics?

Mrs. J. A. Shah Nawaz : I wonder whether the honourable member knows how much work I have done in this connection as a municipal commissioner. I arranged for two thousand girls of the Lahore municipal schools to be taken to the purdah gardens for physical exercises.

Chaudhri Krishna Gopal Dutt : I am very glad to hear this so far as her personal activities are concerned, but I take it that it has never occurred to her as the Secretary and it has never occurred to the Minister and it has never occurred to the department that this thing requires a national campaign. I do hope that she herself takes exercise or perhaps she also induces a few of her friends to do the same, but what I want is that the average woman, the average man and the average child in this province should know the A B C of dietetics and take regular exercises.

Mrs. J. A. Shah Nawaz : All women workers are doing it, but it is the men workers who are not doing so.

Lala Bhim Sen Sachar : Then it is the Honourable Minister who does not do it, though the Secretary does it.

Chaudhri Krishna Gopal Dutt : I am glad to know that she takes more intelligent interest in it. I have not come here to-day to place before the Honourable Minister local complaints in my own district, though I have and I hope the Honourable Minister does believe that in every district conditions are very bad, I do not say they are hopeless, for that might be considered a very strong language, but what I wanted to discuss to-day was the

general policy which the Health Department was following. I have put some suggestions before the Honourable Minister and I shall wait for two or three years to see whether he succeeds in putting these suggestions into practice. Whatever suggestions I have put before him are not controversial at all. All the progressive physicians in the world believe in them. Here is my honourable Leader, Dr. Gopi Chand. He is a doctor himself and I have had talks with him and he himself feels about them. I have only made one controversial suggestion and that is about the utility or otherwise of vaccination. In certain cases it might grant immunity but as a social weapon, it is not so useful. My main point is that there is something more than vaccination and that is sanitation internal as well as external development of resistance to disease by methods of sensible diet, good living and good exercise and all those activities which play a fundamental part in the health of an individual. I do not think any reasonable man and any progressive physician who is conversant with the subject and who is in touch with the latest tendencies in medicine or who is in touch with the researches that are going on or who is in touch with the health activities that are going on in other progressive countries would disagree with me.

Raja Ghazanfar Ali Khan (Parliamentary Secretary): I must heartily welcome our friend back from England (*hear, hear*) and it is a great pleasure to hear his sweet voice once again although we regret that he has not considerably improved in health. He however seems to have improved in spirit and thoughts. His speech contained certain constructive suggestions which I am sure the Honourable Minister in charge of the subject will seriously consider. I have no intention of indulging in a discussion purely in technical form, but I want to lay a few suggestions before the honourable member for his kind consideration regarding the question of water supply in the villages where no drinking water is procurable. In the first instance I must express my thanks to the Government for what they have done with regard to my constituency (*hear, hear*). I am very grateful for the Government for allotting a sum of Rs. 1,35,000, a cent. per cent. grant for water supply scheme of Pind Dadan Khan which although a municipality has more rural outlook than purely an urban city (*Minister for Education*: As its name shows). Yes as its name shows. Secondly I am very grateful to the Government for sanctioning an amount of over two lakhs during the last two years for providing drinking water in villages in Thal ilaqa villages where no water was available to the people and where people could not get drinking water even within a radius of five to six miles. Then during the present year's budget, the Government have set apart a sum of Rs. 90,000 to be spent on water supply schemes in villages Kandawal, Saraba and extension in village Tobā. There are one or two villages which are not far away from the places where they are going to have these water works established and I am sure the Government will consider the advisability of extending their water supply to these two villages also. I consider the greatest need at present is to get pure drinking water and the number of villages which cannot get this bare necessity of life is not very small by any means. What the Government have done in the past deserves appreciation and I personally consider the way the Government are proceeding so far will not meet the requirements in this direction. What they ought to do is to formulate a scheme of providing drinking water to all the villages all over the province

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where the people are suffering from this difficulty. A simple thing would be to ask the Deputy Commissioners to submit their views within six months considering the question of water supply in certain areas where this difficulty is apparent. Then the Government can make one complete scheme and see how much amount the whole scheme is going to cost the province. I know of certain places where perhaps a mere advice from Government experts or a small expenditure of one hundred or two hundred rupees would remove the difficulty which the inhabitants not being experts in these matters cannot do for themselves. Therefore I would request the Government to consider these proposals and get the figures from all over the province within a period of six months as to the number of villages where there is a difficulty of water supply so that they should know how much work is to be done in this direction. Then they can easily have a scheme which can be spread over five or six years for the supply of water. The second thing I would place before the Government is paying more attention to providing medical aid. If they go on increasing hospitals, I am sure the funds at their disposal are not so much that we can expect within a reasonable time that they will have a hospital within an area of 5 or 6 miles, but there is a large number of Indian physicians and vaidas who are to be found in all parts of the province. I think the Government should try to encourage these Unani medicines and should give stipends to these people who can carry on work in the villages. The third suggestion I would like to put before the Honourable Minister of Public Health is that although some progress has been made in the way of providing ventilators in the houses of villagers much work remains to be done in this direction. The Government should set apart certain funds which they should place at the disposal of district boards and ask them to do this work of providing ventilators in the houses of poor zamindars who cannot afford this.

I must confess that the Government have taken considerable interest in providing better facilities for sanitation. My honourable friend Diwan Chaman Lall said yesterday that the Government had cut down the expenditure from 26 lakhs to 20 lakhs on sanitation. This remark was replied to by my honourable friend Mir Maqbool Mahmood when he pointed out that a sum of 8 lakhs which was sometime ago shown under the head 'Sanitation' has now been transferred to the head 'Irrigation' and that accounted for the reduction in the figures. It is now 12 lakhs. But there is one more point that I would bring to the attention of my honourable friend. He will see from the figures in the Memorandum Explanatory of the Budget that in the year 1935-36 the amount spent on sanitation was about 11 lakhs while this year it is more than 20 lakhs. It will be highly misleading to compare this figure with the year 1929 and leave out the reason why this amount has dropped from 1929-30 to 1934-35. The Government will, I am sure, see that in the next year's budget they will provide still larger amount for this beneficent department. I will not like to enter into an argument and compare the achievements of this Government with the other provinces. It is most unfortunate that some of the members on the opposite benches take pleasure in drawing a contrast between what has been done in other provinces and what has been done in the Punjab. It was said that we on this side are very anxious to utter a word of criticism against other

governments. When you start comparing things, you have adversely to criticise others which we think it an unpleasant duty to do. But I would welcome any gentleman on the opposition benches to quote figures from any Congress province in India and prove that they were spending larger amounts on this department than the Punjab Government is spending (*Hear, hear*). Certain observations were made by my honourable friend Diwan Chaman Lal regarding I.M.S.—I mean the number of I.M.S. people and the number of Government officers who were drawing high salaries in the Punjab Government. I would ask you to consider whether all I.M.S. officers and all officers drawing high salaries in other provinces have left.

Diwan Chaman Lal : All that I say is this. He will find that in the Congress provinces, they have taken steps to bring down the number of I. M.S. officers to the statutory limits suggested by the Secretary of State whereas here we have doubled the number required under the orders of the Secretary of State.

Raja Ghazanfar Ali Khan : When I gave way I expected that my honourable friend had certain figures which he would quote and not merely indulge in generalities and say that in Congress provinces such and such things have been done. 'They have taken steps' is a very general term. I pointed out in yesterday's debate that the figure of 17 has not been reached so far. It was further pointed out that the number of European I.M.S. officers in medical services is hardly nine or ten. I am speaking subject to correction.

Dr. Gopi Chand Bhargava : How many European I.M.S. officers are there in the Punjab ?

Raja Ghazanfar Ali Khan : I mean to say nine or ten, but I am speaking subject to correction. I may be wrong.

Dr. Gopi Chand Bhargava : They are nineteen.

Raja Ghazanfar Ali Khan : I can assure honourable gentlemen opposite that it is the definite policy of the Government to encourage Indian officers in every branch of administration as far as it lies in their power and without doing injustice to any officer at present in service.

Lala Bhim Sen Sachar : By recalling Europeans ?

Raja Ghazanfar Ali Khan : We want to avoid any kind of bias or prejudice in the administration. We want to avoid communal or racial prejudice but as far as the question of having a larger number of Indians in the I.M.S. is concerned, I think there are many of us on this side of the House who are in entire agreement that steps should be taken to see that the number of I.M.S. officers is placed at the same figure as sanctioned. The Honourable Minister in charge of the department will throw more light on this subject because he is naturally in a better position to say than any other gentleman, but let my honourable friend remember that so far as we here are concerned, we are as anxious as anybody else to set apart larger funds for beneficent departments. Unfortunately, if we seriously consider we shall find that the value of most of the discussion in this House has really fallen to a zero degree. As a matter of fact, sometime ago I was reading the speeches which were delivered by the Nawab of Chhatari, the Leader of the Opposition in the United Provinces and I can assure you that he was saying exactly the

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same thing which my honourable friend Diwan Chaman Lall is saying and what Mr. Pant was repeating the Premier here was repeating. We all know that the system which we have to work cannot be radically altered in a couple of months. We have to go slowly.

Our resources are limited as everybody knows. My friend Diwan Chaman Lall has brought forward a Bill that the zamindars who possess six acres of land in irrigated area or 12 acres (*Diwan Chaman Lall*: Five) in barani areas should be exempted from payment of land revenue. On the one hand there are radical proposals for cutting down income by crores of rupees.

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

Raja Ghazanfar Ali Khan : So far as the motion itself is concerned, I have said what I wanted to say. I was only replying to certain general remarks which were made by my honourable friend opposite.

Sardar Lal Singh (Ludhiana Central, Sikh, Rural) : Mr. Speaker, although much has been said on the subject of this Public Health Department, I should like to add to the wealth of the debate as much as lies in my power. Our allegations have been that for the last forty or fifty years this administration has been topheavy. With the advent of provincial autonomy we were expecting to have a considerable change in this department but the figures which are given under the demand, show that there has not been a bit of change in this topheavy administration. One of the foremost items is the superintending engineer. In his department the total estimate is for about Rs. 65,000 of which Rs. 24,000 or 38 per cent. of the whole sum goes to one individual. Then again, in the executive engineer's department out of a total sum of Rs. 80,000, Rs. 20,000 or 25 per cent. goes to one individual who is at the top. Then again, there is new expenditure on account of the town planner. Here again, out of a total sum of Rs. 31,000 which is budgetted, Rs. 16,000 or about 51 per cent. goes to one man. My honourable friend opposite representing the European constituency said that much has been said about the budgetted item of 2½ lakhs of rupees which has been earmarked for building the quarters of the honourable ministers. I know that the sum of Rs. 2½ lakhs will cause a saving of certain amount. It will certainly cause a saving rather than paying a sum of Rs. 500 per mensem to each of the ministers which goes as house rent alone. In the first place I controvert this fact that we or the tax payer shall continue to be required to pay Rs. 500 for each minister's house rent. Only yesterday the Sindh Ministry changed hands and we expect that our ministry will also topple over one day. Instead of drawing Rs. 500 as house rent allowance, in addition to pay as our ministry is doing, the Sindh ministry is drawing only Rs. 500 as pay. It may be argued that this is not going to bring in any material saving ; but the question my honourable friend Diwan Chaman Lall was trying to impress upon the mind of the Unionist ministry was that there is a distinction between luxury and necessity. The tax-payer should not be taxed for the sake of providing luxury to some people : the tax-payer is being taxed so that first of all necessities should be attended to, it has been said that no practical suggestions are forthcoming. Supposing

this sum of 2½ lakhs of rupees was spent for the purpose of a necessity. It would provide what. Supposing we were to buy in the open market radios at the rate of Rs. 200 or Rs. 250 per radio set there would be 1,000 villages provided with radios and every evening a broadcast talk on health and sanitation could be given to them for years. One thousand villages would be provided with education. Then again if this could not be done and if government were going to aid the street-paving of villages and it was going to give Rs. 100 or Rs. 200 per village I say the inhabitants of about a thousand villages could have their streets paved and could live in clean surroundings. That is our point. This sum of money has been earmarked not for necessities. Whereas necessities have to wait, luxuries are being given precedence. Then again coming to the head "Direction" out of a total sum of 6 lakhs, 3·17 lakhs goes to the officers, that is 50 per cent. goes to the top men. That is how health and sanitation is hoped to be improved in the province. Out of this 3·17 lakhs, 74 thousand is given to one person and his four assistants, i.e., 25 per cent. of the lot is being given to the top men. Under this item of "Direction" there is a very interesting figure. There is a sum of Rs. 12,500 non-voted, given for the Medical Officer of Health, Simla. Simla is supposed to be a health resort.

Minister for Education : May I point out that the Medical Officer of Health, Simla, is on the Governments of India cadre ?

Sardar Lal Singh : I suppose the Punjab Government pays for it.

Minister for Education : No, the Civil Surgeon and the Medical Officer of Health are appointed by the Government of India.

Sardar Lal Singh : Am I to suppose that the tax-payer is not to pay for the Simla Medical Officer of Health ? The Honourable Minister seems to be dubious about it.

Minister for Education : The salary is shared by the Punjab Government and the Government of India 50 per cent. each ; appointments are made by the Government of India.

Sardar Lal Singh : That is what I was stressing. Whether it is cent. per cent. or 50 per cent. we have to tax the people to keep the health of the people at Simla. The people toiling on the plains during June and July have got to pay so that the rich people may go to the health resort. It comes to this that we must maintain their health.

Then I come to grants. My friends on the ministerial benches, who are not here have been stressing the point that this is a zamindara government. But the figures under grants belie this statement. So far as division of budgeted demands between rural and urban population is concerned, at least it may be claimed that the towns are on a par with villages in the matter of contribution. In the first item of 1½ lakhs for health, Rs. 42,000 goes to the municipalities and Rs. 70,000 goes to the Lahore Municipality and the Lahore Town Improvement Trust. I certainly do not understand why a town like Lahore which is being every day enriched by the money of these tens of thousands of students, should be given this amount. Even if an average student spends Rs. 50 monthly in the city there would be about I think 5 lakhs going into the pockets of the town dwellers and shopkeepers every month. On the top of that our wise Ministry consider it necessary to give

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from the revenues of the toiling labourers in the field Rs. 70,000 to the Lahore Municipality and the Town Improvement Trust out of a total of 1½ lakhs granted to the municipalities and small towns. Then again under sanitary works, the urban contribution is 2 lakhs and the rural contribution is 3 lakhs which comes to this that roughly 3 lakhs go to the towns and 3 lakhs to the villages. The difference is this that whereas in the towns this money is going to be spent under some law or under the Municipal Act or other allied Acts, in the villages—I would specially draw the attention of the Honourable Minister for Education—in the villages this money is being mostly spent under direction. The Panchayat Act is almost a powerless Act. The panchayats of the villages have virtually no power at all. The deputy commissioner dominates and the cleansing and sanitation of villages is just a matter of chance or luck. There is no Act, there is no enactment which requires that such and such villages or the panchayat of the villages are bound in their duty to make streets pucca or to afford sanitation. Here

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I should like to point out that what the Ministry is doing is simply a half-hearted measure with no particular aim. They raise a certain amount which they dole out to different departments and show a surplus and say that this is a saving. That is not the point. The point is that villages must come first in their sanitary works and then towns must follow. I need not dilate upon the health and sanitary conditions in villages. Just as our Honourable Ministers are rolling in wealth, in the same way these poor villagers are rolling in filth. The filth round their villages does not at all give any chance of keeping them sanitary and healthy. The question of keeping good health in villages has got a lot to do with the standard of living and with the standard of education and so I submit that the subject of sanitation and health is a very comprehensive subject. It requires special efforts on the part of the Ministry to do away with the dirt and filth of villages. Propaganda work should be done in the removal of these insanitary conditions. As my honourable friend Chaudhri Krishna Gopal Dutt was pointing out, it is not merely doling out of certain medicines. It is propaganda, it is education which should be brought about to make the conditions good in the countryside.

Then, Sir, much has been said about the special development programme. Out of the special development fund, about 1½ lakhs are being spent this year. In the first place I do not think that the calculations of the Honourable Finance Minister will hold water for a long time. The sum of 50 lakhs or so will be easily absorbed as soon as this unfortunate province confronts with some natural calamity and this fund is liable to be washed away in the course of a few months. Then there will be no development fund. You are relying on this fund and giving hopes to the people on the basis of these 50 lakhs. I think it is simply, just as many honourable members have said, to throw dust in the eyes of the people. There is no constructive or lasting programme in this.

Then, Sir, although this Government is trying or is showing that they are very anxious to bring about good sanitary conditions right under their nose, I should say that by their very act, they are doing certain things quite contrary to this improvement. In the first place there is the Excise

Department. Wine containing 10 to 15 per cent. alcohol is being sold and Government is growing fat and making money out of it. I do not advocate that they should totally run dry. That is not my immediate point. My point is this that even if the Government has to grow rich by the wine-drinking public, it should at least try to improve the standard of this wine, for which absolutely nothing is being done now. Then, thousands of patent medicines in the market are sold at prohibitive prices and the fact that goes against cheap medicines is the high cost of absolute alcohol. There is heavy duty on it. This Government has not done anything at all to make alcohol cheap or to facilitate its manufacture by local manufacturers so that the patent or other medicines that are being put in the market can be made available to the public at cheaper prices.

Next I would remind the Honourable Minister for Education of the Pure Food Act. It is almost a dead letter. It has not been extended to all the towns and places and even in places where it has been extended it is a dead letter. On the evidence of their own reports it seems that local bodies have failed to maintain the sanitary conditions and water supply and good health. Everybody knows that good health depends upon pure food that is available in local markets. Unless the provisions of this Act are enforced very rigidly, I do not see that simply by giving travelling allowances to doctors who give prescriptions, you can help sanitation. Sir, the Government take money and dole it out to different departments so long as they are not bankrupt. That policy is not at all commendable. We want that the revolution which has been going on for the last 40 years should be consummated by the present Ministry. We are disappointed by the pace which the present Ministry have set. According to the Persian couplet

کین راه که تو می روی به ترکستان است

the present Government will never make any radical changes. When we offer some suggestions our friends opposite always condemn us and say that we are blindly opposing. Well, this is not blind criticism. We say all these measures, and these budgets are quite enough so far as they go, but they fall very far short of our expectations and expectations of the people outside.

Lastly, I should touch a matter upon which, I am sure, many of my honourable friends who are not very much attentive to what I am saying now, will prick up their ears. There is a definite connection between health and mind. The mind of the people, which always remains pre-occupied by communal consideration, by communal hatred, can never gain good and opulent health. One Sikh meets a Muslim. One thinks he must have Shahid-ganj. The other thinks he is not going to give it. Mentally they clench their fists and turn up their brows and go away hating each other. Perhaps the Honourable Minister will say, what has his department to do with this? I maintain that until the minds of people are trained not to think on those lines, there can never be good health. That state of mind is due to the state of health. If we have good bodies, I do not think we will be so rigidly communal and feel hatred for each other. (*A voice*: It is due to lack of political

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health.) My friend says that it is due to lack of political health. The health of the mind has intimate connection with the health of the body, and the health of the body depends on the health of the mind. There are psychologists who talk of fear-thoughts. There are things like fear-thoughts, and the people who always remain in continual hatred and fear of each other as to what the other fellow will do to-morrow, what he will do the next minute, can never be healthy.

Here again at the risk of being considered communal, I would draw the attention of the Honourable Minister for Education that there is a certain community called the Sikhs—a minority community—who have been complaining that they are being deprived of their meat diet, that they are being nationally emasculated because there are no facilities for their meat diet. I am not talking of *jhatka* or *halal*.

Minister for Education : We all eat on the same table.

Sardar Lal Singh : I have also eaten all sorts of things. My conscience perhaps does not allow, at least it insists that I should have humanely killed meat. I do not want unwholesome meat or all sorts of meat about which I am not certain whether it has been humanely killed or not. I have a certain conscientious objection to that.

Minister for Education : Is not 'humanely killed' a contradiction in terms?

Sardar Lal Singh : I do not like to call it by that name but the Honourable Minister has only shown his ignorance. I said 'humanely killed.' There is world's difference between meat killed anyhow and meat killed humanely.

I would request the Honourable Minister to somehow or other insert in his programme steps for doing away or eradicating all these communal foibles and he will give us an opportunity to come to our own in this matter. With these remarks I support the cut motion.

Mian Abdul Aziz (Outer Lahore, Muhammadan, Urban) : A good deal has been said about public health, about drainage and about water works, but unfortunately as I have been able to hear yesterday and to-day I should say that very little has been said about Lahore itself where the Assembly is held, which is the capital of the province, where all the Ministers reside and where all the highest officers reside and where the Administrator of the Municipality resides. Nobody cares to discuss the sanitation of this town.

A good deal of blame was always levelled at the municipal committee in its administration, and it was considered that the members were totally unfit to carry on the administration and that, therefore, it was necessary that on account of the mal-administration of the municipality an administrator should be appointed. My honourable friend Sir Gokul Chand Narang was at the time at the helm of affairs. Notwithstanding his vast experience he did not think at that time perhaps and he did not realise at that time what the difficulties would be coming up about this administrator in future. With the exception of the lady member representing Inner Lahore, I mean Begum Rashida Latif nobody has referred to the actual sanitary conditions of the Lahore Municipality. Do not think of the Upper Mall. Do not think

of the main streets of the civil station area only, but think of the back roads and lanes not only of the old city but in the civil station also. Think of the new *abadis*, the new extensions and the suburbs and you will find what an abominable condition they are in. It was then considered that the administrator would be able to do something within a year or two. With due deference to the administrator who is an experienced officer, who holds the rank of a commissioner, I must say that it is difficult for a single handed man to go into all the streets to find out the real condition of the place. Whatever it may have been before, there used to be about 47 members and there were always facilities given to the public, because the public could easily approach one of the members and at least they could place their grievances which could be removed in a short time. But now it is impossible to do with a population of nearly five lakhs. (*A voice* : Four lakhs). It was four lakhs according to the last census held in 1931, but I am sure it has now increased to almost five lakhs during the last seven years. It is impossible for even 1 per cent. of the population to approach the administrator and to make their grievances to him.

(At this stage Mr. Speaker left the chair and the Deputy Speaker occupied it.)

The other day the Honourable Minister for Public Works was pointing out to me that the Lahore people would not allow the drainage scheme to be brought into operation. I wish he had been here at this time as I would have been able to give some good reply and would have shown him that the amount which they want now to inflict upon the people by having a drainage scheme is enormously high and that it cannot be borne by the public in the form of taxation which they want to place on the Lahore public.

I remember that some amount was granted in or about 1915. Nine lakhs were granted then, for the construction of drainage and another work of public utility, viz., improvement of water works, by the Government to the municipal committee of Lahore. Remember that was the time when there was an official president, that is the deputy commissioner, who used to rule everything. Up to 1921 nothing was done and as a matter of fact the interest of the whole of that amount which was realised was utilised in other directions under the directions of the committee or the deputy commissioner who was the president of the municipal committee at that time. In 1921 I became the senior vice-president. I happened to see this and I saw that there was a drainage and also a water works scheme under consideration. I found that an estimated sum of Rs. 86 lakhs or so was required for both these schemes and that much only. After looking into the papers I placed the matter before the committee and we found that several important parts, particularly the whole of the city, which is the most congested and dirtiest part perhaps, was not included in that scheme and I on behalf of the committee submitted to the Government that they should make some provision for those parts and for the proper drainage of the city in particular. There were several other rapidly growing new *abadis* which were left out. It was sent to the Government and after two years or so what did we hear? We heard that the amount went up to about 52 lakhs for both these schemes. Remember, Sir, that the committees are always blamed in that they take such a long time over affairs. Here was a question which was submitted

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to the Government for consideration and for about two or three years the Government slept over the matter or did not care to look into it. When it came back we again scrutinised it and we found that still several important portions both of the civil station and city were left out. It was again submitted to the Government for these portions to be included and what did we find after about three years again? We found that a scheme of about 64 lakhs came up. We did not mind that it was increased. But still we wanted to say that certain other portions should be included, particularly the drainage scheme which was most important and which concerned the public health department which is under discussion now. Again the matter was taken up and again it was considered. Then we sent back the scheme—and if I remember correctly the scheme then came up to about 84 lakhs when it came back after three or four years. That is, each time when it was sent to the Government it was increased and from about 36 lakhs in the beginning it came up to about 84 lakhs eventually after about 10 or 12 years. The water works scheme prepared by the Government consisted at that time of a new proposal for water being taken from the Ravi. The members of municipal committee examined that scheme and they were of the opinion that perhaps it was not a suitable one. Not being experts themselves they wanted to get the opinion of experts and they got actually an expert from Bombay who had worked for Government for several years and who was an experienced officer, Mr. Stonebridge. His fee was paid and he was requested to come to Lahore and examine both these schemes and to give his definite opinion. He came here and with the help of the municipal engineers he went through the whole scheme. He condemned that scheme which was prepared by the Government—the water works scheme—and he said that this scheme would not be of any utility as there was a danger of its breakage after some time. Therefore he suggested that the system of tube-wells was the best system which ought to be adopted for Lahore. At that time there was a good deal of hue and cry for a greater supply of water in Lahore. So the committee decided that new tube wells should be sunk and so the matter was taken up in right earnest and since then about 20 tube wells have been sunk in different localities and they have certainly increased the water supply and that hue and cry is lessened to a great extent, although occasionally still there is some scarcity of water. The committee wanted to sink more tube-wells gradually, one or two lakhs being kept annually at the rate of Rs. 25,000 or Rs. 26,000 for each tube-well, to be sunk within the next five or six years. Unfortunately when the Lahore Municipal Committee was superseded some people were glad, those who were raising a hue and cry against the members, that at that time they thought that they would have everything they wanted because the administrator was there. But what do we find? We find in every direction a deterioration excepting in one direction and that is the increase in the pay of higher officers.

The administrator's pay is Rs. 3,000 and it is paid from the municipal funds. The committee did not spend a single pie over the president or the vice-presidents at that time. They were honorary. But now the administrator is paid in addition to his salary a sum of Rs. 1,000 for being the

chairman of the Improvement Trust which is said to be a good thing and which has been thrust upon the municipal committee and the citizens of Lahore.

Deputy Speaker : I do not think the honourable member is in order in discussing all these things.

Mian Abdul Aziz : With due deference to you I am perfectly in order to say this, because I am going to point out the state of health in the city itself and about the difficulties which are being created because the public is obstructed to go out and build houses in open areas. I am driving to that point. Therefore I would submit that I am in order in bringing in all these things and if you allow me to have my say I will show in one or two minutes that I am in order.

Deputy Speaker : These details have no immediate connection with the motion before the House.

Mian Abdul Aziz : I am prepared to bow to your ruling. I do not for a moment say anything against it. I will cut short, instead of going into those details. But I have to submit all these points.

Deputy Speaker : The honourable member has given enough of details.

Mian Abdul Aziz : I have not come to that point which I wanted to place before you about the present condition of Lahore. I come to that point. What is the present scheme of about Rs. 2,72,00,000 for the drainage scheme alone, as if they are going to turn Lahore into a paradise in a day? The other scheme for water works is of about 72 lakhs and both these come up to—I am subject to any correction which the Honourable Minister for Education may kindly make—about Rs. 8,75,00,000. Though twice some resolutions were tabled, on the subject yet there was no opportunity to discuss them.

There was one other resolution to be moved by my honourable friend Rai Bahadur Binda Saran, but the Government who are in the habit of placing obstacles in the way of people moving such resolutions, did not allow this point to be brought under discussion and they got round the Rai Bahadur and asked him to withdraw the resolution because the Government was going to appoint some committee.

Deputy Speaker : May I bring it to the notice of the honourable member that the scheme is not before the House now? It is the Department of Public Health that is being discussed.

Mian Abdul Aziz : I submit that if you were to see the streets of Lahore and see the awful condition then you will realise my point.

Dr. Sir Gokul Chand Narang : Do not go there. (*Laughter*).

Mian Abdul Aziz : Yes, because it would be dangerous for those who live outside the city in open air. They cannot realise the difficulties of the public who live inside the city in small lanes of three to four feet wide and who are not allowed to go out and live in open places and build their own houses on 5 or 6 marlas of land which are being refused by the authority. The other thing is about the drainage scheme. We are prepared to have a drainage scheme. We want that the Government should give an opportunity to the public and their representatives to come in on the municipality and to

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scrutinize the scheme. If you want to improve the town of Lahore, you must first set an example in the villages. But we find that instead of spending money which could be spent on drainage, etc., they are spending it on the improvement trust and the town planner who perhaps will come straight from England and inflict upon these people new fangled ideas of houses in England which will be strange and highly expensive for us. If you impose all these conditions on the people of Lahore, do you think they can have an opportunity of going out in the open air and building their own houses? I submit certainly not. Unfortunately you have ruled me out of order, otherwise I would show what the audit note about the administrator's work says. The auditor has clearly stated that things have gone from bad to worse in Lahore.

Minister for Education : On a point of order. The audit report on the working of the administrator has nothing to do with the grant under discussion.

Sardar Sampuran Singh : On a point of order, Sir. This question of audit relates to the money that has been spent on this department. The audit is a sort of criticism on the accounts of public health. If we are not to deal with the accounts of the money which has been spent on this department which is the chief object of our discussion, what else are we to do?

Deputy Speaker : It is not the auditing of the Public Health Department that he is talking about, it is the general audit and connection between the general audit and the motion before the House is very remote.

Mian Abdul Aziz : What I was saying was only about public health. I know the Government officials always try to raise objections because they know that they will be properly exposed (*laughter*). Anyhow I obey your ruling. I only wanted to point out that as a matter of fact all that money which is being spent is a mere waste and the money ought to be utilized in the construction of drains and other sanitary schemes for the improvement of the town. Then, Sir, I wanted to bring out a point about the new *abadis*. It is all very well to say that the public put obstacles in the way of Government executing schemes for the improvement of the health of the people. Certainly they are entitled to if they consider that they cannot afford to pay the heavy cost of the experiments. Surely they are entitled to say that the Government is not entitled to bring up a scheme which will cost an exorbitant amount and which they cannot pay. I want to submit to the Government that they should get this scheme properly examined and scrutinized before they start carrying it out. I have seen the scheme and I find that very heavy items have been included in it which should not cost as much as they are shown to cost and whose cost could be reduced to half and which cost the people of Lahore would be prepared to meet even if they have to be taxed for it provided they are allowed to scrutinize it through their elected representatives on the municipal committee. The committee should be reconstituted and the members should be asked to scrutinize the scheme. It might be said that matters will be delayed. But is the Government entitled to say that? The first scheme was sent in 1922 to the Government for scrutiny but the Government did not pay any heed to it and returned it only after three or four years. Now they come forward and say that the

scheme should be pushed through within a period of six months during which the administrator will remain in charge of the municipal affairs of Lahore. I submit that it is a great hardship and it is unjust to the people of Lahore that they should have a scheme thrust upon them which their representatives have not had any chance to look into. It may be said that there is an improvement trust. But what is being done? I cannot help saying that this improvement trust is a very heavy burden and great hardship on the public of Lahore. They have forbidden construction of houses in Lahore.

Deputy Speaker : May I know if the demand under consideration contains any item concerning the improvement trust?

Dr. Gopi Chand Bhargava : The demand contains some amount granted to the Lahore Improvement Trust.

Mian Abdul Aziz : If you are considering about the health of the public, certainly I am entitled to say that they have a right to construct houses in open air which they are forbidden to do. This is a prohibition and negation of their rights. I will put it in that form. I am not going into details although if I were to go into details of that I will be able to show several things. Therefore, I am saying that the Government is not doing anything fair and just in this direction. The Government ought to see that while they have spent an enormous amount on Simla and Delhi municipalities, what they have paid to the Lahore municipality. Even the nine lakhs of rupees which came to twelve lakhs with the accumulation of interest, was taken away about a couple of years ago. It was of course said that it would be given back to the municipality when any of these schemes is started. Had the Government been pleased to set apart Rs. 25 lakhs every year for improvement of Lahore—if not Rs. 25 lakhs even Rs. 20 or 10 lakhs would have been sufficient—during the last fifteen years, it would have come up to Rs. 2 crores up to this time and the Government would have, without any further taxation on the public of Lahore, been able to gradually complete this scheme of drainage all round Lahore. It is no use putting blame on the members of the municipality. Why did these schemes remain for a longer period in the custody of Government officials and now all of a sudden Government has come forward that this thing should be accomplished when the representatives of the people of Lahore are out of it and that it should be done during the regime of the administrator? I would not, however, go into any further details in this respect although I did want to say several other things. The other points which were taken up yesterday by the honourable lady member representing inner Lahore are worth considering. But if the criticism by the members, is considered by the Government benches as a criticism simply for the sake of criticism, and if it has the effect of like pouring water on ducks back, and not doing anything at all, then I would advise all my honourable friends not to criticise any action of the Government but to keep silent and sleep over the matter. Let the Government, in that case, bring in any kind of budget which they want and let it be passed without any criticism.

Khan Muhammad Yusuf Khan (Rawalpindi Sadar, Muhammadan, Rural) : I will be failing in my duty if I do not take advantage of the opportunity given to me by you. Since the presentation of the budget I have been

[Khan Muhammad Yusaf Khan.]

trying my utmost to catch your eye but unfortunately I failed in my efforts. It is due to the bad arrangements of my party and party whips that I could not get time to speak, and I wanted to avail this opportunity to protest against this behaviour. Anyhow we all know that the Government have put in an estimate for increased expenditure as regards beneficent departments. Under the Public Health Department we have an increase of five lakhs. Two lakhs have been allotted for the urban area and three lakhs for the rural area. If we try to work out these figures, we find that for 37,000 villages in the Punjab three lakhs would mean roughly Rs. 7 per village. With this paltry sum we have very little hope that anything whatsoever would be done, and it is not encouraging. However I think that under the present system of Government, no Government, whether it is the Unionist Government or any other Government, could have done better. There is no denying the fact that in our villages there is poverty, there is dirt, there is disease and there are epidemics. I do not want to talk about the other villages in the province because my own village is the best concrete typical proof of this. It is one of the dirtiest villages of the district and in spite of my honest efforts nothing has been done so far. My village is just near Rawalpindi city and is called Golra. It is five miles away from Rawalpindi and is towards the west. It is unfortunately not situated on the Grand Trunk Road and the officers of the Public Health Department do not consider it worthwhile visiting this village or other similar villages because they get very little travelling allowance and other concessions from the Government in this connection. In spite of our efforts and our joint representations—by joint representations I mean representation of Hindus, Muslims and Sikhs—before the health officer, nothing has been done. We were prepared to subscribe to meet any of the expenses that might be incurred in bringing about sanitation to this village. We were prepared to spend money out of various funds but I think that our representations and cries have been and will be cries in the wilderness. I do not know what has happened to those representations. There was only one opportunity that I had to see the health officer in my village during the whole of my life. I fully agree with the remarks made by my honourable friend Khawaja Ghulam Samad about Rawalpindi. Besides, Rawalpindi district depends upon the rains and there is always paucity of water in most of the villages of the district. I want to bring to the notice of the Government that people of the villages have to carry water from long distances for the use of their cattle as well as for their own consumption. I would request for extensive well boring because expenditure on this work cannot be too high, as the water is not too deep. I know the difficulties of the Government and it is not always the fault of the Government but of the department concerned who handle the affairs of the duties entrusted to them. The officers of the beneficent departments are not only Government servants but are the missionaries who are to carry the message of the Government's co-operation and help to remain healthy, clean and tidy and have sanitation but if they fail in their duties, or they are indifferent or dishonest or inefficient, they afford typical specimens of degenerating themselves into examples of waste of public money and reckless disregard of the sanctity of public funds. My suggestion to Government is that it should not feel satisfied with the voluminous reports submitted by this department to the Government. These

are only paper transactions. Very little work is being done in the rural areas and it is the duty of the Government to keep full supervision over the actual working of the department and to see that not a single pie out of our fund is wasted recklessly or without any regard to the physical condition of the poor villagers.

Sir, I have consulted many doctors who are working in rural dispensaries and they are definitely of opinion that the diseases are due to malnutrition of deficiency of food and this is due to poverty in the rural areas and if this sum is entrusted to inefficient hands without having regard to the ways and means by which they have to work that would be a vital mistake on the part of the Government to discharge the duty entrusted to it. With these remarks I resume my seat.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban): Mr. Speaker, there is an English proverb 'prevention is better than cure' and, therefore, I am one of those who attach more importance to the public health department than to the medical department. Though I am a doctor yet I would like the Government to spend as small an amount as possible on the medical relief not because I do not want to give relief to the poor, the sick and the needy but because if the Government were to carry out their duty under the public health department there should be no disease and there should be no necessity for giving medical relief.

In the public health department budget we find that out of Rs. 18,15,600, Rs. 17,24,600 is voted item and Rs. 91,000 is a charged one. Let me take the charged one first. Out of Rs. 91,000, Rs. 24,800 are to be spent on the allowances and pay of the superintending engineer, Rs. 32,110 are to be spent on the allowances, pay, cost of passage and other honorarium for the Director of Public Health and Rs. 12,490 is a portion which the Punjab Government has to bear on account of pay of the Medical Officer of Health, Simla and Rs. 21,600 is to be paid as charges. If you will look at facts you will find that the Director of Public Health and the Medical Officer of Health, Simla, are both I.M.S. people. As far as Medical Officer of Health is concerned I know he is appointed by the Government of India; but I want to invite your attention to this fact that though he is a medical officer of health yet he is not D. P. H. All the other medical officers of health working under the Punjab Government should hold a degree of D. P. H. The Medical Officer of Health, Simla, for whom the Punjab Government has to pay is only an I.M.S. officer. I.M.S. is no qualification; it is only an examination for being accepted in service. Because much has been said about I.M.S. cadre in this province I invite your attention to the fact that under the new rules which were passed in 1928 and published in the *Government of India Gazette* on March 25, 1937, the Punjab is required to have British officers; 7 civil surgeons, 2 senior and one junior specialists posts are reserved for the Britishers, and there should be 3 officers as leave reserve. This makes 13. There should be 4 Indian I.M.S. officers. No post is reserved for them: they must be kept in service in any post Government likes to keep them. There ought to be 17 I.M.S. officers under the new rules. We were told at the Simla session that the Punjab Government had not received instructions from the Secretary of State as to how 34 was to be reduced to 17. The Honourable Minister for Education and Public Health was pleased to inform

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us that the cadre was of 34. What do we find now? Including the medical officer of Simla who is an I.M.S. officer we have got 37 I.M.S. officers. My honourable friend Raja Ghazanfar Ali Khan said that there were only 9 or 10 European officers. Had he said 9 and 10 I think he would have been very near the truth because we have got 19 European officers. We are required to keep 13 under the new rules we have got 19. Then I would invite your attention to one more fact that after the assumption of office by the present Ministry four more I.M.S. officers have been taken by the department. Instead of reducing them, instead of asking those whom we could ask to go we have taken more people in the service. I invite your attention to what the late Sir Fazl-i-Husain once said—

I have mentioned to the Inspector-General of Civil Hospitals more than once that the Punjab Medical College is the only medical college in India wherein the medical service is monopolising the college and the hospital. In all other Indian medical colleges there are non-service men acting as professors and as assistant professors and we all know how difficult it is to break the monopoly. In this case however the time has come when this monopoly should be broken. His Excellency has agreed to two professorships being given to non-service men. So far as clinical assistants are concerned, the work to be entrusted to them—under studies of their chiefs—they should be something much better than mere demonstrators. Ungenerous critics have already told me that the prejudice against taking men with European qualifications is in part due to the fact that men who one day occupy their chief's places are not welcomed. I have been also told that the medical service will do their best to keep out the new class that I want to introduce in the interests of the public service. I see no reason why an Indian medical student who has done well in a British University should not stand as good a chance of being useful in his profession as Indians with British university qualifications are in the Educational department.

I admit that this note of the late Sir Fazl-i-Husain relates to professors of the Medical College where he wanted to stop the monopoly of the I.M.S. people. I would submit that here in this department at least we should not have any more I.M.S. officers because we have no place for them. The reason why I say so is this that we find that people who are in the P.C.S. are paid less than those of the I.M.S. people who are engaged in the Public Health Department as medical officers of health. At the same time I may say that if the Director of Public Health were a non-British officer—a man who knew the condition of our villages and towns better—it would have been in the best interest of the department. Therefore my submission is that this expenditure of Rs. 32,110 is superfluous and we ought to reduce it.

5 P.M. Fortunately I have got the latest report on the Public Health Administration of the Punjab. Though it was not in the library, yet fortunately I got it. On page 2 of it we find :—

“ Perhaps even more than numbers, the physical quality of the population should give cause for serious thought. The most reliable data on which an estimate of the physical state of the rising generation can be based are the army recruiting figures: a perusal of these shows that out of 108,351 young Punjabis who came before the recruiting authorities for examination during the years 1931 to 1935, over 75 per cent, were rejected as physically unfit for the army.”

Sir, this is the condition of things in this province which is known as a martial province. If the health of people in villages were to deteriorate, as it has been deteriorating, you will find that you will not get a single soldier from this martial province. Is this condition not alarming? Is it not proper for us at this stage to take note of what we are doing about

keeping the health of the people? What is necessary to keep one's health? It concerns the hygiene of the man as well as hygiene of his environments. I want to invite your attention to the following table. If you compare the vital statistics of this country with those of other countries you will find the state of affairs as follows:—

Country.	Birth-rate.	Death-rate.
British India	35·7	26·0
Egypt.. .. .	44·4	26·2
Japan.. .. .	33·4	19·5
Italy	26·8	16·0
Rumania	35·2	21·2
New Zealand	19·7	8·6
United States of America	19·7	12·0
France	18·2	16·7
Sweeden	15·9	12·1
England and Wales	16·7	12·1
Germany	18·4	11·8

Thus you will find that death-rate in our country is 26·0, which is almost the highest. It might be said that the birth-rate is also the highest. I submit that it is not the highest. In Egypt it is 44·4. Then again, my submission is that the enormous increase in birth-rate is a sign of poverty. Birth-rate is less among those who live in a rich way than those who are poor. Economists think that if it is desired to reduce birth-rate one must raise the standard of life.

Let us look at infant mortality. The average in 1925—30 was as follows:—

Country.	1925—30 average.
Chile	229
Straits Settlements	208
Hungary	172
India	178
Japan	137
Bulgaria	147
Egypt	152
Italy	119
Germany	94
United States of America	93
France	89
United Kingdom	70
Netherlands	56
Australia	52
Norway	49

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Thus you will find that it ranges between 49 and 229. Ours is 178, fourth in the list of the whole world. If you look at the report you will find that our birth-rate is 48 *per mille* and death-rate is 22. These are the figures which show you the condition as it prevails in our province. It might be said that birth-rate and death-rate in our province are better than what they are in other provinces in India. But I am not one of those who want to compare them, not because the other provinces do not compare favourably but because the Punjab is a martial province and it is one of those provinces where strong people used to live. If our condition is deteriorated to that extent that 75 per cent. cannot be accepted as recruits, then I would say that the state of affairs is deplorable here.

Next, I come to the appointment of a town planner. It was said in defence that two-thirds of his pay, i.e., Rs. 10,680, is to be paid by the Lahore Improvement Trust. May I tell you that the Public Health Department is going to give a grant of Rs. 10,000 to the Lahore Improvement Trust? Last year they paid Rs. 14,000. Therefore, I can safely say that this whole pay of the town planner is to fall on the shoulders of the Government. It might be said that we do need a town planner, but what for? To plan the towns and to prepare plans for the city of Lahore and the city of Amritsar and other big cities. I think that all the lay-out plans that were prepared by the Lahore municipality were passed by the commissioner. Nobody could build any house according to any lay out plan unless it was passed by the commissioner, and, therefore, by the Government. (A voice: What about Ramgali?) If Ramgali, Sant Nagar or Krishan Nagar exist, it is not the fault of the people alone, it is the fault of the Government who did not stop those people from building houses. What is the method the Government is adopting? They say 'You cannot build a house on an area more than this.' They have taken more than a year in passing 5 or 6 lay-out plans. I am not concerned with lay-out plans. What I am concerned with is this that the expenditure of Rs. 31,210 is superfluous. We can do with a less amount even if we needed a town planner. Why should the Government pay Rs. 15,950 as pay and Rs. 1,100 as travelling allowance to a town planner? Why do they not pay Rs. 5,000 or Rs. 6,000 to him? If they do so they will be able to save some money. I can assure you, that if they were really anxious to get a good Indian, who would be conversant with the conditions prevailing in the province, they could very easily get one on a smaller salary. But it appears that they have a man in view who is a non-Indian, and they want to bring him in. Therefore, I submit that the expenditure under this item can be very easily reduced without affecting adversely the efficiency of the work, if they want to do so.

Then, I come to the Public Health Department as such. We have got 4 assistant directors, one superintendent of vaccine institute and 75 medical officers. I think one is only for 6 months. There were 34 last year and we have 35 this year. The new post which has been created is of an assistant chemist. Then for these 35 medical officers of health we have 48 sanitary inspectors. That would mean $1\frac{1}{2}$ sanitary inspectors for one medical officer of health.

We have looked to the hygienic conditions prevailing in the villages as well as in the towns. Now we have to consider over the personal hygiene,

that is at least water supply and the diet of man. Let us take the condition of a village. We are told that owing to the work of the Rural Reconstruction Department 824,640 square feet of roadway has been paved in the villages and 264,120 feet of pucca drains laid in the villages. The figures are very big, but further on if we read, what do we find?

"As might be expected comparatively few villages reach a minimum standard which might entitle them to be classed as 'sanitised.' Taking as the criterion of a 'sanitised' village, one in which:—

- (i) The water supply has been adequately protected from surface contamination;
- (ii) main drains for the removal of waste water have been constructed wherever required; and
- (iii) filth and refuse are being regularly removed outside the village to a place prepared for their reception,

three hundred and eighty-two villages in 27 districts are said to deserve that title."

Out of 35,871 villages, it is only 382 villages which may be stated to deserve that title according to the Public Health Administration Report. It goes on:

"One district to which a special grant of Rs. 8,820 was made by Government for sanitary work has been excluded this as specially financed work is not representative, but the fact that in this district alone 336 villages are regarded as having attained to the minimum standard is significant of what could be done were money available."

If you were to calculate according to this, it means that we shall not be able for a long time to come to carry on the measures which we want to. I am one of those who have of late become wanderers in villages, wanderer not to beg—though begging for a public purpose is not a sin—but a wanderer to find out the conditions of the villages myself.

The other day my honourable friend (Mir Maqbool Mahmood) who is not present here at the moment described my observations as the observations of a drain inspector. He was mistaken. They were not the observations of a drain inspector, they were the observations of one who wanted to work in drains because Government does not realise its duty in removing the awful conditions existing in the villages. I know the villages where roads have been paved, but where does the water go and collect? No arrangement has been made for the removal of that water which stagnates near the village. Then water supply. I know wells have been made pucca but no arrangement is made for the removal of the water which is used by people and which is found in large quantities near the well. No arrangement is made for the removal of that water, and unless that arrangement is made a village cannot be called sanitary. Therefore unless we make arrangements for the removal of that water or for preventing it from collecting in a pond, the sanitary conditions cannot be said to be satisfactory or anywhere near satisfactory. Then it is said:

"Five hundred and six new wells were constructed, 6,669 wells were repaired, and 4,163 hand pumps were introduced."

This is to improve our water supply, but if you go to the eastern districts of the Punjab what do you find? You find men and cattle drinking water from the same pond. Man takes away water, drinks it in his home, bathes

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there. They can hardly afford to wash clothes. And when the cattle drink water, as much as they drink they replace in that pond, and men are made to drink that water. May I tell you that if you go into the villages of the eastern districts of the province, you will find guineaworm very prevalent. It is an infectious disease and it is found in those who drink this water from the ponds. You may go from village to village you will not find a well, and if you do find a well its water is not drinkable, it is saltish water. Even in the village of the Honourable Minister for Development there was no well out of which the harijans could take water for drinking purposes and the Government did not sink any wells there for the poor harijans. It is we the Harijan Sewak Sangh who are sinking a well in the village of the Honourable Minister for Development. The report says :

"One of the most interesting features of this work is the extent to which villagers have themselves taken part in it and contributed in money towards its cost."

Therefore the fault does not fully lie with the people. They are prepared to share the cost towards the improvement of the village sanitation work. It is stated that the people contributed Rs. 1,12,295, besides contributions in labour and material. I do not want to take much of your time in discussing this matter, because I have to say much more about the diseases. If you look to the administration of public health in other countries what do you find? We find that where a Public Health Department is working effectively, that country can boast that the infectious diseases have been eradicated from that country and that very few people catch any infectious diseases. My honourable friend, Chaudhri Krishna Gopal Dutt is not in favour of vaccination. I am not one of those who do not believe in it. I believe in vaccination. Here I may tell the Honourable Mir Maqbool Mahmood that he was wrong when he said yesterday that all vaccines are produced in the Vaccine Institute here, it is only Vaccine lymphs that are being prepared. But in spite of the fact that people have been vaccinated, re-vaccinated and re-re-vaccinated the incidence of small pox was greater in the year 1936 than it was in the year 1935. Take cholera. If one were to read the pages of the *Punjab Gazette*, he will find every day that such and such a town is threatened with cholera, plague, small-pox or some other disease and therefore special powers are given to the medical officer of health and the deputy commissioner of that area to throw away what material is not fit for eating. One day when I read that notice in the *Gazette*, I thought that if the Government were to make arrangements in that area for the supply of disinfected material and provisions which were fit for taking, then it would have been more in the fitness of things. An officer appointed for the purpose of examining provisions goes, takes hold of the material and tries to throw it away and if the man just greases his palm he goes scot free. If you look to the smallest town, one sanitary inspector cannot control the sale of these articles.

Then, Sir, milk is the chief article of diet which carries these cholera germs. If you go into the town of Lahore, you will find those milk shops situated on the drains and the fly which sits on the drain sits on the milk

or the curd and people take it even in cholera days. Has the Public Health Department or the municipality ever done anything to improve things? They say that in far off Simla epidemics of plague and cholera and small-pox are threatening and therefore they must have a police post at Tara Devi though ostensibly it is for political purposes. (*Hear, hear*) Then we come to plague. Fortunately we had no epidemic of plague for the last several years not because rat trapping has been carried out or fleas have been destroyed. No. These epidemics have a season for them. They come in cycles. There was no cycle of plague. The misfortune is that whatever disease comes in this province it becomes endemic. Look at the cerebro-spinal fever. We used to have very few cases before. In 1932 when this fever appeared in epidemic form I was in the Borstal Jail as a prisoner. We had cases of cerebro-spinal fever. We offered our services to work as servants, to carry on disinfecting work in that jail. We were refused. No, we could not do anything for them. It is now six years and when this report was written it was four years and this disease could not be eradicated from that small Borstal jail during the last four years. What is the use of the Public Health Department? I cannot realise, I cannot understand how this Public Health Department works, if it cannot eradicate a disease. We know that cerebro-spinal fever is infectious as well as contagious. We know its source of infection. Then why can we not disinfect the people? Then there is malaria. Fortunately we had no epidemic of malaria, because there was no cycle for it. But have we tried to prevent malaria? As I said, we are concerned in the Public Health Department with the prevention of the diseases, not with their treatment. When we are concerned with the prevention, when I speak of malaria or, typhoid or all these things where the infection is carried on through diet, then we should take measures to disinfect the diet and to supply good diet to the people. But we have not taken any measures as far as this is concerned. Now let us come to tuberculosis. Tuberculosis is a very fatal disease and it is increasing in the villages. What are we told? The Public Health Department has adopted measures to stop this fatal disease of tuberculosis by giving grants-in-aid to two hospitals, one in Murree and the other, I do not know where. As I told you it should not be the concern of the Public Health Department to give any money to any hospital. That should come under the medical department. Why should any money be given out of the Public Health Department budget and why should that department take any credit if it pays any money to these hospitals? In the Lahore municipality there was a tuberculosis hospital and if my information is correct, there is one even now. But what is the work that is carried on there? It is a general hospital where medicines are supplied for dysentery, for fevers and for everything. Is any anti-tuberculosis movement carried on by the Lahore municipality in that hospital? Now we have been hearing for the last few weeks that a very big amount is going to be collected for this tuberculosis work. But I am not concerned with it because it does not concern the Public Health Department. That is a non-official effort. No, it is a demi-official effort. I am not concerned with it. What I submit is that as far as the prevention of tuberculosis is concerned the Public Health Department has not taken adequate steps to prevent this disease. Had it taken any measures why should the disease be on the increase?

[Dr. Gopi Chand Bhargava.]

Next, I come to the question of diet. I happened to go to the Lahore Exhibition. A poster which is in Hindi was distributed to all who went to the exhibition. It is said in the poster :

तुम्हारी औरतें चक्की न पीसें और न हीं उपले थायें ताकि उन्हें अपने अच्छों की परवरिश करने और अपने घर को खूबसूरत बनाने के लिये वक्त मिल सके और वह तुम्हारी संधी बन जायें और महज़ नौकरानियां न रहें । इस तरीके से तुम्हारे खेतों के लिये भी काफी ख़ाद मुहय्या हो जाएगी ।

Deputy Speaker : I request the Honourable Leader of the Opposition to be brief.

Diwan Chaman Lall : I understand that on the budget there is an unlimited scope for discussion and you have ample powers to pull up any speaker if he is irrelevant or if he goes against the rules. But I submit the honourable member should be allowed to continue his speech as long as he is within the rules.

Deputy Speaker : I only requested the honourable member to be a little bit brief. I have not stopped him.

Diwan Chaman Lall : There is no question of asking anybody to be brief.

Dr. Gopi Chand Bhargava : I want to invite your attention to the fact that if the villagers were going to be debarred from eating hand ground flour, what are they expected to do? Has the Public Health Department carried on any propaganda to this effect that hand ground flour should be preferred to the machine ground flour? I must congratulate the Public Health Department on one discovery they have made and that discovery is that gur (jaggery) is better than white sugar. But what have they done to carry this message to the masses? Do the masses use white sugar even now or not? The use of white sugar is on the increase. Has the department taken any steps to tell the people, to carry on this propaganda amongst the people, that gur is better than white sugar from dietetic point of view? Last year when we were discussing the department of agriculture, I said we ought to have a nutrition department in the Agricultural College. I read in this Public Health Department administration report that they have got a nutrition officer. I am glad to find it. But I do not know what work he is carrying on. It is not only the research work that is necessary. But we must tell the people and carry on propaganda that such and such a diet is best suited to the masses, so that they may keep themselves fit and healthy. Sir, the chief diet is milk. Have we taken any steps to tell people that they should take such and such milk and such and such quantity? Let us come to ghee. In the villages most of the people are vegetarian, not by faith but by necessity. The only animal diet which they can take is milk and the preparations of milk. Now ghee is one of the preparations of milk. It is not as good as butter, but it is much better than the oil because it contains vitamin D. But we find that ghee is disappearing. If to-day we were to go to the bazar and were prepared to pay

Re. 1 for 8 chatanks, we cannot be sure that we can get pure ghee. You cannot get pure ghee even in villages. What has the Public Health Department done? They say, 'We have passed the Adulteration of Foods Act. But what has that Act done? My honourable friend Diwan Chaman Lall told me that in one of the countries a man was selling bad eggs and what was done? The man was put in court and fined £ 20. They put up a poster on this man's shop that the man supplies bad eggs.

What do we do? If we look at the statistics we find that in the public health laboratory 209 food samples were tested under Pure Food Act—

Ghi	..	..	..	..	137
Milk	..	..	..	..	62
Butter	..	..	..	..	9

This man could carry out examination of only 209 samples. Therefore as far as the diet of the people is concerned they have not done anything and they have not taken any steps to even colour the artificial ghee which is sold in the bazar. They say it is not possible and the Adulteration of Food Act cannot work properly and when we say that you should colour the artificial ghee so that the people may know what they are getting, the Government says that they are not prepared to do that.

I now come to the maternity and child welfare work. My honourable friend the lady member yesterday told us that there were 77 health centres in the province. Now let us see which health centres are working. The control of these centres is vested in the following authorities. Red cross societies 31, district boards, 16 municipalities 14, health associations 10, Punjab Government 1, North-Western Railway 4 and Christian Mission 1. This makes 77. Now what is the credit they want to take? Is it for running one centre in the whole of the province? Then they say Government aid was extended to 69 of these centres. Are they satisfied with these 77 centres and supporting only one under Government auspices and with a grant-in-aid of Rs. 25,000? If we look to the statistics of health visitors and trained midwives in the rural and urban areas in the Punjab for the year 1936, what do we find? There is one trained health visitor and there is not a single trained midwife or *dai* in the Ambala district. Then take Amritsar; there are three rural centres, three urban centres, three trained health visitors in the rural area and three trained health visitors in the urban area and only one trained *dai* in the whole of the Amritsar district. Then, look at Gujranwala. There are two urban centres, two trained health visitors and not a single trained midwife or *dai*. This is the condition of the three of the most important and big districts and still they claim that they have been doing a lot for the province as far as maternity and child welfare work is concerned. Then we were told that much work was done at the fairs. In the year 1936 only one fair was held at Thanesar.

Then I have to make a few observations regarding the medical inspection work. In the year 1936, 667 primary schools were inspected while 828 were inspected in the year 1935; 364 secondary schools were inspected in the year 1936 as against 339 in 1935 and 27 colleges against 16 and 9 European schools against 10 in 1935. Only an examination was conducted during these inspections. What is the result? Have they taken any steps to eradicate those diseases which we find are prevalent among the students?

[Dr. Gopi Chand Bhargava.]

Have they taken any steps for the prevention of these diseases? I have got the D.A. V. College annual report with me. When we examine it we find that in the first year out of 185 boys that were examined, 63·8 were under weighted, chest expansion less by 2 inches 5·9, teeth irregular 23·5, diseases of the nose, ear and eyes 47, trachoma 9·3, weak vision 40. This is about the first year and so on in every year you will find that a large number of boys either suffer from the diseases of the eye or diseases of the teeth. A large number of them are under weighted. D. A. V. College students are not entirely those who come from the towns, they come from villages as well. You will therefore find that the condition of our students in the schools and colleges is far from satisfactory. What measures are we taking in order to improve them? Only inspection. That is not the work of the Public Health Department. The department cannot be congratulated for conducting an annual inspection of our school and college boys. They ought to take measures to remove these diseases. They ought to take some advantage of the figures they get from these examinations. I have only two more points to discuss. One is that an argument has been advanced that work cannot be carried on because they have not got sufficient funds. My submission is that it is not the money that we lack. We can get large amount of money even from the people. I have told you that even people in the villages who are very very poor and who cannot afford anything, even they have contributed to the extent of Rs. 1,29,000 and if the Government were to carry out this public health work on the lines suggested by us and suited to the Indian conditions, money would not be lacking. It is only the ideas and imagination that is lacking (*hear, hear*). The Government has not re-orientated the policy underlying the working of the Public Health Department. How could we expect that from the men in charge of this department? We have at the helm of affairs men who do not know the Indian conditions at all. When we spend large amount of money on the salaries of those who know to live only in bungalows, who do not know how a man in the hut lives and leads his life, and what his condition is, they cannot adopt any measure to meet his needs. What we require is that we should have a policy which would suit our conditions and that is what is lacking. It was said that they have appointed a woman organizer to do the welfare work. I had made a few observations on the expenditure from the Special Development Fund and I do not mean to take your time any more. I have got here two or three pamphlets. One is the "Four Great Treasures, Two Inseparable Friends, Healthy Home, National Public for Maternity and child welfare. Certain directions are given but there is not a single word about diet that we should take and there is not a single word about things that suit our conditions in the villages and the language of the pamphlet is English which very few people in our country know. Then I have in my hand another pamphlet. This is a pamphlet issued by the Indian Red Cross Society and is edited by Miss R. Piggot and it is I. R. C. S. No. 28. It prescribes four things as essential to mankind. What are those four things? Fresh air, sunshine, water, sleep and rest. If you would go to the village you would find that a man who works in the field gets plenty of fresh air and that is probably why my honourable friend there, who is not there to-day, told us that the villagers do not need fresh air. They do

need fresh air but they do not need any measures to supply them with fresh air because they pass lot of their time in their fields and in the fresh air. Then, sunshine. One who knows the conditions of villages knows that our people have to work in sunshine and in winter even at night in the fields and unless he works there he cannot make his two ends meet. What has the Public Health Department done for these two things? They say, you provide ventilators in your houses. It is very easy to suggest the provision of ventilators, but may I ask those who live in bungalows whether they sleep with their windows open or when they sit in the day time do they keep their windows open? They keep them shut so that their furniture may not be spoiled by dirt and they live under fans. When they cannot afford to live with windows open, how do they expect a poor man, who has not got clothes enough to clothe himself—to protect himself from the wind and cold—to keep a window and ventilator open. It is very easy to say, "Keep it open and use a mosquito net." Should a man work in a field wrapped in a mosquito net? If rural reconstruction means windows and these nets, then I think that our condition shall deteriorate more and more. About water-supply I have told you a few words. Two inseparable friends—the disease and dirt—go together. Not a word is there in the pamphlets about the diet we should take. What I beg to submit is that the Public Health Department should review their policy and sit down in calmer moments and find out what really they should do for the millions living in villages in the Punjab. It is only then that they can do any service. If they carry on the work on the lines they are carrying—that they should spend a few lakhs more in this department—it is not going to improve conditions of health as they prevail to-day in our province. It might be said that we people who sit on the opposition benches are only there to criticise and not to make any suggestions. My complaint is the Government do not treat us in the way that it should. The Government ought to realise that if the opposition is strong, it is only then that they can work but how do they treat us? Has the Honourable Minister for Public Health or Education ever invited us for consultation or invited our opinion on this matter? Has he ever held a conference of members of this House to find out what would suit the province? I know that it is not going to be held because if we suggest anything and it is carried out then it would be said that it is the Unionist Party which loses.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Parliamentary Private Secretary) (*Urdu*): Mr. Speaker, I am afraid the time at my disposal is very short and I shall give a brief review of the activities of the Public Health Department since the present Government took charge of the administration. This will give the House an idea of the useful work done by the department and will also answer some of the criticism levelled by the honourable gentlemen sitting opposite.

The provincial figures for the year under review indicate that there has been a record high birth rate and a record low death rate in the Punjab. I might in this connection point out that our figures with regard to the birth rate are the highest while those of the death rate are the lowest in India. The rate of infantile mortality is also lower than any other province in India excepting two. A few honourable members have expressed great

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anxiety over the high death rate in India. If they will examine the figures of the past relating to the province they will find that the death rate in the Punjab is constantly on the decline, but we are confronted with a serious problem, i.e., the rapid increase in our population. Our percentage of increase in the population is not only highest in India but perhaps in the world. The available figures show that the total increase in the population during the years 1931—1935 is 6·6 per cent. If the existing increase is maintained the census of 1941 is likely to show a population for the province of about 28 millions as compared with 23·5 millions in 1931 and the question that arises is how this population is to subsist without a substantial reduction in the standards of living. The Public Health Department is striving to produce conditions in which the death rate, and particularly the infant mortality rate are likely to fall. The greater the success of the department the greater is likely to be the pressure of the population on the land. Some relief will have to be afforded by extension of irrigation and by bringing more area under cultivation, though the remaining field for these is not large enough and only a temporary palliative can be expected. For a more lasting effect we must look to a steady improvement of agriculture methods, such as will substantially increase the outturn of the land and the industrial development but even if any substantial progress in these directions can be achieved, it can hardly be expected to keep pace, indefinitely, with an increase of population at the present rate, and the ultimate problem remains that of devising some means of reducing the birth rate.

I would now make a few observations with regard to the chief epidemic diseases in the province. The house will be glad to learn that plague has disappeared from the province for the first time since it was introduced in 1896. Three cases were actually detected last year, but they were imported into the province from elsewhere. There was low number of cholera cases, the total being 188. There was a small increase in smallpox cases but the rise was not so great as was anticipated on analogy with former years in which the usual periodic rise became due. The number of vaccination operations was the highest on record during the year and the percentage of successful cases to total operations was the highest in India excepting one other province. Over a million primary vaccinations and over 2½ million revaccinations were performed. The department is reorganising the vaccination work and it is hoped that the periodic rise will be adequately checked. Certain improvements were effected resulting in increased efficiency and economy in the Punjab Vaccine Institute. The net profit to Government from the sale of vaccine lymph was about Rs. 70,000 and it is hoped that this profit will go up to a lakh of rupees during the next year. The figures for malaria cases were particularly low. Anti-malaria work has been reorganised and put on a much sounder basis. The object in view is to establish in each district and maintain at least the nucleus of an anti-malaria organisation sufficient for the execution of useful routine work and capable of extension to meet requirements, should malaria assume epidemic proportions. In a majority of districts this object has been achieved and in eight districts where the incidence of malaria is higher than elsewhere, equipments and material were provided by Government to facilitate anti-

malaria work. The establishment of liaison between district board, municipal, military and railway authorities and the formulation of joint anti-malaria schemes have been a special feature of the re-organisation. Facilities have been provided for the carrying out of entomological work and arrangements made for the recording of findings from year to year so that a knowledge of the local conditions determining the prevalence of malaria in any particular district may be gradually evolved. Four thousand pounds of quinine in powder and tablet forms were distributed free, through the district medical officers of health, local bodies and schools.

A scheme for the administration of small doses of quinine twice a week to school children during September, October and November in areas in which, according to the malaria forecast, the disease was likely to be prevalent, was put into operation. A great deal of anti-malaria propaganda work was carried out by health officers throughout the province. Anti-malaria measures were carried out both in towns and in rural areas such as eliminating mosquito breeding places. The leprosy survey of the province was continued and has now been completed in 15 districts. Twenty-eight new leprosy clinics were opened during the year, bringing the number to 80. The hookworm survey was also continued and has been completed in 15 districts. Seventy-eight thousand, one hundred and seventy-six persons were treated in the four treatment units in Gurdaspur district and a successful propaganda work was carried on in the areas where the disease is prevalent and especially in Gurdaspur district where the hookworm disease is more widespread.

I shall now draw the attention of the House to certain special features of the work done by the Public Health Department. The year 1937 saw a considerable expansion in the work of this department. Vital statistical work of public health was handed over by civil surgeons to district medical officers of health and a specially trained medical officer was appointed to undertake the re-organisation of statistical work. Certain gross errors have been eliminated from statistics and a higher standard in accurate recording achieved. The appointment of two medical registrars in the town of Amritsar as an experimental measure has proved its worth. These officers were given the duty of investigating all deaths reported in the town and of confirming or correcting the cause of death in the light of information obtained from medical attendants or lay individuals, where no medical attendant had seen the case. As a result, many faulty informations were corrected and, in addition, the difficulties in the way of making registration more accurate and more complete, have been eliminated; and it has been possible to suggest lines of action along with remedies applied in order to improve the quality of work improved.

Medical inspection of school children had been successfully organised in those centres where the expert knowledge of a health officer was available in initiating the work and controlling it. Progress in this direction is constant though slow. In three towns the work is well organised. In other towns the schemes are under consideration and, it is hoped, will materialise in the near future.

There has been a very definite expansion in Industrial hygiene work made possible by the issue of revised factory rules in which are incorporated detailed instructions regarding health of workers and the sanitation

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of factories. A specially trained officer of the Public Health Department has supervised the inspection work and all municipal and district medical officers of health have been appointed *ex-officio* additional inspectors of factories. Some idea of the degree to which work in this sphere has increased, may be gauged from the fact that while in 1936 only 17 factories were inspected, during 1937 the number rose to 186.

Since October, 1937, a great extension of curative and preventive work has taken place in the rural areas of five districts of the province in which rural dispensaries have, as an experimental measure, been brought under the control of the Public Health Department. Figures show that the additional work carried out, over and above the routine work which was previously done, includes : Over 30 thousand patients seen in their homes in villages ; 226 cases of small-pox discovered ; 350 cases of tuberculosis ; 130 of typhoid fever and over two thousand cases of other infectious diseases brought to light.

Eight months ago a health organisation which includes medical treatment as one of its activities was inaugurated in a group of villages in the Hoshiarpur district, financed on the principle of voluntary subscription. The subscribers formed what was called a health league and the organisation was named a health bureau. There are now three such health bureaus in the Hoshiarpur district and it seems that their development is a matter not only of more than ordinary interest but of no little importance. Since through these organisations the principle that those who can should in fact pay for medical relief has for the first time, in the history of this country been successfully applied in a rural area in the Punjab. A qualified doctor is in charge of the bureau. A village house is provided free of rent for the doctor's use and another for use as a dispensary. These health bureaus are functioning successfully. If these health bureaus work successfully for some time, efforts will be made to extend this experiment to other areas.

I would now place before the House certain facts with regard to rural sanitation. It is significant to note that the expenditure on rural sanitary schemes has been considerably increased in 1936-37. Government grants for sanitary work in villages amounted to Rs. 57,656 in 1937-38. Rupees 2,81,417 were provided under this head. Provision of Rs. 5,35,450 under this head has been made for 1938-39. This will show that provision for village sanitary schemes has been increased almost ten times or 1,000 per cent. of 1936-37 figures. It was remarked by my honourable friend Diwan Chaman Lall that the budget provision for the Public Health Department is much less than that of 1929-30. I might point out that the expenditure under the head rural sanitary board and drainage circle, amounting to Rs. 14,24,000 was included under the head Public Health in 1929-30. In 1932-33 the drainage circle was transferred from public health to the irrigation branch. Let me inform the House that the budget provision for the coming year is the largest ever since the department came into being. I may also point out that the percentage of expenditure per head on public health department in the Punjab is higher than many other provinces in India. I may also quote a few figures with regard to the sanitary work done in the villages during the year. Five hundred and six new wells were constructed, over 6,669 were repaired, and 4,168 hand pumps installed. Over one lakh new

refuse pits were dug, 2,64,120 feet of drains laid and 8,24,640 square feet of roadway paved. About five lakhs ventilators were installed in the houses. The number of sanitation committees in rural areas has considerably increased.

No less than Rs. 1,12,295 was voluntarily subscribed by 887 villages for such work. This is very encouraging and it shows that the people in the rural areas are becoming conscious of their sanitary needs and improvement in rural sanitation. The sanitation work in urban areas, I must admit, is making a slow progress but it is hoped that the local bodies will realise their responsibility and will pay more attention towards the sanitary needs of their citizens in future. I cannot pass further without congratulating my friend Captain Ashiq Hussain on the fact that the Municipality of Multan, of which he is the president, has found it possible to achieve a complete re-organisation of its conservancy arrangements which are now reported to be working properly on sound sanitary lines. The House will agree that the useful work done by the Public Health Department is in no way a mean achievement, but I am sorry to say that honourable members opposite have taken a most uncharitable view of the useful work done by the department, which is most discouraging and disheartening. My honourable friends are never tired of referring us to the Congress provinces and I make bold to say that the Congress provinces will take at least ten years to reach our present standard regarding the village sanitation and rural uplift. No one can deny that the Unionist Party was the first organisation which became alive to the needs of the neglected rural population and was pioneer in championing the cause of the down trodden masses living in the rural areas.

An honourable member : It is Mahatma Gandhi.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Sir, Mahatma Gandhi and Congress have taken the lead from us. Up to the recent past the Congress was a purely urbanite body and even now the control over the Congress rests in townsmen and industrial capitalists. Unionists Party was the first to cater for the needs of the rural population by extending the beneficent activities of the Government to rural areas. The schemes for rural development and uplift were first started in the Punjab by the Unionist Party before any other province or political organisation became conscious of their necessity and aware of their usefulness. Sir, I had expected that we would hear some useful suggestions from the members of the Opposition, but I am utterly disappointed to find that their criticism has been irrelevant and off the mark. I cannot describe the attitude of our Opposition better than quoting the following verse:—

ہم کو تو صرف چاک گوشتان سے کام ہے
اتنا کہاں دماغ کہ فکر رفو کریں

Sir, before I conclude, I must make a brief reference to the question of milk supply, which was raised by my honourable friend, Dr. Sant Ram Seth. I think in quoting his imaginary figure with regard to milk supply, he was only talking about the cow's milk. If he had taken into account the consumption of goat milk, I am sure, he would not have said that the consumption of milk per head to the population of India was the lowest in the world,

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because the record of goat milk consumption set by at least one Indian will not be broken by any one person in the world even in the coming generations. (*Laughter*). I admit that the quality of our milch cattle in this country is very poor, but it is difficult to improve the quality on account of certain religious prejudices and susceptibilities prevalent in this country. I am, however, not prepared to admit that there is an inadequate supply of milk in the rural areas, though I readily accept that the rural zamindar who rears the milch animals is not allowed to utilise any appreciable quantity of milk for himself or his children. It is the sabukars or the urban shopkeeper who consumes most of the milk and butter produced by the poor kisan. To illustrate my point let me make a reference to the Haripur session of the Congress. It was given in the papers that thousands of milch cows were arranged to be brought to Haripur from the neighbouring villages and districts to ensure adequate supply of milk for the Congress delegates and the Congress leaders feasted on fresh milk and pure butter at the cost of poor kisans and their children. (*Laughter*). I would certainly appeal to the Government to take adequate steps to protect the zamindars and their children from these grown up milk suckers. (*Laughter*).

One word more and I have finished. The policy of the Public Health Department is to prevent diseases instead of only trying to suppress them. It, undoubtedly, ensures greater economy and increased efficiency. The department issues posters, leaflets, pamphlets, photographs and models dealing with public health matter and prevention of diseases. Arrangements have been made for weekly broadcast on subjects of public health, personal hygiene and prevention of diseases. A special pamphlet on food was prepared during the year and a new set of magic lantern slides on tuberculosis. Public health exhibitions are arranged and lectures delivered on the occasions of local fairs and gatherings in each district. District medical officers of health give lectures and give magic lantern shows on public health subject, during their tours. Children are approached through

the medium of junior red cross societies of which we have got over five thousand in the Punjab, and boy scout and similar organisations. The school children are acquainted with the principles of personal hygiene and cleanliness, and efforts are made to ensure that the simple and useful suggestions are acted upon by them. During the year 1934, 201 lectures were delivered by the officers of the Public Health Department. Dramatic entertainments, singing parties and processions are organised in the district as a means for propaganda. There is an awakening among the people and they are realising the importance of personal hygiene and better sanitation.

Before I conclude, I must acknowledge that the honourable lady member, Mrs. Duni Chand, was the only member from the Opposition benches who made some useful suggestions, and let me assure her that her suggestions will be carefully examined and will receive due consideration by the Government. I wish the other members of the Opposition, including Lala Duni Chand, will follow her lead. (*Laughter*.)

The allegations made by certain members of the Opposition that their counsels are taken light-heartedly and ignored by the Government is not

correct. Let me assure my honourable friends that the Government welcomes honest criticism and constructive suggestions and is always willing to accept sound and practicable suggestions, but it must be realised that in a system of party Government the Government cannot be expected to share its responsibility with the Opposition. The responsibility for the administration must necessarily rest with the Government alone, and the Opposition should have no cause of grievance if some of their suggestions are not acted upon because they are not considered practicable or in the best interest of the country.

Minister for Education (The Honourable Mian Abdul Haye): Sir, at the very outset I deem it my duty to join with my friend Khan Bahadur Mian Mushtaq Ahmad Gurmani in paying a tribute to the talented and public spirited lady member, Mrs. Duni Chand, for the admirable speech that she made yesterday. The conciliatory attitude by her deserves our congratulations. She has put forward constructive proposals and I may assure her on behalf of the Government that the suggestions made by her would receive the careful and earnest consideration of the Government, and I hope, next time we will have such suggestions from our honourable friend, Lala Duni Chand. (*Laughter*). I also thank my honourable friend Diwan Chaman Lall for the good gesture that he made yesterday. He said that they, on that side of the House, would be fully prepared to offer their co-operation to Government and that for the sake of the amelioration of the people of the Punjab and for the sake of the work of the Public Health Department, if Government propose to impose fresh taxation, the Opposition would support the Government. I am thankful for these sentiments expressed by Diwan Chaman Lall. But I may on behalf of the Government tell him straight away that at present the Punjab Government have no intention of imposing any fresh taxation so far as the province as a whole is concerned. But may I remind him of certain problems nearer home. May I remind him of the capital of the Punjab and the two schemes, namely, the sewage scheme and the water supply scheme which have been adumbrated by the Administrator of the Lahore Municipality. Here is an admirable opportunity for Diwan Chaman Lall and our friends of the Opposition to educate public opinion. There is a good deal of ill-informed criticism that is offered against these two proposals. I hope my honourable friends opposite will use their influence and good offices in educating public opinion. If the people of Lahore are now prepared to pay a small house tax the Government is certainly prepared to finance these schemes at a very heavy expense. Now, Sir, my honourable friend, Diwan Chaman Lall, also made a reference that a good deal of expenditure is being spent on establishment alone. So far as establishment is concerned, we have got a Director of Public Health, fortunately or unfortunately, in an Indian Medical Service officer. I deem it my duty to state on the floor of the House that ever since I have assumed charge of my office, I have received both loyalty and co-operation from that Director of Public Health. (*hear, hear*). If Indian Medical Service officers of that type who are anxious and who are keen to serve the people of the Punjab are forthcoming, I shall not hesitate to recruit them. The present Director of Public Health early last year expressed willingness to serve the people of the Punjab better and to expand the activities of the Public Health Department. On previous occasions I have

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referred to the scheme of rural dispensaries which have in certain districts been placed under the Public Health Department. This question was very carefully examined and Colonel Rai, the then Inspector-General of Civil Hospitals, readily fell in line with the Director of Public Health and 77 rural dispensaries in 5 districts were placed under the control of the Public Health Department. Now those 77 dispensaries and the doctors in charge of those dispensaries have been working for 3 or 4 months and in some cases for 5 months and what are the results that we have achieved? In Karnal the work has been in progress for 3 months, in Hoshiarpur for 4 months, in Montgomery for 5 months, in Lahore for 4 months and in Gujrat for 5 months. During these 4 or 5 months the number of villages visited by those rural doctors was 5,490 and the number of patients seen in villages 41,416. This is really additional work that has been done by these doctors. While doing this additional work they have maintained the normal attendance at their dispensaries and appropriate preventive measures were also taken in all those villages visited under the direction of medical officers. Apart from these, 5,470 cases of death in village register were investigated and 808 corrections made. Besides the Director of Public Health we have four assistant directors and we have 85 medical officers of health. In this connection no definite suggestion regarding retrenchment or economy has been made by the honourable members. In fact, my contention is that if we have to carry on the work efficiently we shall have to increase the number of officers. I may draw the attention of the honourable members to the speech of the Honourable Kanwar Sir Jagdish Parshad, Member in charge of the Department of Education, Health and Lands of the Government of India, which he made last year at the inaugural meeting of the Central Advisory Board of Public Health. This is what he said :—

I readily acknowledge that a good deal has been done in dealing with scourges which afflicted us in the past, but a vast amount of work remains to be accomplished before we can record with any satisfaction the state of public health in this country. About half the districts in India and three-fourths of the municipalities are at present without qualified public health officers.

But what is the state of things in the Punjab? There is not a single district which does not at present possess a qualified medical officer of health, and out of the municipalities as many as fifteen have whole-time medical officers of health and there are others that have part-time officers of health. (A voice: Yes, but out of how many municipalities?—121). In the first instance it is the municipalities which should move in the matter and the Government can only consider requests for grant-in-aid. Perhaps some of the honourable members criticised the budget provision regarding the superintending engineer of the health circle and other engineers. The post of sanitary engineer was for the first time created in the Punjab in 1900. At that time we had barely three or four municipalities which had large water supply schemes, namely, Simla, Lahore, Ambala and Lyallpur. The total cost of all sanitary works in existence in 1900 was less than 50 lakhs, and the total horse power of pumping machinery was 650. Between 1900 and 1920 water supply schemes and extensions were carried out in sixteen towns, and drainage works and extensions were executed in twenty-seven towns. The total value of the sanitary works rose to 125 lakhs, and the total horse power of machinery rose to 2250. In 1921 the sanitary

engineer ceased to be a mere consultative and advisory agency and he undertook the execution of works in addition to their design. From this period onwards is a period of accelerated activities. Since 1921 water supply and drainage works costing upwards of 2½ crores have been undertaken and the total cost of public health works in existence now is nearly 4 crores and the total horse power of the pumping machinery stands at 9,000. Uptodate there are 40 municipal water supply works now functioning, pumping nearly 28 million gallons of water per day. Seven fair area water supply schemes and 11 rural area water supply schemes have been completed or are in hand. Such is the record of scheme, that stands to the credit of the branch of Public Works Department.

My honourable friend, Diwan Chaman Lall, who is not in his seat at the moment, while speaking yesterday made a somewhat serious allegation. He said that the Punjab was leading the world in the matter of death-rate. I do not know what justification my honourable friend had in making that assertion. I would not talk of the world outside India, but so far as India is concerned I have got the latest figures. The latest figures that are available from the report of the Public Health Commissioner of the Government of India for 1935 are as follows :—

The death-rate *per mille* in—

British India is	..	..	28.6
Central Provinces	..	..	83
Delhi	..	..	29
Ajmer-Merwara	..	..	28
United Provinces	..	..	24
Bihar and Orissa	..	..	24
Madras	..	..	24
Bombay	..	..	24
Coorg	..	..	28
Punjab	..	..	23
Bengal	..	..	22
Assam	..	..	21
North West Frontier Province	..	..	19

From these figures the honourable members will kindly realise that there are seven provinces with a higher death rate than the Punjab, one equal to the Punjab and only three with a lesser death rate. Coming now to infantile mortality the position is this :—

The whole of British India	..	..	164
Central Provinces	..	..	224
Ajmer-Merwara	..	..	208
Madras	..	..	179
Delhi	..	..	177
Coorg	..	..	171
Bombay	..	..	164
Bengal	..	..	159
United Provinces	..	..	157
Punjab	..	..	155
North-West Frontier Province	..	..	182
Bihar and Orissa	..	..	129

[Minister for Education.]

It will be seen that out of twelve provinces only two have a lower infantile mortality rate than the Punjab.

Some honourable members have criticised the Government in the matter of sanitary grants that we make in that the rural population is not treated with consideration and fairness. Their line of argument has been that whereas 2 lakhs of rupees are yearly provided for urban areas, only 3 lakhs of rupees are provided for the rural area. In this connection I may be permitted to quote the following figures.

Diwan Chaman Lall : I do not want to interrupt my honourable friend, but may I be allowed to correct one statement. I was not here when the Honourable Minister criticised my statement that the Punjab leads the world in death-rate. I want to give him the actual page of the book which states that the death-rate in the Punjab is highest in India.

Minister for Education : What book is it that you are referring to?

Diwan Chaman Lall : Statistical Abstract for the year 1936 published by the Government of India under their authority.

Minister for Education : I have figures for 1935.

Diwan Chaman Lall : If the Honourable Minister totals up the average of the last ten years, he will see that my figure is correct.

Minister for Education : The figures for the Punjab for 1936 are available, whereas the figures for the other provinces are not. The ratio has gone down from 23 to 22 in the Punjab.

Diwan Chaman Lall : How do you know that it has not gone down in the other provinces also? What is your source of information?

Minister for Education : The Annual Report of the Public Health Commissioner of the Government of India.

So far as the rural area is concerned, I may tell the honourable members that in the year 1936-37, the total Government grant for sanitary works in the villages was Rs. 57,656, but in the year 1937-38 this total grant was increased to Rs. 2,81,417. This year the ordinary grant is 3 lakhs, but along with this we have provided another amount of Rs. 1,48,000 from the grant made available to us by the Government of India and the whole of it has been given for the benefit of rural areas.

Another amount of Rs. 1,40,000 has been provided for the benefit of rural areas under the Special Development Fund. So under the present circumstances, the amount that is available for rural areas is not 3 lakhs but about six lakhs. I may also point out to the honourable members that in the case of urban areas these grants are made available by the Punjab Government on contributory basis. Ordinarily we only allow 33 per cent. of the total expenditure by way of grant. In some cases we allow 50 per cent. and in very rare cases cent. per cent. In the grants-in-aid available for the benefit of rural areas, usually cent. per cent. grants are granted. In the case of urban areas it is only Ambala which has got cent. per cent. grant and it has been getting cent. per cent. for the last 35 years. I regret that one of the honourable members who hails from Ambala had even the audacity to criticise severely the Punjab Government for not treating Ambala fairly.

Last time when the honourable Khawaja Ghulam Sainad put a question regarding water supply of Ambala I gave him facts and figures. He subsequently admitted that he had put that question in ignorance of true facts. We give to Ambala Rs. 5,000 in the first instance for the sinking of certain wells and we subsequently granted another amount of Rs. 16,000, making a total of Rs. 21,000 in one year. Over and above that we made our own pumping machinery available to the Ambala Municipality. (*Lala Duni Chand*: What about your own district?) I am not giving way to the honourable member. I must make mention of a very important water supply scheme which we are about to execute. That water supply scheme relates to Beit Ilaga of the Hoshiarpur district. Now honourable members are aware about the scarcity of water that is experienced by the people of that ilaga. The original proposal that was put forward before Government was that this scheme would cost Rs. 6,28,000. It was ultimately revised because the Government decided that they would not charge the usual 19 per cent. as departmental charges. The previous practice of the Government was to charge 19 per cent. departmental charges. It was in some cases very unfair to the local bodies. For instance if 50 per cent. grant was made available to a certain local body and if we on the total amount of the work that was to be executed charged 19 per cent. it would come to 38 per cent. of our grant. An early decision was taken and the Government decided that in future they would not charge 19 per cent. but only 5 per cent. The revised estimate is to the extent of Rs. 5,28,000. During the current year we have made available for Hoshiarpur Rs. 1,06,000 and the Government has further, on the recommendation of the Sanitary Board, decided to continue this grant of Rs. 1,06,000 for the subsequent four years, so that this water supply scheme shall be completed within the next four years.

Now, Sir, these figures and these schemes will not do. What the Punjab Government is trying now is to change the mentality of its officers. (*Hear, hear*). What the Punjab Government is doing is that they are getting more and better work out of its officers. We have not been slow to impress upon our officers that they are not officers but they are humble servants of the people. (*Hear, hear*). In this connection I may be permitted to read from the speech that I delivered the other day while opening a conference. This is what I said :—

Before I conclude I might tell you that the main object of this conference, the proceedings of which will necessarily be confidential, is to formulate scheme for the improvement and expansion of medical relief in the province, particularly in the rural areas. You are also to suggest ways and means, consistent with the financial resources and limitation of the Government, to implement the Government's programme. I may, however, remind you that no amount of expansion in the activities of the medical department, and as a matter of that of any other beneficent department, will ensure to the people any appreciable measure of health, happiness and contentment unless the public services charged with the duty of serving the people change their angle of vision. What in fact is needed, in view of the vast and far-reaching political changes in the country, is a new orientation of the entire outlook. We must bow to the unquestionable paramountcy of the General Will which alone is the ultimate repository of all political power in a democratic state. There is really a wonderful opportunity of real and unselfish service to suffering humanity whose prosperity, health and happiness is the foremost concern of the Government. As I appeal to you for more sympathy, more solicitude and for more regard for the afflicted, I speak through you to a wider audience of medical men to whatever branch of service or walk of life they belong and whatever school of political

[Minister for Education.]

thought to which they owe allegiance, to live up to those elevated ideals and conditions of unflinching devotion to the public good which is the proud heritage of their noble profession.

This is the programme that we have set before us under the leadership of Sir Sikander Hyat-Khan and by the Grace of God we hope to succeed. *(Hear, hear and applause).*

Lala Duni Chand : Sir, what I wanted to say with your kind permission was this. I wanted to obtain information from the Honourable Minister on a very important point, namely, whether it is not a fact that the question of water supply scheme of Ambala city has been pending for the last 30 years and whether when he paid a visit to Ambala he did not promise that—

Mr. Speaker : The honourable member may give notice of a short notice question. The question is—

That the demand be reduced by Rs. 100.

The Assembly divided : Ayes 27 ; Noes 64.

AYES.

Bhagat Ram Sharma, Pandit.
Bhim Sen Sachar, Lala.
Chaman Lall, Diwan.
Chanan Singh, Sardar.
Duni Chand, Lala.
Duni Chand, Mrs.
Gokul Chand, Narang, Dr. Sir.
Gopi Chand Bhargava, Dr.
Hari Singh, Sardar.
Harjab Singh, Sardar.
Kabul Singh, Master.
Kapoor Singh, Sardar.
Kartar Singh, Chaudhri.
Kartar Singh, Sardar.

Krishna Gopal Dutt, Chaudhri.
Lal Singh, Sardar.
Muhammad Hassan, Chaudhri.
Muhammad Iftikhar-ud-Din, Mian.
Mula Singh, Sardar.
Muni Lal Kalra, Pandit.
Partab Singh, Sardar.
Prem Singh, Mahant.
Rur 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 (Gurgaon).
Afzaalali Hasnie, Sayed.
Ahmad Yar Khan Daulatana, Khan Bahadur Mian.
Ahmad Yar Khan, Chaudhri.
Akbar Ali, Pir.
Amjad Ali Shah, Sayad.
Anant Ram, Chaudhri.
Badar Mohy-ud-Din Qadri, Mian.
Bhagwant Singh, Rai.
Chhotu Ram, The Honourable Chaudhri Sir.
Faiz Muhammad, Shaikh.

Faqir Hussain Khan, Chaudhri.
Fateh Jang Singh, 2nd Lieut. Bhai.
Fateh Muhammad, Mian.
Fateh Sher Khan, Malik.
Fazal Din, Khan Sahib Chaudhri.
Fazal Karim Bakhsh, Mian.
Few, Mr. E.
Ghazanfar Ali Khan, Raja.
Habib Ullah Khan, Malik.
Hans Raj, Bhagat.
Harnam Das, Lala.
Harnam Singh, Capt. Sodhi.
Jagjit Singh Man, Sardar.
Jahangir Khan, Chaudhri.
Jogindar Singh Man, Sardar.

Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.	Narendra Nath, Diwan Bahadur Raja.
Manohar Lal, The Honourable Mr.	Nur Ahmad Khan, Khan Sahib Mian.
Maqbool Mahmood, Mir.	Pir Muhammad, Khan Sahib Chaudhri.
Muhammad Akram Khan, Khan Bahadur Raja.	Ranpat, Chaudhri.
Muhammad Azam Khan, Sardar.	Ripudaman Singh, Thakur.
Muhammad Faiyaz Ali Khan, Nawabzada.	Roberts, Professor W.
Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar.	Shahadat Khan, Khan Sahib Rai.
Muhammad Hayat Khan Noon, Nawab Malik Sir.	Shah Nawaz, Mrs. J.A.
Muhammad Nawaz Khan, Major Sardar.	Shah Nawaz Khan, Nawab Khan.
Muhammad Nurullah, Mian.	Sham Lal, Rai Bahadur Chaudhri.
Muhammad Saadat Ali Khan, Khan Sahib Khan.	Sikander Hyat-Khan, The Honourable Major Sir.
Muhammad Sarfraz Khan, Chaudhri.	Singha, Mr. S. P.
Muhammad Wilayat Hussain, Jee-lani, Makhdumzada Haji Sayed.	Sita Ram, Lala.
Muhammad Yasin Khan, Chaudhri.	Sultan Mahmood Hotiana, Mian.
Mushtaq Ahmad Gurmani, Khan Bahadur Mian.	Sumer Singh, Chaudhri.
Muzaffar Khan, Khan Bahadur Nawab.	Sunder Singh Majithia, The Honourable Dr. Sir.
	Tara Singh, Sardar.
	Tikka Ram, Chaudhri.
	Ujjal Singh, Sardar Sahib Sardar.

Mr. Speaker : The question is :—

That a sum not exceeding Rs. 17,24,600 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Public Health.

The motion was carried.

The Assembly then adjourned till 2 P.M., on Thursday, 24th March 1938.

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PUNJAB LEGISLATIVE ASSEMBLY.

2ND SESSION OF THE 1st PUNJAB LEGISLATIVE ASSEMBLY.

Thursday, 24th March, 1938.

The Assembly met at the Council Chamber at 2 P. M. of the clock. Mr. Speaker in the chair.

STARRED QUESTIONS AND ANSWERS.

MUSLIM PERSONAL LAW (SHARIAT) APPLICATION ACT, 1937.

*2221. **Begum Rashida Latif Baji** : Will the Honourable Finance Minister be pleased to state when the Government intends to enforce the Muslim Personal Law (Shariat) Application Act, 1937, in the Punjab ?

The Honourable Mr. Manohar Lal : The honourable member is asked to see section 1 (2) of the Act. It is already in operation in this province.

DACOITY AT VILLAGE MASITAN IN DISTRICT FEROZEPUR.

*2222. **Pandit Muni Lal Kalia** : Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that a dacoity was committed in September last in village Masitan, police station Dharamkote, tahsil Zira, district Ferozepore ; if so, the number of villagers who were shot dead by the dacoits with their names, ages and occupations ;
- (b) the number of arrests made in this connection so far and of challans made after their arrests ;
- (c) whether Government intends to give some relief to the surviving members of the families who depended on those who were shot dead by the dacoits ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes. The names of the villagers shot dead by the dacoits are :—

- (1) Rahmat Ullah (40), Arain ;
- (2) Sardara (20), Teli ;
- (3) Muhammad Jafar (20), Arain ;
- (4) Muhammad Ali (18), Arain ;
- (5) Mussammat Sudan (12), Arora.

(b) No arrests have so far been made.

(c) Yes. Sums of Rs. 100 were at once disbursed to the nearest relations of Nos. 1, 2, 4 and 5 by the Superintendent of Police for their immediate relief. Recommendations for the grant of further rewards to the dependents of the persons shot dead and others concerned in the encounter with the dacoits are under consideration. Government in addition remitted the land revenue demand on Masitan for one year in recognition of the enterprise shown by the villagers in resisting the dacoits.

DACOITIES AND MURDERS IN FEROZEPUR DISTRICT.

*2223. Pandit Muni Lal Kalia : Will the Honourable Premier be pleased to state—

(a) the total number of dacoities and dacoities with murder that took place in district Ferozepore, during the last 11 months, from April, 1937, to February, 1938, with the names of villages in which these dacoities took place and also the extent of loss of life and property ;

(b) the number of persons arrested in connexion with these offences and challaned by the police ?

The Honourable Major Sir Sikander Hyat-Khan : A statement is laid on the table.

Dacoities and dacoities with murder in the Ferozepore district from April, 1937, to February, 1938.

Serial No.	Date of occurrence.	Place.	Number of persons murdered.	Approximate value of property stolen.	NUMBER OF PERSONS.		REMARKS.
					Arrested.	Sent for trial	
1	22-6-37	Butewala, Police Station, Mallanwala.	..	Rs. 967	6	..	It is hoped to obtain extradition of the accused from the Faridkot State.
2	7-7-37	Punnawali, Police Station, Jalalabad.	1	Ornaments (value not known).	..	..	Still under investigation.
3	8-7-37	Pir Muhammad Burham Din, Police Station, Jalalabad.	..	No loss ..	..	..	Ditto.
4	11-7-37	Fatehgarh Panjtoon, Police Station, Zira.	..	360	..	..	Untraced.
5	20-9-37	Mastian, Police Station Dharamkot.	5	100	..	..	Still under investigation.
6	16-12-37	Ghola Canal Rest-House, Police Station, Baghapurana.	..	100	..	..	Ditto.
7	1-1-38	Burianwal, Police Station, Muktsar.	1	2,000	..	..	Ditto.

DISPENSARIES IN FEROZEPUR DISTRICT.

***2224. Pandit Munai Lal Kalia :** Will the Honourable Minister for Education be pleased to state the number of dispensaries in the Ferozepur district and the places where they exist and since when do they exist, and also the number of schools, primary or secondary, for boys and girls with the places where they are situated ?

The Honourable Mian Abdul Haye : A statement giving the required information with regard to dispensaries is laid on the table. With regard to the number of secondary schools for boys and girls the honourable member is referred to the list of secondary schools recognised by the Punjab Education Department a copy of which has already been supplied to him. The information asked for with regard to primary schools is being collected and will be communicated to the honourable member as soon as it is ready.

Statement.

Serial No.	Name of Hospital or Dispensary.	Since when in existence.	REMARKS.
1	Civil Hospital, Ferozepore	1882	
2	Police Hospital, Ferozepore	Not known	Probably since the formation of the district.
3	District Jail Hospital, Ferozepore ..	Ditto	Ditto.
4	Civil Hospital, Fazilka	1885	
5	Francis Newton Hospital, Ferozepore ..	1906	Mission Hospital.
6	M. D. Hospital, Moga	1888	
7	Civil Dispensary, Dharamkot	1885	
8	Civil Dispensary, Badhni	1906	
9	Civil Dispensary, Mehraj	1896	
10	Civil Dispensary, Mamdot	1921	
11	Civil Dispensary, Baghapurana	1920	
12	Civil Dispensary, Guru Har Sahai ..	1913	
13	Civil Dispensary, Muktsar	1883	
14	Silver Jubilee Hospital, Abohar	1898	
15	Civil Dispensary, Zira	1882	
16	Civil Hospital, Gidderbaha	1914	
17	Rural Dispensary, Baroli Bhai	8-4-20	
18	Rural Dispensary, Patta Hira Singh ..	1-1-23	
19	Rural Dispensary, Kot Isa Khan	3-12-27	

[Education Minister.]

Serial No.	Name of Hospital or Dispensary.	Since when in existence.	REMARKS.
20	Rural Dispensary, Ferozeshah ..	21-4-27	
21	Rural Dispensary, Mallanwala ..	1-1-26	
22	Rural Dispensary, Makhu ..	1-4-26	
23	Rural Dispensary, Malout ..	1-1-26	
24	Rural Dispensary, Nathana ..	1-1-26	
25	Rural Dispensary, Kahanewali ..	1-4-26	
26	Rural Dispensary, Rattewala ..	21-4-27	
27	Rural Dispensary, Madki ..	1-4-26	
28	Rural Dispensary, Dowan Khara ..	26-10-28	
29	Rural Dispensary, Khai Khara ..	1-5-27	
30	Rural Dispensary, Jandwala Bine Shah ..	1-7-27	
31	Rural Dispensary, Jandwala Miran Sangle ..	8-11-27	
32	Rural Dispensary, Ladhoke ..	1-1-26	
33	Rural Dispensary, Lambi ..	27-11-27	
34	Rural Dispensary, Sitto Gunno ..	April, 1926	
35	Rural Dispensary, Doda ..	30-9-30	
36	Rural Dispensary, Sarawan ..	17-10-31	
37	Rural Dispensary, Lakewali ..	21-4-27	
38	Canal Colony Dispensary, Ferozepore ..	1925	
39	Canal Dispensary, Fazilka ..	1925	
40	Canal Dispensary, Dhari ..	Not known	Has been in existence since the last many years.
41	Canal Dispensary, Bhatinda ..	1934	
42	Canal Dispensary, Sulemanki ..	1925	
43	Canal Dispensary, Khudian ..	1928	
44	Rural Dispensary, Kokri ..	7-4-29	

VETERINARY HOSPITALS IN FEROZEPUR DISTRICT.

*2225. Pandit Muni Lal Kalia : Will the Honourable Minister for Development be pleased to state the number of veterinary hospitals in the Ferozepur district, with the places where they are situated and also since when they exist ?

The Honourable Chaudhri Sir Chhotu Ram : (2) 13.

(ii) A statement containing the information required is being laid on the table.

Veterinary Hospitals in Ferozepore district.

Serial No.	Name of location of Veterinary Hospital.	Date or year of opening.
1.	Ferozepore	1898
2.	Fazilka	1907-08
3.	Muktsar	1907-08
4.	Zira	1907-08
5.	Abohar	1913-14
6.	Malout	23-7-32
7.	Mamdote	17-12-30
8.	Makhu	1929-30
9.	Guru Har Sahai	18-7-32
10.	Badhni Kalan	1-12-30
11.	Moga	1899
12.	Poohla	1920-21
13.	Giddarbaha	1929-30

PROJECT FOR SUPPLYING ELECTRICITY TO DELHI, ETC., FROM MANDI HYDRO-ELECTRIC SCHEME.

***2226. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that Mr. Blag, the Sub-Divisional Officer in-charge, has made a survey for transmission lines from Joginder-nagar to Suket, Bilaspur, Nalagarh, Kalka, Ambala, Saharanpur and Delhi and has completed the preliminary work ;

(b) whether it is a fact that estimates for this project have been submitted to the Government ;

(c) the amount of the estimated expenditure ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) Yes. But Saharanpur was not included.

(b) and (c) The survey was carried out in connection with a proposal to extend the Hydro-Electric System to Delhi. This proposal was dropped and the estimates were not submitted to Government. Rough figures of cost were, however, worked out and these showed that the cost of an extension to Delhi including the cost of supply in parts of South-Eastern

[Shaikh Faiz Muhammad.]

Punjab would be Rs. 2,01,00,000, on the basis of the prices of metals as in the early summer of 1937. This estimate was subject to a variation of Rs. 93,000 for every 1 per cent. by which the prices of metals were altered.

Sardar Sahib Sardar Gurbachan Singh : Will the Parliamentary Secretary kindly state whether the survey to Delhi was ordered on account of the statement made by the Honourable Minister for Finance in the last year's budget speech or in answer to a question put by me in the Simla Session to which he said that Delhi was one of the two major schemes that were to be taken in hand ?

Parliamentary Secretary : I cannot answer that off-hand. If my honourable friend is keen on having this information I will look into the files and answer this question whether this survey was undertaken in pursuance of his speech or before or after that.

Lala Deshbandhu Gupta : Is the Government still in correspondence with the Delhi Government ?

Parliamentary Secretary : The matter has been dropped.

Sardar Sahib Sardar Gurbachan Singh : Is it a fact that in answer to a starred question the Honourable Minister was pleased to state that he had not received any application from the people of Delhi or from the authorities at Delhi ? May I know then on whose initiative this survey was made ?

Parliamentary Secretary : This is exactly what I have answered. I cannot off-hand say on whose initiative it was done. I want notice of this question. As regards the other part of my honourable friend's question regarding the starred question, it would be better for the honourable member to give the number of the question that he refers to. So many questions are answered that it is very difficult for any one to remember what answer was given and to what question it was given.

Lala Deshbandhu Gupta : What are the reasons for dropping it so far as Delhi is concerned ?

Parliamentary Secretary : It was considered to be economically unsound.

Lala Deshbandhu Gupta : Did the Government give any alternative proposal to Delhi Government in this connection ?

Parliamentary Secretary : The offer should have proceeded from the Delhi Government and not from this Government.

Lala Deshbandhu Gupta : Has the decision been intimated to the Delhi Government ?

Parliamentary Secretary : Yes.

Lala Deshbandhu Gupta : Have the Government heard anything further in this connection ?

Parliamentary Secretary : No.

Lala Duni Chand : Can the Parliamentary Secretary give any idea of the time by which electricity will be supplied to this area and particularly to Kalka and Ambala ?

Parliamentary Secretary : If the Delhi scheme does not come up, there is absolutely no chance of Ambala getting electricity, because, as I have said, it is economically unsound.

Sardar Sahib Sardar Gurbachan Singh : The question to which I referred is starred question No. 1899¹. Is he now in a position to answer it?

Parliamentary Secretary : I will try to get the information and then reply, if he gives notice.

Lala Duni Chand : Should I understand that Ambala is not included in the scheme?

Parliamentary Secretary : Ambala has got electricity.

Lala Duni Chand : I mean from this source.

Parliamentary Secretary : Ambala will have electricity only if the scheme is declared to be economically sound, otherwise I do not think it has any chance.

Khawaja Ghulam Samad : Is Ambala city also included in the scheme?

Parliamentary Secretary : Naturally.

Sardar Sahib Sardar Gurbachan Singh : May I know if the Government propose to electrify the Kalka-Simla Railway?

Parliamentary Secretary : Not that I know of. It is not under the Punjab Government.

DAIS IN FEROZEPUR DISTRICT.

*2227. **Pandit Muni Lal Kalra :** Will the Honourable Minister for Education be pleased to state the number of trained *dais* in the Ferozepur district and the area under their respective circles?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : Ninety-one. There is no area or circle fixed for them.

Khawaja Ghulam Samad : Has the Government fixed any fees for payment to these *dais*?

Parliamentary Secretary : I cannot understand what the honourable member means. No fee is fixed on behalf of the Government for any trained *dais*.

PLUNDERING OF VILLAGES IN JURISDICTION OF POLICE STATIONS MAKHU AND ZIRA, ETC., BY DACOITS.

*2228. **Pandit Muni Lal Kalra :** Will the Honourable Premier be pleased to state—

- (a) whether the Government is aware of the fact that much of area, included in the police stations Dharamkote, Makhu, Zira and Mahna in district Ferozepur, and police stations Jagraon and Sidhwan Bet in district Ludhiana, is harassed and plundered by a regular gang of dacoits, most of whom are absconders in cases of murder and dacoities;

[Pandit Muni Lal Kalia.]

- (b) whether this fact was brought to his notice by me on his visit to Ludhiana on August 20th in the course of an interview; if so, the special steps that have been taken or are intended to be taken on the representation made during that interview?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh):
(a) No. From the beginning of 1935 up to the end of last month the number of dacoities reported from the areas in question was:—

Dharamkot	..	..	..	..	2
Makhu ..	..	..	..	..	2
Zira ..	..	..	..	..	1
Mehna ..	..	..	..	..	None
Jagraon	..	..	..	..	2
Sidhwan Bet	..	..	..	..	2

Investigations have shown that these were not committed by one regular gang.

- (b) Yes. Special measures, including a scheme for the issue of arms licenses to suitable persons and the location of extra police, have been in force in the areas concerned for some time past, and the local officers are still giving the matter their special attention.

STOPPING SALE OF LIQUOR IN VILLAGE DHAPLI IN LUDHIANA DISTRICT.

***2229. Pandit Muni Lal Kalia:** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether representations have been submitted by the residents of village Dhapli, police station Sehna, district Ludhiana, that sale of liquor in their village should be stopped;
(b) whether lambardars of that village also joined in this request;
(c) what steps the Government proposes to take in the matter?

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

- (b) and (c) Do not arise.

ARREST OF SOME PERSONS IN VILLAGE KALYAN SUKHA IN FERROZPORE DISTRICT.

***2230. Pandit Muni Lal Kalia:** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that some arrests were made in village Kalyan Sukha in sub-tahsil Nathana, district Ferozepore, after the conclusion of the District Political Conference held there in October last; if so, the offence for which these persons were arrested;
(b) whether the case against those arrested was subsequently withdrawn;
(c) what was the first information report and the last report in the case?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh): (a) and (c) In the interests of public safety, the Deputy Commissioner, Ferozepore, enforced the Village and Small Towns Patrol Act, VIII of 1918, in village Kalyan Sukha with effect from the 4th September, 1937. Some of the villagers refused to perform patrol duty and consequently eight arrests were made under section 11 of the said Act on 21st October, 1937. These arrests had nothing to do with the Political Conference held in the village on the 17th and 18th October, 1937.

(b) Yes.

ACTION TAKEN AGAINST SHAHIDGANJ PROCESSIONISTS.

***2231. Master Kabul Singh:** Will the Honourable Premier be pleased to state—

(a) whether he is aware of the fact that processionists on the Shahid-ganj Day at Lahore on 1st February, 1938, raised some objectionable and filthy slogans against him and the present Ministry in the Punjab;

(b) if so, whether the Government have taken any action against them; if not reasons for the same?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana): (a) No.

(b) Does not arise.

PERSONS DETAINED IN THE LAHORE FORT.

***2232. Master Kabul Singh:** Will the Honourable Premier be pleased to state—

(a) the names and addresses of the two gentlemen arrested on the 10th of January, 1938, at the port of Bombay and now lodged in the Lahore Fort;

(b) the authority under which they have been detained?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana): (a) It is not in the public interest to give their names. They have since been released.

(b) Section 2 of the Punjab Criminal Law (Amendment) Act, 1935.

Lala Bhim Sen Sachar: Will the Government have any objection if they themselves disclose their names?

Parliamentary Secretary: I have replied to the question.

Diwan Chaman Lall: May I ask if the honourable member is afraid that the Ministry might get its names into discredit if this information is disclosed?

Parliamentary Secretary: It is not in the public interest to disclose the names.

Diwan Chaman Lall : May I ask if it is a fact that these prisoners have been released, then what particular public interest would be injured by disclosing their names ?

(*Voices from Ministerial benches :* There is no use probing into it.)

Diwan Chaman Lall : Why cannot you "probe into it"?

PERSONS DETAINED IN THE LAHORE FORT.

***2233. Master Kabul Singh :** Will the Honourable Premier be pleased to state the total number of persons detained in the Lahore Fort, the period of detention of each and the section of the Criminal Law under which they have been detained ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : No one is detained in the Lahore Fort at present.

DISTRIBUTION LIST OF DEPARTMENTS UNDER THE CHARGE OF DIFFERENT MINISTERS.

***2234. Mian Abdul Aziz :** Will the Honourable Minister for Revenue be pleased to state whether he will lay a copy of the distribution list of the various departments assigned to the Honourable Ministers including the Honourable Premier, together with a list of the duties assigned to the different parliamentary and private secretaries, and state whether he will be pleased to supply a copy of such list to each honourable member of the Punjab Assembly ?

The Honourable Dr. Sir Sundar Singh Majithia : *First part.*—A list will be laid on the table.

Second part.—As regards the duties of Parliamentary Secretaries the attention of the honourable member is invited to the answer given to starred question No. 939¹.

ORDERS OF DEPUTY COMMISSIONER, FEROZEPORE, REGARDING MEDICAL CERTIFICATES.

***2235. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Revenue be pleased to state whether the medical certificates given by registered medical graduates were required to be countersigned by the Civil Surgeon under orders of the Deputy Commissioner, Ferozepore, in medical leave cases relating to his office staff during the year 1937 ; if so, how many and why ?

The Honourable Dr. Sir Sundar Singh Majithia : Yes. Under the rules it is discretionary with the authority competent to sanction leave to secure a second medical opinion.

Dr. Gopi Chand Bhargava : May I know how many people were required to supply certificates countersigned by the Civil Surgeon ? Could you give me their number ?

Minister : I will get the information if the honourable member will let me have a notice to that effect.

Dr. Gopi Chand Bhargava : My question is, "if so, how many and why?"

Minister : I am afraid that point has been missed by me in reply.

Dr. Gopi Chand Bhargava : Could you give me the reason why differentiation was made between applicants and applicants? Why were some required to get the certificates countersigned and not others?

Minister : I shall answer this question when answering to the honourable member's further question again when put in form.

STAGNANT WATER IN CHHOTA RAVI, LAHORE.

***2236. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Education be pleased to state whether he is aware of the fact that rain water stagnates in Chhota Ravi within the municipal limits of Lahore; if so, what he proposes to do in the matter?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : Yes. The drainage scheme for Lahore is under consideration which when executed will solve this difficulty.

Dr. Gopi Chand Bhargava : May I know when the drainage scheme will be ready?

Parliamentary Secretary : I am afraid it is not possible to give the exact date.

Dr. Gopi Chand Bhargava : Am I to understand that Government does not propose to remove this complaint unless and until that scheme is put into effect?

Parliamentary Secretary : As removal of stagnant water is part of that scheme, therefore it is not possible to undertake any measures at present.

Diwan Chaman Lall : May I ask whether, until the scheme comes, this rain water cannot be removed and people living in those areas must continue to suffer from malaria as a result of the non-removal of stagnated water?

Parliamentary Secretary : As the honourable member is already aware, this scheme is under consideration and we hope that it will be possible for the Government to undertake it at an early date.

Diwan Chaman Lall : How much will it cost to remove this water?

Parliamentary Secretary : I cannot say off hand.

Diwan Chaman Lall : Is it within the knowledge of the honourable lady member that it would not cost much?

Parliamentary Secretary : No.

Dr. Gopi Chand Bhargava : May I enquire whether this Chhota Ravi is included in the drainage scheme and does it contain the drain water or is it only the surplus water of the Ravi river which comes into this river?

Parliamentary Secretary : I want notice for that.

SCHOLARSHIPS FOR ACHHUTS. *

***2237. Seth Kishen Dass :** Will the Honourable Minister of Education be pleased to state whether reply to my question No. *1146¹, asked in the last session of the Assembly is now ready ?

The Honourable Mian Abdul Haye : A reply to question No. *1146¹ has since been communicated to the honourable member.

CENSORING THE CORRESPONDENCE OF SYT. SUBHAS CHANDRA BOSE.

***2238. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether it is a fact that the correspondence of Syt. Subhas Chandra Bose was being censored by the Police authorities when he was in Dalhousie, if so, under whose instructions his correspondence came to be censored ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : It is not in the public interest to answer such questions.

Dr. Gopi Chand Bhargava : May I invite the attention of the Honourable Parliamentary Secretary to question No. *940² in reply to which he said, "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." May I know why was it then said ? What is there in the public interest which prohibits the Parliamentary Secretary to reply to my question ?

Parliamentary Secretary : The position of the Leader of the Opposition is quite different from other members. What I then meant was that if the Leader of the Opposition came to me in my room, I would try to give him the information.

Diwan Chaman Lall : May I ask the honourable member whether he is aware that the wording of his reply on the previous occasion was that if notice of this question were given, the honourable member will supply the information ? Is the honourable member breaking that promise now ?

Parliamentary Secretary : What I meant was that if the Leader of the Opposition came to me, I would explain the whole thing to him.

Diwan Chaman Lall : Is the honourable member aware that those words do not appear in the printed proceedings of this House ? Is that correct or not ? (*Interruption*). May I draw the honourable member's attention to the fact that on the 14th January—page 296 of the Punjab Legislative Assembly Debates, Volume II—No. 4—the honourable member himself stated in reply to a supplementary question put by my honourable friend the Leader of the Opposition as follows :—

"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."

I ask the honourable member whether he is now breaking that promise ?

Parliamentary Secretary : I am not breaking that promise. What I meant was that if the Leader of the Opposition came to my room, I would explain.

¹Volume II, pages 504-05 and Appendix.

²Volume II, page 296.

Diwan Chaman Lall : May I ask the honourable member whether it is a fact that this statement was handed over to him before it was printed to make any necessary correction that he wanted to? Did he make any correction of that nature? (*Interruption*).

Diwan Chaman Lall : Mr. Speaker, he said, "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."

May I draw your attention to the fact that this question was not put to him privately. It was put on the floor of this House and the information should be supplied on the floor of this House.

Parliamentary Secretary : If I wanted to answer it on the floor of the House I would have merely asked for notice. What I meant was that if the Leader of the Opposition came to me, I would explain to him.

Dr. Gopi Chand Bhargava : May I put one question? When I sent the notice of this question, which I have put to-day, was it not tantamount to asking information from the Parliamentary Secretary? Why did he not write to me that he would give me the information privately and not otherwise?

Parliamentary Secretary : I thought perhaps the Leader of the Opposition did not wish to come to me privately.

Dr. Gopi Chand Bhargava : Did he ask me to come to his room?

Lala Bhim Sen Sachar : Is the honourable member prepared to deny that the correspondence of Babu Subhas Chandra Bose was censored by the police?

Parliamentary Secretary : I have already replied that it is not in the public interest to answer that question.

Diwan Chaman Lall : Does the honourable member know whether this correspondence has been censored or not?

Parliamentary Secretary : It is not in the public interest to say what I know.

Lala Duni Chand : Is it in the public interest to censor such correspondence and if not, will the honourable member stop this practice?

Lala Duni Chand : I want information and it is not given.

Diwan Chaman Lall : May I ask the honourable member whether he is wanting to be a little bit more bureaucratic than the previous Government? (*Voices from Ministerial benches : That does not arise*).

Lala Deshbandhu Gupta : May I know why it is necessary to go to the Parliamentary Secretary's room to get such information?

Parliamentary Secretary : He wanted information which I cannot give him here.

Lala Deshbandhu Gupta : May I know if there was no other course open to the Parliamentary Secretary to comply with the wishes of the Leader of the Opposition?

Parliamentary Secretary : Yes, refusal to supply information.

RELEASE OF MANGAL SEN, A PRISONER OF KINARI BAZAR DACOITY CASE.

***2239. Shrimati Raghbir Kaur :** Will the Honourable Minister of Finance be pleased to state—

- (a) whether it is a fact that Mangal Sen, son of Raj Kumar, a prisoner of the Kinari Bazar dacoity case, sentenced to 7 years' rigorous imprisonment and at present undergoing his term in the Lyallpur District Jail is suffering from profuse bleeding from the nose ;
- (b) how much weight has he lost during the term of his imprisonment and how much particularly during his present illness ;
- (c) what treatment is being given him and whether there is any improvement in his condition ;
- (d) whether it is a fact that he has undergone about 6 years' imprisonment including remission under the Jail Rules ;
- (e) if so, whether the Government proposes to release him in view of serious illness ; if not, why not ?

The Honourable Mr. Manohar Lal : (a) He has been suffering from recurrent attack of Epistaxis.

(b) He has lost 22 pounds in weight during the term of imprisonment. During the illness of recurrent attacks of epistaxis extending over a period of about two years he has lost 18 pounds.

(c) Necessary general and local medical treatment along with extra diet has been and is still being given, and whenever necessary he has been admitted into the jail hospital as an indoor patient. He is anæmic but has had no attacks of Epistaxis during the last 2½ months.

(d) He has undergone 5 years and 5 months including remissions.

(e) The question of his release is under the consideration of Government.

Sardar Hari Singh : May I ask whether the Medical Officer in charge of the Jail, in which he was confined, brought to his notice that the prisoner is in a dangerous condition of health ?

Minister : It can be very shortly answered—No.

Sardar Hari Singh : Has he received any communication from the authorities that the health of the prisoner is in imminent danger ?

Minister : He is not in any such danger.

Lala Bhim Sen Sachar : Is it not a fact that his weight is on the decrease ?

Minister : I have made a statement about his weight. To say that his weight is on the decrease would be a very difficult statement to make.

Lala Deshbandhu Gupta : How long will Government take to decide the question of his release ?

Minister : As I said Government is considering the question of his release : I could not say when he will be released.

Lala Deshbandhu Gupta : Will Government expedite this matter ?

Minister : Government is doing its best.

Lala Bhim Sen Sachar : Will Honourable Minister be pleased to state whether any decrease in his weight is likely ?

Minister : I am afraid I cannot answer that question.

Lala Duni Chand : When is his release due in the normal course ?

Minister : I think it will be in another year and seven months.

Sardar Hari Singh : May I ask whether he has made any reference to the Jail authorities regarding his release ?

Minister : I saw the prisoner myself not very long ago.

CHRISTIAN MEDICAL COLLEGE FOR WOMEN, LUDHIANA.

***2240. Mian Abdul Rab :** Will the Honourable Minister of Education be pleased to state—

(a) when and on what terms the Government Medical School for Women at Ludhiana was incorporated with the Christian Medical College for Women, Ludhiana ;

(b) the amount of grant paid annually by the Government to the said institution since the incorporation of the Government Medical School for Women was effected ;

(c) the number of girls communitywise admitted to the L. S. M. F. class during the last five years and the number communitywise that qualified at the end of the course ?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : The honourable member's attention is invited to the answer given to question No. *1866¹ in the last session of the Punjab Legislative Assembly.

Mian Abdul Rab : May I know whether the Parliamentary Secretary is aware of the fact that the number of non-Punjabis in the College is greater than that of the Punjabis ?

Parliamentary Secretary : Yes.

Mian Abdul Rab : May I know the reasons why more non-Punjab girls are admitted in the College ?

Parliamentary Secretary : It is a very big question and if the honourable member will come to see me in my room I will explain it to him. He will then be in a position to understand it.

Mian Abdul Rab : May I know whether the Government will consider the desirability of opening its own college ?

Parliamentary Secretary : That is a request.

MEDICAL DISPENSARIES IN RURAL AREAS OF NAKODAR TAHSIL.

***2241. Mian Abdul Rab :** Will the Honourable Minister of Education be pleased to state—

(a) whether it is a fact that there are very few medical dispensaries in rural areas of the Nakodar tahsil of the Jullundur district ;

[Mian Abdul Rab.]

(b) whether it is a fact that the Beit *ilaga* of the Nakodar tahsil which is the most thickly populated area has no dispensary at all ;

(c) if the answer to (b) above be in the affirmative, what steps the Government proposes to take in the matter ?

The Honourable Mian Abdul Haye : (a) No. There are four dispensaries in the rural area of this tahsil.

(b) Yes.

(c) The responsibility for providing medical relief in rural areas lies with the District Board of Jullundur and it is for that Board to open dispensaries in the Beit *ilaga*. The Civil Surgeon, Jullundur, has already suggested to the District Board to open a dispensary at Parjian which is in the heart of Beit *ilaga*.

STRICTURES PASSED BY THE SESSIONS JUDGE, HOSHIARPUR, AGAINST GURDIAL SINGH, HEAD CONSTABLE.

***2242. Sardar Hari Singh :** With reference to his answers to question No. *1865¹, will the Honourable Premier be pleased to state whether he has sent for the file of the whole case and has made thorough inquiries into the circumstances leading to his prosecution ?

Parliamentary Secretary (K. B. Mian Ahmad Yar Khan Daulatana) : The whole case is being carefully studied, in all its aspects.

Sardar Hari Singh : When may I expect a reply ?

Mr. Speaker : That is not a supplementary question. The Parliamentary Secretary has already stated that the reply is not yet ready.

REPRESENTATION AGAINST THE POLICE AT VILLAGE SAHUNGRA.

***2243. Sardar Hari Singh :** With reference to his answer to question No. *1868² and identical questions on the subject, will the Honourable Premier be pleased to state whether, in view of the various allegations contained in the representation and supported by an inquiry made by three honourable members of the House, result of which was communicated to the Premier personally, he has ordered or intends ordering independent inquiry by an impartial judicial officer into the matter ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : The Deputy Commissioner, Hoshiarpur, has already made a thorough inquiry, following which the villagers have accepted a sum of Rs. 812-8-0 in full settlement of the accounts. There is no satisfactory evidence of any use of force by the police, or of their having compelled the villagers to give *begar*. Under the instructions of Government the Inspector-General is now taking up the question of disciplinary action against the police officers concerned for their failure, for a protracted period, to pay for the supplies which they were receiving. No other kind of inquiry is contemplated.

¹Volume III, page 226.

²Volume III, pages 228-30.

Sardar Hari Singh : May I ask the Parliamentary Secretary to state the names of the officers or their designations against whom action is being taken.

Parliamentary Secretary : If the honourable member will give a fresh notice I will certainly supply him the information.

LARGE SCALE CO-OPERATIVE FARMING.

*2244. **Sardar Hari Singh :** Will the Honourable Minister of Development be pleased to state whether the Government has ever considered the question of starting large scale co-operative farming experimentally in the state lands ?

The Honourable Chaudhri Sir Chhotu Ram : Yes, but the experiments hitherto made have suggested that the proposal is at present impracticable.

Sardar Hari Singh : May I know whether the proposal is not practicable on account of want of funds or lack of land or lack of workers ?

Minister : Lack of funds is certainly not one of the grounds nor lack of land.

Sardar Hari Singh : What are the reasons that this proposal is found impracticable by the Government ?

Minister : I am afraid I cannot give any more details.

Lala Bhim Sen Sachar : Is this experiment not sound economically?

Diwan Chaman Lall : In what year was the experiment made in the Punjab ?

Minister : I have already stated that I cannot supply any more details.

Sardar Hari Singh : May I ask whether Government has bestowed ample consideration on this matter ?

Minister : Yes.

Lala Bhim Sen Sachar : Do I take it that Government has come to the conclusion that large scale farming will not be a sound proposition economically ?

Minister : At present it is not practicable.

Lala Bhim Sen Sachar : Why is it not practicable ?

Minister : I have already stated twice that I am not in a position to give any more details.

Lala Bhim Sen Sachar : Does it mean that it is not practicable in the summer season ?

Diwan Chaman Lall : Does the Honourable Member require more notice ?

Minister : I have already stated the present position.

APPLICATION OF GYANI RAM SINGH JAUIHAR, REGARDING DEPOSIT
OF SECURITY FOR AN URDU WEEKLY "AZAD."

*2245. **Sardar Hari Singh** : Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that Gyani Ram Singh 'Jauhar' of Hoshiarpur applied for permission to bring out an Urdu weekly 'Azad' from Hoshiarpur ;
- (b) whether it is a fact that he was asked by Government to deposit a security of Rs. 1,000 before his declaration could be accepted ;
- (c) whether it is a fact that he applied to the Government that the amount of security be reduced to Rs. 500 as his financial position would not allow him to deposit Rs. 1,000 as security ;
- (d) grounds on which a security of Rs. 1,000 was fixed in his case ;
- (e) grounds on which his application for reduction of security to Rs. 500 was rejected ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : Yes ; for 'Azadi' and not 'Azad.'

(b) No, it was District Magistrate, Hoshiarpur, who demanded initial security under section 7 (1) of the Indian Press (Emergency Powers Act, XXIII of 1931).

(c) He applied to District Magistrate for the purpose. The application was rejected.

(d) and (e) A copy of District Magistrate's order is laid on the table.

Sardar Hari Singh : May I take it that reference was made to the C. I. D. headquarters before taking this decision ?

Parliamentary Secretary : I have no information about it.

Diwan Chaman Lall : The honourable member has left out three definite articles in his reply. The honourable member says 'he applied to District Magistrate' : it should be—'He applied to the District Magistrate', which is English.

Parliamentary Secretary : The honourable member did not hear me correctly.

Lala Deshbandhu Gupta : Will the honourable member please state whether there was any particular cause in respect of this applicant to warrant this decision on the part of the District Magistrate ?

Parliamentary Secretary : If the honourable member will see the copy of the District Magistrate's order, placed on the table, he will find it.

Sardar Hari Singh : May I ask whether Government has issued instructions to the District Magistrate generally regarding the demand of securities from intending editors of newspapers ?

Parliamentary Secretary : I have no information on the subject.

Lala Deshbandhu Gupta : Do Government realise that to demand security at the initial stage from newspapers is a very bad practice ?

Parliamentary Secretary : That is a question of opinion.

Sardar Sohan Singh Josh : What are the criteria by which these securities are demanded from newspaper editors ?

Parliamentary Secretary : You will find it in the order of the District Magistrate.

Lala Deshbandhu Gupta : Is Government practising birth control so far as newspapers are concerned and is it in pursuance of same that difficulties are created in the way of starting new newspapers ?

Parliamentary Secretary : The growing population of newspapers should show that nothing of the kind is being done.

Lala Bhim Sen Sachar : Is one of the reasons the possibility of carrying on anti-Unionist party propaganda in the province ?

Parliamentary Secretary : No.

Lala Duni Chand : If Government were satisfied that this gentleman wanted to start this paper in order to make a living, would Government have any objection ?

Parliamentary Secretary : We have no reason to differ with the order of the District Magistrate.

Lala Deshbandhu Gupta : Have the Government considered the order of the District Magistrate at all ? The Parliamentary Secretary just stated that he was not aware whether the District Magistrate referred the matter to the local Government, and now the Parliamentary Secretary says that Government agree with the District Magistrate. How does he reconcile the two contradictory statements ?

Parliamentary Secretary : We have seen his order a copy of which is placed on the table. If we differed from it we should have taken necessary action.

Lala Deshbandhu Gupta : Has the Government considered that order of the District Magistrate ?

Parliamentary Secretary : If we had differed with the order of the Deputy Commissioner, we would have passed order on it.

Dr. Gopi Chand Bhargava : May I know how does the honourable member say that this security was not demanded by the Deputy Commissioner, because there was a danger of carrying on the anti-Unionist propaganda ?

Parliamentary Secretary : I have said that the security was demanded by the Deputy Commissioner and I have placed his order on the table.

Dr. Gopi Chand Bhargava : In reply to a supplementary question from Lala Bhim Sen Sachar, the honourable member has said that it is not because of the danger of his carrying on anti-Unionist propaganda that the security was demanded by him, now I want to know how does he say so, because the security was demanded by the Deputy Commissioner and not by the Government ?

Parliamentary Secretary : Had the Leader of the Opposition seen the order, he would not have put this question.

Lala Deshbandhu Gupta : The honourable member said that the Deputy Commissioner passed the order. Does he not know the reason for same ?

Parliamentary Secretary : I have said that I have placed a copy of his order on the table.

Lala Deshbandhu Gupta : Will the honourable member be pleased to read the question, because it really does not ask for a statement to be laid on the table of the House ? What it seeks to ask is that the fact should be told on the floor of the House.

Parliamentary Secretary : I have placed it on the table and the honourable member can see it.

Sardar Hari Singh : May I ask the honourable member please to state whether the Government would be prepared to revise the decision of the Deputy Commissioner if the applicant makes a representation ?

Parliamentary Secretary : No.

Sardar Sohan Singh Josh : May I know whether the Deputy Commissioner rightly interpreted the policy of the Government or not ?

Parliamentary Secretary : It is a question of opinion.

Diwan Chaman Lall : Is it a fact that the order of the Deputy Commissioner specifies the possibility of subversive activities against the Government and does that mean the Unionist Government ?

Parliamentary Secretary : The order is quite clear.

Lala Deshbandhu Gupta : May I draw the attention of the honourable Parliamentary Secretary to the order which he has placed on the table ? It reads thus—

“The report of the Superintendent of Police, Hoshiarpur, shows that the applicant Sardar Ram Singh Jauhar, has taken in the past an active part in subversive activities against Government. He was convicted under section 110, Criminal Procedure Code, in 1925 and under section 108, Criminal Procedure Code, in 1930. In view of the unsatisfactory past record of the applicant there can be no certainty that the paper he proposes to publish will not be used for a purpose such as is described in section 4 (1) (a) and (b) of the Indian Press (Emergency Powers) Act, XXIII of 1931.....”

May I know whether it is the Government's intention to go by the past political conduct of applicants in granting the declarations for publication of new newspapers ?

Parliamentary Secretary : That was one of the criteria.

Lala Deshbandhu Gupta : May I know whether the honourable member is aware that most of the members sitting on this side of the House have got some political past and have been convicted for some more than once.

Premier : Does my honourable friend mean that they were convicted under section 110 ?

Lala Deshbandhu Gupta : Not under section 110, but there is another section—section 108—and I want to draw the attention of the Leader of the House to the other part of the question. So I would like to know whether the Government has decided that in all cases where persons have been convicted on account of political activities, security has to be demanded from them if they desire to start any newspaper ?

Parliamentary Secretary : It is always scrutinised on its merits. I do not know that political workers who did political work were convicted under section 110.

Sardar Hari Singh : May I ask the honourable member please to state whether the Government will take into consideration the financial condition of the applicants who apply for declaration.

Parliamentary Secretary : That is also one of the considerations.

Lala Deshbandhu Gupta : Is it a fact that because the name of the paper was 'Azadi', the declaration was not granted?

Parliamentary Secretary : No.

Sardar Hari Singh : Is the honourable member aware that the Deputy Commissioner at the time of telling the applicant that he was to pay so much security before he could start the paper, told the applicant that the name of the paper 'Azadi' was terrible?

Parliamentary Secretary : I have no information.

Mian Muhammad Iftikhar-ud-Din : Why is the word 'azadi' like a "red rag" to the honourable member?

Parliamentary Secretary : It is not.

Copy of an order, dated the 11th December, 1937, passed by the Deputy Commissioner, Hoshiarpur.

Present. —Sardar Ram Singh Jauhar, Applicant.

The report of the Superintendent of Police, Hoshiarpur, shows that the applicant, Sardar Ram Singh Jauhar, has taken in the past an active part in subversive activities against Government. He was convicted under section 110, Criminal Procedure Code, in 1925 and under section 108, Criminal Procedure Code, in 1930. In view of the unsatisfactory past record of the applicant there can be no certainty that the paper he proposes to publish will not be used for a purpose such as is described in section 4 (1) (a) and (b) of the Indian Press (Emergency Powers) Act XXIII of 1931, as amended by section 16 of the Criminal Law Amendment Act, XXIII of 1932. I, therefore, direct under section 7 (1) of the said Act, that the applicant should deposit a security of Rs. 1,000 in money, or securities of the Government of India, within ten days from to-day.

Announced to Sardar Ram Singh Jauhar.

APPLICATION REGARDING MALBA SUBMITTED BY THE PEOPLE OF AMRITSAR DISTRICT.

***2246. Sardar Sohan Singh Josh :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that the Settlement Officer, Amritsar, received a number of applications from the people of the district in the year 1937 requesting the Government not to exact *malba* from them;

(b) the action the Government proposes to take in the matter.

The Honourable Dr. Sir Sundar Singh Majithia : The attention of the honourable member is drawn to the answer given to question No. *1609¹ at the last session of the Assembly.

Sardar Sohan Singh Josh : May I know if any men have refused to give *malba* during the last two or three months ?

Minister : I have referred my honourable friend to the answer given to question *1609 and I would request him to better look that answer up.

Sardar Sohan Singh Josh : May I know if any men since then have refused to give *malba* to the Collector of revenue ?

Minister : Probably my honourable friend knows more than myself.

Sardar Partab Singh : Since when has this *malba* question been engaging the attention of the Government ?

Minister : Since it was raised by some of my friends on the opposite benches.

Sardar Partab Singh : Has the Government not come to a definite decision as yet regarding this *malba* question ?

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

Lala Duni Chand : Since the last question on the subject, have any cases come to the notice of the Honourable Minister of refusal of payment of *malba* ?

Sardar Partab Singh : Is it a fact that the Collector of revenue in the Amritsar district refused the revenue from Bachman because he had not given *malba* along with it ?

Minister : I think the honourable member himself approached the Collector of the Amritsar district in this matter.

Lala Deshbandhu Gupta : Is it a fact that revenue is not received unless it is accompanied with *malba* charges ?

Minister : So far as it at present concerns, we do not receive land revenue till *malba* is paid.

Sardar Partab Singh : Will the Government issue instructions to revenue collectors and other officers that if any person wishes to give land revenue without the payment of *malba*, the revenue should be taken ?

Mr. Speaker : That is a request for action.

Lala Deshbandhu Gupta : Is there any law on the point ? Is it legal to refuse to take revenue if it is not accompanied with *malba* charges ?

Minister : Some people have brought law cases in this matter and got their decision.

Sardar Sohan Singh Josh : Is the Unionist Government protecting the interests of the peasantry ?

Sardar Partab Singh : Does the Government intend to issue instructions to the Revenue Collector ?

Mr. Speaker : That is a request for action. The honourable member may move a resolution.

Sardar Rur Singh : Did the residents of village Tarkhana submit applications in which they protested against the realisation of *malba* ?

Sardar Partab Singh : Is the Government aware of the fact that quite a good many *lambardars* have declared that they are not going to collect *malba* ?

Lala Bhim Sen Sachar : Has the Government considered the desirability of issuing instructions to the effect that collections of *malba* should not necessarily form part of the revenue collection ?

Mr. Speaker : The Honourable Minister for Revenue has already stated to the contrary.

Sardar Sohan Singh Josh : In the answer referred to there is no number of applications given, my question asks the number.

Lala Duni Chand : Since the position of Government was made clear last on the subject, has the Government thought it fit to inform the people of the position taken by the Government with regard to the subject ?

Minister : Can I add any more to the reply ? I have stated that the matter is under consideration.

Sardar Partab Singh : Will the Honourable Minister be pleased to state the difficulty in the way of Government in issuing instructions to the Revenue officers that they should receive the revenue without pressing for the *malba* ?

Minister : That does not arise out of the question.

Sardar Sohan Singh Josh : When will this consideration come to maturity ?

Minister : As soon as the question is maturely considered.

EXPERT COMMITTEE APPOINTED TO EXAMINE THE SUBSIDENCE OF WATER
LEVEL IN BIST DOABA AND TUBE-WELL BORING DONE IN HOSHIARPUR
AND JULLUNDUR DISTRICTS.

***2247. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister of Revenue be pleased to state—

(a) the personnel of the expert committee appointed to examine the subsidence of water level in Bist Doaba, as mentioned in answer to my starred question No. 1393¹ ;

(b) whether that committee has begun its work ;

(c) if answer to part (b) above be in the negative, when it is expected to start work ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The personnel of the expert Committee has not yet been decided.

(b) and (c) Do not arise.

Sardar Sahib Sardar Gurbachan Singh : When will that Committee be appointed to go into the matter ?

Minister : The personnel has not been decided. I cannot give any further information.

Sardar Sahib Sardar Gurbachan Singh : What are the terms of reference of the Committee ?

Minister : When the personnel of the Committee is decided, then the terms of reference will be given to the Committee.

TUBE WELL SCHEME FOR THE PROVINCE.

***2248. Sardar Sahib Sardar Gurbachan Singh :** With reference to the answer to my starred¹ question No. 1395, put on 24th January, 1938, will the Honourable Minister of Revenue be pleased to state—

- (a) the place at which these experiments are being made ;
- (b) when these experiments were started ;
- (c) the nature of these experiments ;
- (d) when their results are expected ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The experiments outlined in part (c) below are being carried out in the Karol area near Lahore, at Qadian, at the Irrigation Research Institute Laboratory, Lahore, and at Amritsar respectively.

(b) They were started in the middle of the *khariif* season 1936.

(c) (i) Observations to determine the amount of well water required to mature various classes of crops and the cost of raising same.

(ii) The result of substituting tube well water for open well water, both in regard to cropping and cost to the cultivator.

(iii) Laboratory experiments into the laws of flow and the dimensions required for a tube well to yield a given discharge.

(iv) Field experiments to check the laboratory experiments.

(d) The results of these experiments will probably become available by the end of the *khariif* season 1938, but it is possible that others may then have to be started, if the results are not completely conclusive.

Sardar Sahib Sardar Gurbachan Singh : Is it a fact that in places where these experiments are being carried on, there is no canal water available ?

Minister : No, Sir. In Gurdaspur district there is canal water. Three wells were sunk in Qadian. Two of them started working, the third one did not. One is working satisfactorily, the other is not. Are we justified in carrying on the investigation in other areas without having full information ?

SHORT NOTICE QUESTION AND ANSWER.

KIDNAPPING OF SCHOOL CHILDREN.

Lala Deshbandhu Gupta : Will the Honourable Premier be pleased to state—

- (a) whether Government's attention has been drawn to the cases of kidnapping of school children that have occurred in Lahore during the last four weeks and panic caused in public due to same ;
- (b) the number of such boys who have been kidnapped during this period and also the number of those traced so far ;
- (c) whether any arrests have been made in this connection so far ; if not, the special steps that Government has taken or intends to take in this behalf ?

The Honourable Major Sir Sikander Hyat-Khan : There does not appear to have been more than one case of the kind. This occurred on the 6th March when two boys (brothers) who had left their home to go to the Municipal Primary School outside the Shahalmi Gate failed to return. No arrests have yet been made, but the case is being investigated vigorously under the direct supervision of an Inspector, and the provincial Criminal Investigation Department are in touch with it.

I may add that the Senior Superintendent of Police, Lahore, lately received a letter quoting three instances in which school boys are said to have been accosted by Pathans. To enable the statements in this letter to be fully investigated with proper legal sanction a case of attempted kidnapping has been registered, but as mentioned above there has only been the one actual case of kidnapping.

I might add for the information of the House that we are taking every possible precaution to see that this scare does not spread and that the culprits are arrested as soon as possible. I might also inform the House that I had a personal talk with the Criminal Investigation Department officer in charge of kidnapping and I have impressed upon him the necessity of not only trying to trace these cases quickly but also to see that any further cases of this kind do not happen.

Lala Bhim Sen Sachar : What are the special steps taken by the Government to prevent even attempts at such offences ?

Premier : We have got a special Criminal Investigation Department staff and there are policemen in plain clothes who go about and see that no attempts are made. Beyond that we cannot do anything.

Lala Bhim Sen Sachar : May I know whether there are mounted policemen patrolling the city ?

Premier : Mounted policemen are not likely to be of help in this matter. They can be of help only in giving chase to the culprit. Otherwise if the mounted police are employed, naturally when the culprits hear the noise of the hoofs, they will run away and will not be caught.

Diwan Chaman Lall : May I know whether the Honourable Premier has decided to give instructions that children's playing fields and schools and the roads leading to them from the city should be properly guarded in order that there should be no possibility of these attempts being made at the time when children go to school or go to playing fields or come back ?

Premier : The honourable member may rest assured that not only those precautions but several other precautions are being taken.

Lala Deshbandhu Gupta : With regard to the one dozen cases of kidnapping reported, how many were brought to light by the police itself or by the special staff which has been appointed ?

Premier : My honourable friend is not perhaps aware that the special staff has nothing to do with Lahore. The special staff appointed to trace these cases works throughout the province and the results of their efforts were mentioned in this House some time ago. But when these cases came to my notice I made enquiries whether the special staff had also interested itself in these cases and I was told that the local Criminal Investigation Department was in touch with them. But that is quite a different thing from

[Premier.]

the special staff. So I sent for the officer in charge of the special staff about two or three days ago and asked him to take personal interest in this matter and to ask his staff also to help in this matter, so that we may be able to trace the culprits quickly.

Chaudhri Kartar Singh : May I know which particular Superintendent of the Criminal Investigation Department has been appointed on special duty in this respect ?

Premier : It is the officer in charge of the Criminal Investigation Department responsible for these things. The Superintendent of Police particularly is responsible as directly in charge. I sent for him and had a talk with him. It is an Indian officer of the police who is in charge of the special staff. I have asked him personally and have impressed upon him the necessity of trying to trace these cases quickly.

Begum Rashida Latif Baji : Will the Honourable Premier be pleased to state whether he is aware of the fact that three Muslim children two—boys and one girl—of school going age, were kidnapped from the Bhati Gate, Lahore, one of the boys being an orphan, who had gone to the school but did not return home ?

Premier : I have already given the cases which have been reported. Probably this case is included therein.

Mian Abdul Aziz : May I know whether any such kidnapped child has been traced by the police on its own effort up to this time ?

Premier : My honourable friend was told only the other day that the police had traced no less than 186 cases and that they returned about 153 children to their parents.

Lala Deshbandhu Gupta : That is an old record.

Mian Abdul Aziz : In Lahore, out of the present occurrences ?

Premier : There is actually only one case of kidnapping and it has not been traced yet.

Main Abdul Aziz : May I know whether any of the children who have disappeared been traced up to this time by the Lahore police ?

Premier : There are only two children who have disappeared. The rest are cases of attempt. If my honourable friend knows the meaning of the word ' attempt ', he would realise that no one has been in fact kidnapped.

Dr. Gopi Chand Bhargava : When was the case of the actual kidnapping taken by the Criminal Investigation Department in their hand ? The kidnapping took place on the 6th and a report was made the next day. When did the Criminal Investigation Department take charge of the case ?

Premier : The Criminal Investigation Department were in touch from the very beginning. The honourable member must not confuse the Criminal Investigation Department with the special staff. They are two different things. I have now put on the special staff also to help.

Dr. Gopi Chand Bhargava : Am I to understand that the special staff has taken charge of this case now ?

Premier : I had a talk with the officer about two or three days ago.

Dr. Gopi Chand Bhargava : When did the ordinary Criminal Investigation Department first take charge of this case, on what date?

Premier : I could not give you the exact date. But it must have been about the 7th when the report was made.

Dr. Gopi Chand Bhargava : May I know whether the ordinary police of the Gowalmandi police station did not take any notice of this occurrence when the case was reported to them and did not make any effort to find out or help the parents of the children to trace the boys?

Premier : My information is that the police after getting a clue followed the children up to Gujranwala and then followed them back to Lahore but subsequently they lost it again.

Dr. Gopi Chand Bhargava : On what date?

Premier : Some time ago. These two boys were supposed to have gone to Gujranwala in a certain bus and the police followed it and in Gujranwala the information was that they came back to Lahore. After that the police have not been able to get any clue.

Lala Deshbandhu Gupta : Is it a fact that one of the kidnappers has stated that there are 17 kidnapped boys in his possession or in some of the orphanages?

Premier : I have no official report to that effect.

Lala Deshbandhu Gupta : Will the Honourable Premier be pleased to state whether he has ordered any watch to be kept on these so-called orphanages which are likely to harbour the kidnapped children?

Premier : I should like to have notice of that question. I said that every possible precaution is taken with regard to the matter and most of these so-called orphanages, as you are aware, are merely places for confinement of these boys; and the special staff is fully alive to this fact.

Lala Deshbandhu Gupta : Have Government considered the desirability of keeping a watch on gypsies and Pathans who are generally suspected of such crimes in view of the abnormal state of affairs that exists in Lahore?

Premier : As a matter of fact Pathans have come into limelight only now, not previously. We did not hear very many reports about them. We heard about the *bazigars* or criminal tribes and they are always kept under surveillance.

Sardar Hari Singh : Have the Government or the Criminal Investigation Department put themselves into touch with the Government or the Criminal Investigation Department of the neighbouring provinces, particularly the North-West Frontier Province because probably these kidnappers belong to the Frontier province?

Premier : It is not a question of probability. In one case we know that an attempt was made by a man from the Peshawar district.

Sardar Hari Singh : So have the Criminal Investigation Department been in touch with the Criminal Investigation Department there?

Premier : You may be sure that the Criminal Investigation Department is in touch not only with the Criminal Investigation Department of the Frontier province but also with that of the other neighbouring provinces.

Sardar Lal Singh : Is there any truth in the report which has appeared in the 'Milap' as regards the over-powering of a Sikh lady in Hazuri Bagh and the kidnapping of her two children by one man and three women?

Premier : Unfortunately I do not get time to read the 'Milap', but that thing has not been brought to my notice.

Begum Rashida Latif Baji : When the police can turn out people from their houses even against law, then what prevents it from tracing the kidnapped children?

Lala Deshbandhu Gupta : Has the attention of the Honourable Premier been drawn to an article in the 'Tribune' of to-day where it is stated that two kidnappers attempted to kidnap a boy even on cycles? Is the Honourable Premier aware that these kidnappers are also equipped with such conveyances? Does he realise the necessity for having a cycle patrol or horse patrol or a special squad to keep watch over these kidnappers?

Premier : My honourable friend perhaps is not aware that we have a cycle patrol and we have also mounted police.

Lala Bhim Sen Sachar : In view of the fact that there is a great deal of physical differences between the kidnappers and the kidnapped, will it not be advisable to order the mounted police to go round the city, so that it may hearten the people? If it is thought desirable the Premier may ask the Superintendent of Police himself and others to go round?

Premier : My honourable friend did not probably catch me when I gave a reply to that question. It is alleged that these kidnappers dope their victims or drag them away and when the boys make a noise naturally the people round about come to know all facts and they raise a hue and cry and then they chase the culprits in some cases, but if we send the mounted police it might help the people in chasing the culprit, when we know that the culprit is there, but if the police goes about in the streets it will not help to find out the culprits in the act of kidnapping.

Lala Bhim Sen Sachar : It will prevent the attempt.

Premier : Yes, but I think it would prevent kidnapping if we placed plain clothes policemen and threw a net work of them in the town.

Diwan Chaman Lall : Is the Honourable Member making any attempt in other parts of the province as well, in view of the fact that in the year 1934-35 the number of kidnapped children was 1,400 and in the first four months of the year 1937 nearly 80 a month was the average. Has the Honourable Premier made any attempt to take steps in other parts of the province as well?

Premier : Yes. This special staff is meant for all over the province. It was originally meant for that purpose and I have asked them to direct their attention particularly to Lahore in view of the recent occurrences.

Dr. Sir Gokul Chand Narang : Will he consider the necessity of requiring a passport or some sort of licence for people who enter the province from across the border?

Premier : I am afraid this is a question of Central Government's sphere and I cannot answer it.

Diwan Chaman Lall : Is the Honourable Premier aware of the Goonda Act in Bombay which is meant for this particular class of persons? Could not some similar steps be taken here?

Premier : If necessary we might have to take more drastic steps.

Lala Deshbandhu Gupta : Is it a fact that in most of these cases or in all of these cases the kidnapped children belonged to a particular community and that it is likely to lead to communal bitterness, if effective steps are not taken to check this evil?

Premier : I am afraid I have no such information, but I learnt from what my honourable friend the lady member said that three of the kidnapped children were Muslims.

Sardar Hari Singh : May I ask how many reports of kidnapping and reported kidnapping have been received from other parts of the province?

Premier : The honourable member is referred to the annual statement published.

Dr. Sir Gokul Chand Narang : Will the Honourable Premier point out to the Central Government the necessity of having some special arrangements for passport or licence for people who enter the Punjab, because this province is likely to be affected by those people from across the border more than other provinces.

Premier : My honourable friend is assuming that this offence is committed by people coming from across the border.

Dr. Sir Gokul Chand Narang : This is the popular suspicion.

Premier : This is not a fact, at least it has not so far been proved. There are people who live in the tribal area which is not across the border.

Dr. Sir Gokul Chand Narang : They are not British subjects.

Premier : People living in Afghan territory are not British subjects, but the people living this side of the Afghan border are under the influence of the British.

Dr. Sir Gokul Chand Narang : They are not British subjects. They will repudiate the suggestion, if they were described as British subjects.

Premier : They are not British subjects in the sense in which we are British subjects, but the British have got their suzerainty over them more or less.

Dr. Sir Gokul Chand Narang : The British are trying to establish their sway over them, but they are not British subjects.

Premier : But what are you going to do with the settled districts, leave alone the trans-border people?

Dr. Sir Gokul Chand Narang : We know the identity and the whereabouts of the people in the settled districts, the whereabouts of the people across the border are not known and that is the difference. You have no control over them though you have control over the settled districts.

Lala Deshbandhu Gupta : Has the Honourable Premier considered the advisability of publishing daily bulletins giving correct information and facts about kidnapping cases so that there may not be unnecessary panic among the people.

Premier : I will consider this suggestion very sympathetically.

Lala Duni Chand : Has this question of kidnapping to do anything with the communal quarrels that prevail in the Punjab now-a-days ?

Premier : No, except perhaps in my honourable friend's imagination.

Nawab Khan Shah Nawaz Khan : Has it been established that all the kidnappers are trans-border people ?

Premier : No, nothing of the kind.

Pandit Bhagat Ram Sharma : Has the Honourable Premier ascertained the truth of the statement which has appeared in the ' Tribune ' of to-day that an eighteen month old child and a ten year old girl were kidnapped in Hazuri Bagh, Lahore ?

Premier : I have already stated before this House all the cases so far reported to us.

Pandit Bhagat Ram Sharma : Has the Government been able to find out any special reason why this campaign has been started in this province ?

Premier : I cannot possibly say what the motives of these people are. In certain cases children are taken to other provinces and sold there, particularly girls are sold for the purpose of marriage, in other cases children similarly kidnapped are brought to this province and sold here. This trade seems to be fairly common.

Lala Bhim Sen Sachar : These children are only two or three years old. Is it the duty of the thana concerned to investigate or is it the Special police who conducts the investigation ?

Premier : The Police of course of that thana is primarily responsible for the investigation of the case, but they are helped by the Criminal Investigation Department and also by the special staff.

Syed Amjad Ali Shah : Is not the question hour over ?

Lala Deshbandhu Gupta : Has Government considered the advisability of announcing certain rewards so that the *gunda* element's sympathy might be enlisted to unearth the kidnappers ?

Premier : I understand that rewards have been announced by the relations of the children in one case.

UNSTARRED QUESTIONS AND ANSWERS.

PROPORTIONATE REPRESENTATION AMONG KANUNGOS AT GURDASPUR.

359. Chaudhri Abdul Rahim : Will the Honourable Minister of Revenue be pleased to state the proportionate representation among the kanungos working at present in the Gurdaspur district ?

The Honourable Dr. Sir Sundar Singh Majithia : I must decline with regret to answer questions which savour of communalism on the floor of the House. I am sorry to have to adopt this attitude, but Government consider it necessary in the public interest to establish a convention in connection with such questions. I shall, however, be prepared to examine any particular instance of disproportionate representation, which honourable members may bring to my notice in a more informal way.

SELECTION OF KANUNGOS AT GURDASPUR.

360. Chaudhri Abdul Rahim : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether the selection of candidates for the posts of kanungos in the Gurdaspur district has taken place in connexion with some already existing vacancies or vacancies which might occur in the future ;
- (b) if the answer to the latter part of (a) above be in the affirmative, whether this selection is consistent with the rules and regulations of the Revenue Department ; if not, the action the Government proposes to take in the matter ?

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

(b) Does not arise.

CHAPRASI FOR ZAILDARS.

361. Chaudhri Abdul Rahim : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is the duty of the zaildars to get those orders executed which are communicated to them by various departments ;
- (b) whether they themselves have to get those orders executed ;
- (c) whether it is a fact that the zaildars have not been supplied with any chaprasi and that in the absence of chaprasi they have to get the orders sent to them by the officers of the various Government departments executed themselves ;
- (d) whether it is a fact that sometime ago zaildars were given chaprasi ;
- (e) if the answer to parts (a), (b), (c) and (d) be in the affirmative, whether Government propose to supply chaprasi to the zaildars ; if so, when, if not, why not ?

The Honourable Dr. Sir Sundar Singh Majithia : (a), (b) and (c) Yes, his duty is to notify in the estates of his zail all orders of Government communicated to him for that purpose.

(d) No.

(e) No. Government consider that the duties of zaildars are not such as would justify the appointment of chaprasi for them.

TAP BRUS IN GURDASPUR DISTRICT.

362. Chaudhri Abdul Rahim : Will the Honourable Minister of Education be pleased to state—

- (a) whether it is a fact that on the occasion of his visit to Gurdaspur district in November, 1937, he met a number of patients in village Kahoti in the Gurdaspur district who were suffering from *Tap Brus* (a disease prevailing in that district) ;
- (b) whether it has been brought to his notice that a very large number of patients suffering from this disease are found in the Gurdaspur district generally and tahsil Shakargarh particularly ; if so, the steps the Government propose to take to check this infectious disease ?

The Honourable Mian Abdul Haye : (a) Yes.

(b) Yes. Necessary measures to eradicate Hookworm (*Tap Brus*) from Gurdaspur district are already in hand since 1934 and are still in progress. A total number of 263,070 persons have been treated so far and during the year 1937 alone 55,877 cases received treatment.

A sum of Rs. 10,000 was spent by Government during the year 1935-36 for the construction of bored-hole latrines in this district to reduce the incidence of the disease.

In addition to the above an approximate sum of Rs. 20,000 per annum is being spent by Government for the treatment of patients, etc., besides the contribution of Rs. 5,000 paid by the District Board, Gurdaspur.

JAGIRDARS, ZAILDARS, ETC., AND AMOUNT PAID TO THEM.

363. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister of Revenue be pleased to state tahsilwise—

- (a) the number of jagirdars in the province and the rough estimate of the amount of their jagirs ;
- (b) the number of zaildars in the province and the rough estimate of the amount that is given to them by way of remuneration ;
- (c) the number of sifedposhes in the province and the rough estimate of the amount that is given to them by way of remuneration ;
- (d) the number of the lambardars in the province and the rough estimate of the amount that is given to them as panjotra or malba ?

The Honourable Dr. Sir Sundar Singh Majithia : The collection of figures would entail a great amount of time and labour which the Government do not consider would be proportionate to their value.

APPEAL OF ZAMINDARS OF CHAK NOS. 105/15-L, 108/15-L, KHANEWAL.
REGARDING ASSESSMENT FOR GOWARA CROP.

364. Sardar Ajit Singh : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that gowara crop sown for green manure is not assessed for land revenue and water rate in the colonies of Ganji Bar and Nili Bar ;

- (b) whether the zamindars of Chak Nos. 105/15-L., 108/15-L., tahsil Khanewal, district Multan, who had sown gowara crop for green manure have been assessed for revenue and water rate ;
- (c) that the zamindars appealed to the Executive Engineer, Lower Bari Doab Canal, Khanewal, against this assessment and their appeal was rejected ;
- (d) that I myself wrote to the Executive Engineer concerned to inspect the green crop and he replied that whatever action was taken by the Sub-Divisional Officer was right without inspecting the crop himself ;
- (e) if the answers to (a), (b), (c) and (d) above be in the affirmative whether the Government propose to take any action in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Gowara crop ploughed in before 15th of September as green manure is not assessed.

(b) Some of their area in which gowara had not been ploughed in by the prescribed date was assessed.

(c) Yes.

(d) Yes.

(e) As the officers acted according to the rules, Government does not intend to take any action in the matter.

FAILURE OF COTTON CROP IN ILAQA JAHANIA, DISTRICT MULTAN.

365. Sardar Ajit Singh : (i) Will the Honourable Minister of Revenue be pleased to state whether it is a fact that—

- (a) the cotton crop of Jahania ilaqa in Multan district in general and of Chak 185/10-R. in particular have failed due to a severe attack of the white fly ;
- (b) the zamindars have sent many applications to that effect to the Deputy Commissioner, Multan, and the Canal authorities concerned at Khanewal, district Multan ;
- (c) no special officer has visited this area to inquire into these complaints and no remission has been granted to them so far and they have been assessed fully ;

(ii) if the answer to (a), (b) and (c) be in the affirmative, does the Government propose to take any action in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, the cotton crop was affected by *tela* to some extent.

(b) Yes.

(c) The calamity was not such as to require the deputation of a special officer. The fields in which *kharaba* was reported were inspected by the Canal Zilladar ; and by the Deputy Collector and the Sub-Divisional Officer, Canals, where the finding of the zilladar was appealed against. Remission was granted in deserving cases.

(ii) Does not arise.

ARREARS OF COSTS OF ADDITIONAL POLICE POSTS IN DISTRICT
FEROZEPORE.

366. Sardar Sohan Singh Josh : Will the Honourable Premier be pleased to state—

- (a) whether all the additional police posts including the mobile police force were withdrawn on or before the end of March, 1935, from the various villages of Ferozepore district ;
- (b) whether Rs. 9,448 were the outstandings of the posts referred to above by the end of September, 1937 ;
- (c) if the answer to (a) and (b) above be in the affirmative, what were the grounds for delay in the recoveries of the costs due ;
- (d) the steps the Government propose to take for the speedy recovery of the outstanding balance ;
- (e) the amount due from each of the villages referred to in unstarred question No. 200¹ on account of the additional police post cost by the end of February, 1938 ?

The Honourable Major Sir Sikander Hyat-Khan : I regret that the answer to this question is not yet ready.

MOTION FOR ADJOURNMENT.

KIDNAPPING SCARE IN LAHORE.

Mr. Speaker : In view of the several supplementary questions put and answered just now regarding the kidnapping scare in Lahore, it would be waste of time of the House to move this adjournment motion.

Chaudhri Kartar Singh : Sir, I should still like 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 appalling increase in the number of cases of kidnapping of children in Lahore by an apparently organised conspiracy and the hopeless failure of Government to trace the offenders involved in this conspiracy, to adopt effective measures against this growing evil and to restore the children who have been kidnapped so far.

Mr. Speaker : The motion for leave to adjourn the House is to discuss a definite matter of urgent public importance, namely, the appalling increase in the number of cases of kidnapping of children in Lahore by an apparently organised conspiracy, and the hopeless failure of Government to trace the offenders involved in this conspiracy, to adopt effective measures against this growing evil and to restore the children who have been kidnapped so far.

Does any one object ?

Premier : I have given all the information which is available and, I think, it is no use wasting the time of the House.

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

As only two members stood up the leave was refused.

**FAILURE OF THE DEPUTY SUPERINTENDENT OF POLICE, AMBALA CITY,
TO RELEASE LALA GANGA RAM PROMPTLY.**

Mr. Speaker : The honourable member, Lala Duni Chand's motion is out of order.

Lala Duni Chand : I did not expect discouraging remarks even at the very beginning.

Mr. Speaker : The honourable member should satisfy me on two points. If the deputy superintendent of police had disobeyed orders of the sessions judge, he had committed an offence of contempt of court. Besides, he had committed the offence of unlawful detention of a man who ought to have been released at once. Both these offences are triable by courts of law and not by this House.

Raja Ghazanfar Ali Khan : We on this side of the House do not know what we are discussing. Nobody has read out what the motion is.

Premier : It has been ruled out of order.

Lala Duni Chand : This is my grievance also that my motion not being before the House—

Mr. Speaker : The honourable member may read his motion.

Lala Duni Chand : I am going to read it and am going to show how it is in order.

Mr. Speaker : The honourable member need only read the motion.

Lala Duni Chand : I shall also try to show that it is in order.

Mr. Speaker : The honourable member may first read the motion and then reply to the points raised by me.

Lala Duni Chand : I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the contumacious and continued refusal of the Deputy Superintendent of Police, Ambala City, for nearly four hours to release Lala Ganga Ram an accused under section 480, Indian Penal Code, who was ordered to be released forthwith by the learned Sessions Judge of Ambala on 23rd March at 3 P.M.

You have called upon me to answer two points. My submission is that it is not certain whether the gentleman who refused to carry out the order of the sessions judge is really guilty of contempt of court or not. That is a moot question whether he is guilty of contempt of court. It is also a moot question whether he has committed the offence of illegal confinement. It is by no means clear whether under such circumstances he will be guilty either of contempt of court or illegal confinement.

Mr. Speaker : What illegality has been committed ?

Lala Duni Chand : The learned sessions judge had passed the orders at 3 P.M. with the words 'to be released forthwith' and he immediately handed over a warrant of release to the chaprasi.

Premier : May I ask a question through you Sir ? Is the honourable member not the counsel of one of the persons concerned in this case ?

Lala Duni Chand : There was another counsel though I was also one of the counsels. (*Hear, hear, from Treasury benches*). It does not make any difference. (*Interruption*). At 3 p.m. he ordered that this man was being kept in custody unjustly and that a warrant of release be taken at once. His own man—the chaprasi—took the order to the Deputy Superintendent of Police.

Premier : I think that apart from other considerations, the mere fact that the honourable member is counsel for one of the parties should have more or less restrained him from bringing a motion of this kind in this House. I think it is most unfair on his part to do so.

Sardar Sampuran Singh : On a point of order. The mere fact that a person is a counsel or advocate on behalf of a party does not debar him from raising such an adjournment motion and I would request you that the way in which this matter has been treated by the Government benches is altogether undignified and the way in which they have behaved in this case is not fair. They should express regret for that.

Premier : All that I meant to convey was—

Mr. Speaker : No personal explanation is required.

Premier : It is not a question of any legal bar. I do not think that there is any legal bar but so far as the moral bar is concerned, I am afraid I do not agree with my honourable friend.

Sardar Sampuran Singh : That is parliamentary practice.

Premier : A counsel appears before a certain judicial tribunal or court and when he sees that he cannot get his argument carried there, brings an adjournment motion which might be construed as bringing pressure on the court.

Sardar Sampuran Singh : It has finished with the court.

Dr. Sir Gokul Chand Narang : Court business is finished.

Mr. Speaker : I have not studied that point.

Lala Deshbandhu Gupta : At the present moment there is no case pending. Therefore, the Premier is not justified in making that remark.

Mr. Speaker : No interruptions please.

Premier : Am I to understand that there is no case pending now—not even civil litigation?

Sardar Sampuran Singh : You should have known that the man is released.

Premier : I am asking about civil litigation.

Lala Duni Chand : The case that was before the Sessions Judge was an application for release of the accused under section 498 and there is no other case before the sessions judge and there is no other case before any court except that a certain case is being investigated by the police.

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

Lala Duni Chand : I have absolutely no desire to bring in my name in any way.

Mr. Speaker : Please answer my point.

Lala Duni Chand : I am going to answer. I shall state the facts in two minutes.

Mr. Speaker : Very kindly answer the points raised by me.

Lala Duni Chand : I am answering those two points that have been raised. Within a few minutes of the order having been passed, the learned sessions judge granted the warrant of release. That warrant of release was taken by a chaprasi and he was accompanied not by me but by another counsel Pandit Jagan Nath by name. He went along with the chaprasi to the deputy superintendent of police and showed him the order of the learned sessions judge. He said, "What is it, what is it? I have never seen during my experience of 25 years in courts any sessions judge having passed any such order. The sessions judge has no power to pass such an order and I am not going to obey." He wrote to the Court Inspector—

Premier : Are we discussing the merits of the matter?

Mr. Speaker : The honourable member is giving facts, not wanted at this stage. Why I am inclined to hold the motion out of order is because, as is stated in the motion itself, an order was issued by the sessions judge, that order was given to the deputy superintendent of police concerned, but that he kept it for four hours and thus he committed two offences. If he did so, I think (i) he is guilty of contempt to the sessions judge who gave that order; and (ii) he is guilty of unlawfully detaining the man concerned, who was to be released. As both these matters are for a court of law to decide, where is the necessity for their discussion on the floor of this House? How is it a matter of public importance for this House to discuss?

Lala Duni Chand : These two questions are not the subject matter of any inquiry. They are not pending in a court.

Mr. Speaker : The honourable member can resort to law. I hold his motion to be out of order.

DEMANDS FOR GRANTS.

INDUSTRIES.

Minister for Finance : Sir, I beg to move—

That a sum not exceeding Rs. 20,14,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Industries.

Mr. Speaker : The motion moved is—

That a sum not exceeding Rs. 20,14,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Industries.

Rai Bahadur Binda Saran (Punjab Commerce and Industry) : Sir, I beg to move—

That the item of Rs. 1,08,200 on account of Total Direction (Voted) be reduced by Re. 1.

to point out that the new appointments of an industrial economist and head survey officers on such low salaries as proposed will not meet the needs of a proper industrial survey of the province.

[R. B. Binda Saran.]

First of all allow me to say that I am gratified to note that a step in the right direction has been taken, though the provision made is very meagre, for the industrial survey of the province. The step taken is rather belated as it was long overdue. I was expecting that a large sum for development would be allotted. The Punjab province produces lot of raw materials, but I am sorry to say that so far no industrial survey has been made to ascertain how this raw material could be utilised for producing our manufactured articles. Agriculture and industry should go side by side and it is my considered opinion that in the continued prosperity of commerce and industry lie the best hopes of agriculture and *vice versa*. I would like the Government to adopt practical measures for industrial survey in the whole province, from district to district and from tahsil to tahsil and find out what raw material each village produces and how they can be developed into manufactured articles. Let there be cottage industries all over the province and the people should be taught how to convert these raw materials into manufactured articles. I assure you that there is no dearth of capital in the province : it only needs stimulus from the Government. The Punjab produced last year about 2 million bales of cotton. That represents one-third of the produce of the whole of India. Most of this produce is exported to foreign countries or other provinces. What I say is this that this raw material should be utilised for the benefit of this province. This will not only enrich the province but will solve the unemployment problem. There is one other suggestion which I would like to make that the Government should contribute liberally towards its research department. There is only one research laboratory run by Dr. Bhatnagar ; he is doing very useful work in this line and one of those who have contributed towards the research work is the Attock Oil Company which has paid a huge amount which Dr. Bhatnagar through his generosity has paid to the university. I would like Government to contribute more liberally towards research so that if any useful research may come out it may be given to some private enterprising company on some reasonable conditions. One or two successes of this nature will give great stimulus to the public to contribute liberally towards research work. It will encourage future development of industries. With these few words I move my *cut motion*.

Mr. Speaker : The question is—

That the item of Rs. 1,08,200 on account of Total Direction (voted) be reduced by Re. 1.

The motion was lost.

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

That the item of Rs. 1,08,200 on account of Total Direction (Voted) be reduced by Re. 1.

My object in moving this motion is to draw the attention of the Government to the urgent necessity of a complete industrial survey of the province and to the hopelessly inadequate and insufficient provision for the same. One of the most refreshing items in this year's budget was the allotment which the Government has made for creation of a new development fund, which it has been said, would be mainly used for amelioration of the conditions of the rural population.

Syed Amjad Ali Shah : On a point of order, Sir. So far we have been carrying on the practice of choosing one cut motion on which discussion could take place and all the members who wanted to speak on that cut could speak. Now to-day we have dropped that practice. I would suggest that there is another cut motion in the name of my honourable friend Mr. Mukand Lal Puri. If he wishes to move that cut motion—No. 15—which I think is quite comprehensive, that would cover all grounds.

Rai Bahadur Mr. Mukand Lal Puri : Now, Sir, we all desire that rural population of our province should have all the amenities which a civilised Government can provide and which civilised existence demands. But it is my firm belief that no amelioration in the condition of the rural population is possible unless something is done to improve their economic position. Any amount of instruction given by the Health Department, or lectures by the rural uplift department or inducements offered for use of say mosquito-nets or proper disposal of manure holding demonstrations is not likely to help the rural population unless something definite is achieved to increase their earning capacity. I believe that it is the experience, not only of this country, but of other countries as well who mainly depend upon agriculture that agricultural population cannot lead a decent civilised existence purely by dependence upon agriculture, but must have something by way of subsidiary occupation to add to its income. Even in prosperous countries like Japan, the agricultural population cannot maintain itself by agriculture alone. It is the existence and encouragement by the state of subsidiary occupations which adds to the income of agriculturists and which makes a decent existence possible for them. No appreciable amelioration or improvement in the conditions of life of our peasantry is possible unless some kind of subsidiary occupation is provided for them, not only for the seasons when the agriculturists are unemployed, but also for the growing population in villages, both male and female. This can only be done by industrialisation of the province. I wish to emphasise, that in my humble opinion, industrialisation of the province is the only panacea for unemployment and for improvement of the conditions of life of our rural population. If there are 4 brothers in a family, and 3 of them work in factories or work in other occupations during the time when they are not busy in attending to agriculture, they can add by their work to the income of the family and thus make a decent existence possible. Any amount of debt legislation, any amount of remission of land revenue is not at all likely to improve (A voice : Question) permanently their condition to the extent to which an addition to their income is likely to do. This is not only my opinion, but the opinion of all those who have ever given serious thought to this problem. Therefore, Sir, in my opinion the best help that Government can render to the rural population is to provide for them nearer their homes, if you so desire, occupation by which they can add to their income. Unfortunately, an atmosphere has been created in our province by false and undesirable propaganda which leads some people to think as if there was a conflict in the claims of industry and rural development and uplift. Some people believe that the advancement of industries is only likely to benefit the urban classes. I respectfully submit, this is an entirely erroneous view. If a big mill were started say at Sargodha or Lyallpur or Montgomery, it is the agriculturist who will benefit. Go and study the conditions of sugar industry in the United

[R. B. Mr. Mukand Lal Puri.]

Provinces and you will find that where there is a mill in a particular district, there the agriculturists are much better off than in districts where there are no mills. Thus the industrialisation of this province is the only true remedy for rural population of this province and unless something is done to industrialise the province, our rural population will continue to lead a bare subsistence existence as it has always done in almost all countries where the population depends entirely upon agriculture. Therefore, Sir, I was shocked to see that the industrial budget, in spite of the means of the province, is the smallest. In fact, while I was working in the Retrenchment Committee, I found that the total money which was spent on the Industrial Department 2 or 3 years ago was less than the increase in the travelling allowance of the Police Department which had taken place during the last few years. Sir, the Department of Industries, not only on account of vested interests both foreign and domestic, but also on account of the suspicion with which some of our rural leaders wrongly look at our industrial development, has always been treated as a step-daughter and I, therefore, wish to raise my protest against this treatment of one of the most useful departments of the State. The capital is quite willing to lend its aid to the development of industries of this province but unfortunately the Government has not done and is not prepared to do anything for them. There are people, for instance, who would like to help agriculturists by starting factories and by establishing industries in rural areas, but the Government has got absolutely no useful information to give to these people. The Government has not given any thought to this matter and is not in a position to give any lead. Therefore, before any particular scheme is adopted, it is necessary that the Department of Industries should carry out an industrial survey of this province so that it can tell the people who are willing to invest capital that such and such industry is likely to succeed at such and such place and that others likely to fail for such and such reasons and so on. It is a matter of shame that our Department of Industries has not a proper information bureau, no statistics, no reports, no proper research. If you go to their office you will find a director and an assistant director and a few clerks. There is absolutely no arrangement for supplying any information to any person who wishes to start any industry in this province. There are people who wish to go abroad and who want the assistance from the department with a view to tell them where to go and what they should learn. No such facilities are provided. Even in countries which compare less in size and progress than the Punjab, there they have got a foreign department which always affords facilities to people who wish to go abroad and learn some art or industry. In this province no such facilities exist. Sir, I submit, whether it is desirable or feasible at this stage or not to launch any big industrial scheme, at any rate no money should be grudged in carrying out the industrial survey or in collecting information which should be available both to the capitalist and to all well-wishers of the province who wish to improve the industries of this province.

Mr. Speaker : Demand under consideration, motion moved—

That the item of Rs. 1,08,200 on account of Total Direction (Voted) be reduced by Re. 1.

Lala Duni Chand (Ambala and Simla, General, Rural) : I have gone through this demand very carefully. It is not possible for me to withhold the due praise to which the Industries Department or the Honourable Sir Chhotu Ram is entitled. There is no doubt that there is a certain amount of attempt that has been made to promote industry in different directions. But there is one most distressing feature of this department. It is making heavy payments not to the cause of industry but to the officers and the establishment. If the House will scrutinise the different departments the truth of my criticism will be admitted. There is direction. A good deal of amount, namely about a lakh is going to be spent on it. There is superintendence. A good deal of amount is going to be spent on it.

Mr. Speaker : Is it the wish of the honourable member to withdraw his motion ?

Rai Bahadur Mr. Mukand Lal Puri : Yes, Sir.

The motion was by leave withdrawn.

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

That the demand be reduced by Rs. 100.

My object in doing so is to draw attention of the Government to the necessity of an adequate provision for the Industries Department. I wish to give the Honourable Minister for Industries, if he wishes to avail himself of it, the opportunity to say whether he considers that the amount of money provided for the Industries Department is adequate for the industrialisation of this province, not only for the existing schemes but for any schemes that he may have in contemplation. In my opinion the amount provided is hopelessly inadequate. No industrial survey, to take only one of the items which form part of the budget, no kind of industrial survey on a satisfactory basis can be done by employing, say one or two clerks on Rs. 80 or Rs. 90 per mensem and if this is the way in which the Punjab Government intends to deal with one of the most pressing problems, I certainly think it is time that this Assembly brought its due pressure upon the Government to do their duty. Therefore, Sir, I wish, through you, to ask the Government if they consider the present provision for industry quite adequate, and whether this is all the effort which they propose to make for the rapid industrialisation of the province, which is the crying need of the hour.

Mr. Speaker : Demand under consideration, motion moved—

That the demand be reduced by Rs. 100.

Pandit Bhagat Ram Sharma (Kangra West, General, Rural) : I stand to support the motion moved by my honourable friend Mr. Puri. Before I come to the statistics, I want to make certain preliminary remarks on the subject. The problem of the pressure of increasing population of the province is growing all the more acute and it is decreasing the purchasing power of the average agriculturist. I beg to submit that agricultural research will not solve the problem. It is only rapid industrialisation of the province which can come to the help of the suffering millions of this province. Before I come directly to the figures, I want to survey the condition of the average zamindar with particular reference to his income. You know that an agriculturist of this province is very poor. His purchasing power, his paying

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capacity has reached almost the breaking point. Time has come when the Government should take active steps to raise the purchasing power of the agriculturist. In this respect I would draw the pointed attention of the Honourable Minister in charge of the Department, and I suppose that when he was on this side of the House he was quite alive to this question. It would not be out of place if I refer to the remarks which he was pleased to make when he was sitting on the Abiana Committee. He was very alive to this question of the crying poverty of the agricultural classes of this province. I would remind him that he particularly referred in that report to the prices. He argued there that in 1924 the Government was pleased to raise the abiana on the main ground that the prices of the agricultural goods had increased then. That was the main point which he forced as an argument for reducing abiana. But I am sorry to see that he has forgotten all those fine principles since he assumed his seat in the responsible position there as a Minister. I would also ask him to remember that in that very paragraph he argued that as the Government is very particular about sharing the increased income of the agriculturist it should also boldly shoulder the responsibility of granting reduction in the form of remission in abiana. There he particularly remarked that apart from these reasons there was another reason for the remission of abiana and that was that he was very much aware of the existence of political flirts and sirens who were always on the look out to attract the attention of zamindars, and if any just demand of the zamindars remained unredressed he was very much apprehending the political sirens attracting the poor zamindar to their seductive embrace. This was what he said in his report as member of the Abiana Committee. Now I would like to put it to him whether he is not now aware of the existence of political sirens. Perhaps it is due to the fact that he himself has turned a political siren. It becomes clear from the fact that whenever he goes out and addresses meetings there are thousands of zamindars listening to him. As far as I have been able to understand, I know that he is not very particular to help the zamindar. Had he been of the mind to help him, he would have remitted abiana to the extent of one crore as he recommended when he was a member of the Abiana Committee. Furthermore I would here invite the attention of honourable members to this particular fact, namely that if the Government fails to look to the condition of the zamindar at this stage when the breaking point is almost reached, I am sure the zamindar will die and he will not be in a position to come to his own in the near future. Here I am reminded of the famous lines of a famous English poet—

Ill fares the land to hastening ills a prey,
Where wealth accumulates and men decay;
Princes and Lords may flourish or may fade;
A breath can make them as breath has made,
But a bold peasantry their country's pride,
When once destroyed can never be supplied.

It is all very well for honourable members adorning those benches if they suffer from any adversity. It will be very easy for them to recoup their position, because many of them are drawing fat salaries, some of them very fat salaries to the extent of Rs. 3,000 a month. But the poor zamindar

when once he is in an insolvent position, there is nothing on the surface of the earth which can help him to recoup his position and he cannot make a start in life again when once he is pulled down. I, therefore, say that it is high time for the Government to extend its helping hand to the starving agriculturist population of this province. I would submit, Sir, that the tendency of every civilised nation to-day is to make itself economically self-sufficient. I would further point out that all the progressive countries to-day are making arrangements to supply work to their labouring classes and some sort of subsidiary occupations, apart from agricultural occupation. There is again a tendency to limit the number of agriculturists who live mainly upon agriculture and there is a keen desire on the part of all Governments to provide them with some sort of subsidiary occupation. People are alive to this hard fact that if more people employed themselves in agriculture the direct effect would be that their income per capita would decrease and thus the national income would be affected. I would here refer the House to certain facts with respect to India.

In India in 1930 the total capital investment was about 700 crores. This figure includes the capital invested in companies registered in the United Kingdom and approximately the figure calculated in respect of India was 300 crores. I would like to compare this figure with the figures of other countries. The capital outlay of industrial companies alone—I stress this word 'alone'—in 1932 in the United Kingdom was 7,067 crores of rupees in one year. In the United States of America in 1929, which has only 35 per cent. of the population of India, the capital investment was 23,000 crores. In Canada in 1929, which has only three per cent. of the population of India, it was 1,445 crores. In Japan in 1928, which has only 19 per cent. of the population of India, the figure was 1,009 crores.

Then I come to the proportion of the working population engaged in all classes of industries including mines in India. In India 10·2 per cent. of the population is engaged in industries including mines, while in the United Kingdoms the figure is 47·2 per cent. In the United States of America it is 32 per cent.; Canada 25 per cent.; Germany 41·3 per cent.; France 33·3 per cent.; Japan 19·5 per cent. Looking at these comparative percentages, you will find that India has the lowest figures. I beg to submit that in other countries of the world, the Governments of those particular countries have taken active interest in industrialising those countries and they have thus tried to raise the purchasing power of the inhabitants of those countries and have ameliorated their condition and raised the standard of life of the people living in those countries.

What has our Government done to raise the income of the agriculturists in this province? Coming to this point I ask whether our

4 P.M.
Government has taken any steps to ameliorate the condition of the poor zamindars and whether any attempt has been made to raise his income and to raise his standard of life. Approximately in round figures, 17 thousands have been given for surveying the country and a period of three years has been fixed to complete this survey. I concede this point that industrial survey is a very important preliminary to the industrialization of a country, but giving such a ridiculously small sum for this purpose and then extending it over three years is something which sounds to me like gaining time and shelving this important problem. I

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would be very glad if the Government will at their earliest possible moment give some relief to the suffering millions of the province. I, therefore, was submitting that the amount which has been budgeted for the survey of the country is ridiculously small. It seems that our Government is not alive to the fact that the country is over-populated. It also seems that our Government is not fully alive to the fact that the income of the people is miserably low. It is again a hard fact that the Government has not realized that their first concern is to equip all the young men of the province with the requisite training which enables them to earn their livelihood.

(At this stage Mr. Speaker left the chair and it was occupied by the Deputy Speaker.)

I was submitting that the Government has not taken so far the necessary steps to equip the young men and women of the province with the necessary training needed to earn their livelihood. I would submit that the animal wants of humanity are fundamental and if they are not supplied to every person, then the question of culture, the question of recreation, and the question of refinement are all idle talk and it is all humbug pure and simple. In this respect I was submitting that the Government has not given proper care to educate the people. When I am talking of education I am talking of education in technology. In this respect I would submit that there is no effort whatsoever on behalf of the Government to impart industrial education to the people. It would have been something if the Government had given us some scheme in which they would have undertaken to impart some sort of industrial education to the students who are reading in schools to-day which could very easily be done by giving grants or issuing instructions and by budgeting the requisite amount for that purpose. It is very sad that the Government has not taken any trouble in that respect and has not applied its mind towards that particular necessity of the people. It will be very significant in this respect, if I point out that in Japan to-day most of the important mills and cotton factories are manned by young men who are experts and who have had training in technology and who are trained in textile and mechanical engineering and so on. I would submit that if the Government was really keen in industrialising the province and in helping the industrial enterprises of this province, it was very easy for the Government to give us some sort of idea of the programme and declare it on the floor of the House. I would even now ask the Honourable Minister for Development to make that declaration because I believe that it will go a very long way to help the province in its industrialisation. Let him to-day stand up and declare on the floor of the House that from to-day all the stores purchased by Government will be purchased from goods made in the province and in India (*hear, hear*) and that they will not go in for any goods manufactured outside the province. Let him to-day make that declaration on the floor of the House that from to-day all the uniforms supplied to the policemen and to other departments will be khaddar made (*hear, hear*), or made in the province. We will welcome such a statement and we will then be convinced that our Government is out to do something for the poor agriculturists of the province, otherwise we are sorry to point out that lectures and propaganda will not do. Mere propaganda cannot satisfy the public. I am sure

that the public of to-day is educated to the extent that they can understand that mere propaganda on behalf of the Government will not satisfy them. If hunger is there and poverty is there, no amount of slogans coming out of the mouth of even the Honourable Minister will satisfy them. Then I come to the State Aid to Industries Act. There was another Act enacted in 1928 known as the Industrial Loans Act. I am just pointing out that this State Aid to Industries Act replaced that old act from the year 1935. What is the progress which has been made under this Act? This is perhaps one of the main pillars on which the present Government stands. This is the boon which they have granted to the industrialist of the province and this is the only measure from which it can be said that the Government is doing something or proposes to do something in the direction of industrialization of the province.

I will just point out to you the working of this particular Act. The amount budgeted for this purpose this year is exceedingly small. It is one lakh of rupees. In 1931-32 there were as many as 58 applications made under the Act and 28 of these applications were granted and rupees one lakh were granted by way of loans. In the year 1930-31, Rs. 74,650 were granted by way of loan. In 1932-33 there were as many as 63 applications and 23 were granted and Rs. 75,000 were granted by way of loans. In 1933-34 the number of applications that were made was 54 while 23 applications were granted and Rs. 81,000 were granted by way of loans. In the year 1934-35 forty-three applications were made while fourteen were granted and a sum of Rs. 95,000 was given by way of loans. Since the introduction of the Punjab Industrial Loans Act, the total amount of loans granted up to the year 1935 was Rs. 9,26,725. In the year 1935-36, sixty-one applications were made while nineteen were granted and a sum of Rs. 94,000 was granted to the industrialists of the province. In 1936-37 eighty-five applications were made, twenty-one were granted and a sum of Rs. 99,275 was granted. In 1937-38 one lakh was budgeted and this year also one lakh is budgeted. While surveying the position as it is and while studying the facts and figures and the actual statistics, we find that in these ten years approximately—say seven years—less than one lakh of rupees were given every year by way of loans. I would point out that the conditions under which these loans are granted are very strict. The very fact that there were so many applications made and approximately half and sometimes less were granted, clearly shows that there is strictest control observed over the advancement of these loans and no useful purpose is served by such a provision and such an Act. Supposing there is a person who is endowed with qualities of head, he very well understands industrial work of a particular country and he is quite capable of running and managing efficiently one concern but he has no money, he has no property. Will the Government help him? No, a big no, because the rules which are enacted under this Act are sufficiently clear. I would like to refer to Rule No. 7 which deals with sections 21, 26 and 46 (2) (vi) of the Act. There it is clearly given under the head "Nature and amount of Security". From that rule it is clear that no loan can be advanced unless some sort of security is given to the Government. These are very strange rules. The whole of the machinery to be purchased by this loan is to be mortgaged (*Voices from Treasury benches*: Certainly) and this loan is further secured by giving security of private property and

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this security must be double the loan which is advanced—not in any case less than that. The maximum period of payment under these rules is five years and under special circumstances if the Director of Industries is pleased to extend that time, it may be extended to ten years. That is what the rules say. My purpose in referring to these rules is that the conditions under this Act are so strict that this law is practically a nullity and it has no soothing effect whatsoever as far as the industrial enterprise of the province is concerned. In this respect I would like to refer to certain progressive countries. In Great Britain after the Great War, apart from anti-dumping duties, public funds have been invested in national enterprise. In this respect Cunard Steamship Company may be mentioned. In 1927 two-thirds of the capital was invested in large scale undertakings, in enterprises of State capitalist character. In that very year grant to the Empire Marketing Board which was given by the Government of Great Britain was three lakhs of pounds. I now come to the United States of America. In that country industries were promoted by raising a high tariff wall and no other countries were allowed to export their goods to that country. In the case of Canada, after the year 1911, iron and steel industry was given bounties for twenty-eight years in addition to tariff protection. If we take up the case of Japan we find that this country had taken responsibility of financing all the pioneer industries of the country at the initial stage; the state took upon itself the duty to finance all the industries and all the pioneer industrial movements of the country and afterwards those particular industries—those particular mills—were sold off to individuals when they were out of danger of failing. But what happens in this unfortunate country of ours? Supposing today a person takes the courage of approaching the Government for a loan and he gets a machinery on hire purchase system as provided under the Act and tomorrow he meets a misfortune—a mishap—and that industry goes in liquidation, what is the fate of the enterpriser in this province then? The Government will attach the whole machinery. It will sell it and it will not even return to him the money which he has advanced to the Government. I speak subject to correction but as far as my information goes it is correct. I would be too glad if the Minister for Development would correct me in this respect.

My next point is that Government has not been given adequate facilities to the industrial enterprisers of the province in the form of sufficient technical advice. I would submit, Sir, that there are certain requisites necessary for an industrial enterprise. Technically speaking there are 7 Ms. money, market, management, machinery, motive power, material and men (*Diwan Chaman Lal*: and mistakes). As my honourable friend *Diwan Chaman Lal* has suggested 8th is mistake. I would add the 8th M. I would remark in this respect that as far as money is concerned it is of course shy in this province. As Government cannot give some sort of protection to the industries of the province, therefore capital in this province is shy. As far as other things are concerned, those particular things which depend entirely on the natural resources of the province, they are quite all right, but as far as those things which are dependent upon Government, they are deficient. I would like to draw a line of distinction in this respect. For example, the question of marketing the produce of any particular country is one of the

most important things which is considered in that particular country. For example, the United Kingdom produces finished material and then there is the problem where to market it and where to sell it. In the case of this country I can assure the Government that for two or more years if they undertake to produce a particular thing it will be consumed in this very province. Then, Sir, there can be no lack of management; if there is a will there is a way, as the proverb goes. If the Government is particular about industrialisation of the province, the management can be improved. People can be sent to other countries where they can pick up advanced system of management. Then there is motive power. In this respect I would like to refer to the hydro-electric power which this province had fortunately got at its disposal. Then about material. This being mainly an agricultural country, does not lack in material. There are sufficient raw materials for the province, and I am sure that as many as 2 dozen main industries can be undertaken by Government if there is a will on the part of the Government to do something in this respect. Last but not the least, there is question of men. Men form a very important factor in the industrial evolution of a country. Men in this province can be had very cheap and there is expert labour too, if there is some sort of effort on the part of Government to put that labour on trial or just give it some sort of technical training. I will be failing in my duty if I do not refer to certain facts with respect to my own constituency, namely the district of Kangra. We have been given one thing at least in this budget, i.e., travelling wool spinning and weaving demonstration party for Kangra for two years. My friend Lala Gopal Das who is not in his seat, was pleased to congratulate this Government when he was discussing the budget that they have given us a boon in the form of this demonstration party. I very respectfully differ from him. What has the Government given? A demonstration party. What good will it do to the district? I would like the Minister for Development to give me a reply to this question when he has the opportunity to speak. What good is it going to do to the district? If the Minister was very particular to help our district, and as many as three members of this district are helping him in his work, he ought to have given some consideration to this question. He himself is very well aware as he went to our district and he had a survey of the district and he knows that our district abounds in raw material, that our district abounds in water power, that our district is most suitably situated geographically for the development of such industries, as sericulture, wool industry and so many other industries, only, if he applied his mind and was really particular in helping our district. This demonstration party is not going to do any good to the district. What will the weaving party be doing? They will be making travelling allowances, making halts at some places of historical importance and then coming back to Lahore and will say to the Industries Department that they have done all in their power for the district. This money will be wasted. I repeat that this is sheer waste of public funds. It is not going to do any good to my district. If Government is really particular to help the producer for starting cottage industries it is open to the Government to open some schools there and give regular training to the young men hailing from small villages who could pick technical knowledge and be useful to the villages. I would have supported the Government if they had come forward with some sort of scheme for the

[Pandit Bhagat Ram Sharma.]

villagers and that would have gone a long way to help cottage industries, in that district. Here I may inform the House that there is a great scope in my district for cottage industries. In any village in the tahsils of Palampur, Kulu and Kangra you will not find a single person who does not know spinning. His leisure hours he always devotes to spinning. You will be pleased to know that most of the villages, if not all, are economically self-sufficient. They will never go out of the village for their clothing or other requirements, excepting salts. In some villages the villager will go out for purchase of salt and nothing more. In other two tahsils, Nurpur and Dera, every home has a spinning wheel but that is a different type, namely, cotton spinning wheel. Practically speaking, the whole of the district still retains the old economic self-sufficiency of the village and if the Government to-day comes to the rescue of the villagers, I am sure, with a little training, he will prove very very helpful to the district and to the economic upheaval of the province as a whole.

Then I come to the most horrible feature of the district requiring development and for that also the responsibility directly rests on the Government. One of the most important things for the industrial upheaval of the country are the marketing conditions, which will cover roads, and transport facilities. Unfortunately in my district most of the areas are so out off from civilisation that if the Honourable Minister wishes to go and carry out his party propaganda in that area, 50 per cent. of the rural population will be left away from his reach. If he really wants to fight the next election, I would suggest that he should make roads in the district; otherwise it will be very difficult for him next time to return even the present number of members who are adorning those benches to-day. There is an area near Jawalaji which extends over 100 miles in length and in breadth approximately 40 to 50 miles. There is not even a single road in that area. You cannot even with safety to your life travel on horse back. (A voice : That may facilitate the Congress visit.) Yes, it will. Therefore, I am warning the Honourable Minister for Development that if he is really keen in fighting next elections, he must see that roads are made in the district so that he can travel on his car.

Mr. Deputy Speaker : Order, order. Please speak to the motion.

Pandit Bhagat Ram Sharma : I am really sorry. I was talking about the marketing conditions of the district. I was just asking the Government to set the roads of the district right because as a matter of fact there is no regular road system in the district. They will be doing very well not only for themselves but for industrial development of the district and for the matter of that of the province. If they altogether improve the roads of the district and put the zamindars in touch with markets so that he is alive to the changes in prices of the produce which he produces under very hard circumstances, he would be in a position to market them and get reasonable prices for all he produces. In this respect having dealt with the preliminary consideration of improving the roads, I would suggest that the lorry traffic in the district should be increased and facilities should be provided to the zamindars to travel in lorries. Unfortunately there are certain roads in the district which are given to monopolists for plying lorries and this has certainly hampered....

Mr. Deputy Speaker : The honourable member should confine himself to the motion before the House.

Pandit Bhagat Ram Sharma : I am confining myself definitely to the motion before the House. I am just submitting that marketing of industrial produce or raw material is as important a factor of the industrial evolution of the country as the industrial enterprise itself, and the other important things which I have just referred to. I would conclude what I have to say with certain remarks and with certain observations which according to my own belief are very important. There is a growing force of nationalism in all the industrially advanced countries and there are certain sort of ideas of nationalism developing side by side with the industrial evolution of those countries. Certainly, a person living in Canada, when he goes out to the market and wishes to make certain purchases, he will always think and try to buy goods which are produced within his own country. I want to inform the Government that similar ideas are developing in this country also. This country to day is alive to national ideas in this respect and this is high time for the Government to put forward a scheme for industrial evolution of the province so that this national devotion of the people should go side by side with industrial development of the country. Thanks to the efforts of Mahatma Gandhi, certainly more than 50 per cent. of public today is alive to this national devotion to Swadeshi. I was submitting that this industrial enterprise and evolution by the Government should go side by side with national ideas and national devotion of the people so that this will be a sort of propaganda for the industrial enterprises of the province. That is all I have to say. With these words I support the motion moved by my honourable friend Mr. Mukand Lal Puri. (*Cheers.*)

Lala Sita Ram (Trade Union Labour) (Urdu) : Sir, the cut motion moved by my honourable friend is to some extent identical to the cut motions given notice of by me, which run as follows :—

1. That the item of Rs. 3,82,500 on account of total industrial development (voted) be reduced by Rs. 1.

Remarks.—To point out that a larger amount should be spent on the development of Industries in the Province. The provision in the Budget is inadequate.

2. That the item of Rs. 49,200 on account of Superintendence (voted) be reduced by Rs. 1.

Remarks.—To point out the lack of technical advice available to private capitalists, the need of research to be carried on at Government expense, and to press for greater facilities for the labouring classes.

Before giving expression to my view regarding this cut motion, I would like to invite your attention, Sir, to two important facts. In the first place, I would not like to look at and discuss the cut under discussion in the spirit or in the manner in which it is ordinarily done by the Opposition. The honourable members of the Opposition have been so far criticizing various items with the main object of opposing them, and have not said a word in appreciation or approval of any one of the items. In fact opposition is put in for opposition sake. In my humble opinion, while discussing important matters especially questions relating to budget, all of us should be fair and should criticise and appreciate it in a constructive spirit. We ought to give credit to the Government for the provision made with the object of reforming and welfare of the province in general, and also at the same time point out the needs and shortcomings and make constructive

[Lala Sita Ram.]

and practical suggestions. This is the spirit in which and the object with which I propose to place my views before this honourable House.

The second point to which I want to draw the attention of this honourable House, is to remove the general misunderstandings to the effect, that Industry and Agriculture are two quite separate and distinct subjects and the funds provided for the one will be a substantial loss to the other. I hold the view, Sir, that both of them are not separate from each other. The progress in Industry invariably results in the progress of Agriculture. Industry and Agriculture are closely connected with each other and both of them depend upon each other like the various parts of the same body. They are interdependent and are rather two wheels of the same vehicle. Development in Industry will necessarily help the development of Agriculture. I do not want to dilate at length upon this preliminary matter, and would only like to bring one very important point to the notice of the House which will prove my contention. The Punjab is mainly an agricultural province and is rich in raw materials. Formerly people of the province used to export large quantities of raw materials to foreign industrial countries and used to get good returns. But with the march of time and competition, the industrial countries in order to reduce the cost of production, have succeeded in producing in their own countries the raw materials they want or are getting the same from the nearest places. The result is, that our exports having decreased there being less demand now in the foreign markets, the prices have come down. The only remedy in the circumstances is to consume the raw material thus made available in our own country and make the best use of it by starting and developing industries.

I may further invite the attention of this honourable House to the fact that provision by Government of more funds for the betterment of agriculturists in the province will add enormously to the production of raw materials thus necessitating still more the demand for industrial development. I admit that zamindars of the province do stand in need of Government help which the Government has proposed in the budget and we all appreciate this help and the spirit of the Government, but this will only prove helpful to them in case the whole of the province is industrialised simultaneously. I make bold to submit that in the interest of the agriculturists themselves, the province should be converted into an industrial province, and by doing so, the acute question of unemployment will be also substantially solved. Having established the necessity of industries, I would like this House to enquire whether the necessary conditions precedent to industrialization exist in the province or not. There are four important factors which play a great part in the development of industries—1, Land, 2, Labour, 3, Capital, 4, Enterprise. A successful co-operation and combination of all the above four factors can alone lead to success. I would briefly mention each one of them separately. Take raw materials. As already pointed out, our's is a province which is abundantly rich in raw materials and the Government itself is also keen to devise most useful means for the betterment of agriculturists. Due to his forethought, ability as an economist his vast knowledge of the conditions of the country, the Honourable Finance Minister has created a special development fund

for the purpose for the first time. In this respect I may request the Government to treat all parts of the province equally while affording facilities to the zamindars. As regards capital, I may point out that in the past our capital was shy, and people seldom cared to invest their moneys in industries. They, on the other hand used to hoard and keep their capital idle. Now I am glad to observe, that with the advancement of civilization, education and all round progress people have begun to realise the advantages of investment of money in industries and are now prepared to part with and invest their moneys in more useful and profitable concerns. It can therefore be asserted with confidence that capital too is available for investment purposes in industries. I next come to Labour. This point needs no argument. Labour is available here in abundance and is not dear. The army of unemployed in the province is so large that even the Government is considering ways for their consumption. The only thing that is needed in this respect is that we lack in technical education. In this connection I would like to request the Government to extend more facilities to the labouring classes, who are mostly uneducated. The system of education requires some overhauling, every year thousands of young men get through Matric, F.A., B.A. Examinations and have nothing to do except to seek some Government jobs for which alone the present system of education has made them fit. This is their hard lot. It being impossible to absorb all of them in Government service, the only remedy to remove this general complaint of unemployment is to impart technical education to such young men, thus making them fit to help the advancement of industries. Sir, I fully believe that if a certain amount of money is provided for giving technical education to our students on better lines than heretofore, it would enable them to earn their livelihood easier than now. Besides technical education, I submit that many kinds of other facilities should be given to labour in the province, such as reduction in hours of work, fixation of minimum wages, education and scholarship, legislation for the betterment of themselves and their families and housing as provided in other countries.

There is no doubt that certain Bills for such like facilities were introduced in this House but the Government refused leave for their introduction on the ground that they were not practicable as drafted and that some of them were premature.

Without discussing the details, their merits and demerits, I would submit that taking into consideration the state of affairs in our province, the Government should provide as many facilities as possible to labour as I believe labour being one of the chief factors of production deserves keen attention of us all. It is the backbone of the industrial world, and is the mainstay of society. I would appeal to the Government in general and the Honourable Minister for Development in particular to do something reasonable and substantial for ameliorating the conditions of labour. I hope the Honourable Minister will be assisted in this mission by the Director of Industries who has already shown his mettle in more than one way, more particularly in the Punjab Exhibition of this year. Even if it is necessary, a representative labour committee of the members including the representatives of recognised Unions with experts be appointed for the purpose.

[Lala Sita Ram.]

Now the last of the four factors is enterprise. I would like, Sir, to invite the attention of the Government to it in particular. I have already stated that the other three factors are available to us but the province is lacking in this last respect and we should strain every nerve to make up the deficiency. I urge, Sir, that technical advice should be given to the public by the Government as well as to the private capitalists. Many honourable members of this House have already drawn the attention of the Government to this fact that a proper and detailed survey of the industrial possibilities in the various localities in the province should be carried out. The Government should undertake to supply us technical advice as to where particular raw materials are to be found and the particular places where particular industries could be set up. This would help the private capitalists to a great extent. If any industry is established by private individuals, the Government should help them in all matters concerning that industry and when the Government is satisfied that it is now working successfully and is firmly established on its own footing then they should turn their attention to some other industries needing their attention. In this way failure of private industries will be minimised and their progress will be encouraged and our object will be achieved in a better way. My submission therefore is that the Government should even devise some means to work in collaboration with private individuals and thus they should develop industries in the province. My opinion is that a good deal of development can thus be made in industrializing the province.

There is yet another mode to help industrialists and that is by supplying machinery by the Government on hire purchase system to those who are genuinely desirous to advance the cause of industries in the province.

Now I would like to say a word or two in regard to railways and local bodies. I regret to say that I cannot discuss in detail about the railways this being a central subject. It is beyond the province of this House to discuss the burning topics of new pass rules, retrenchment, etc., amongst the railway labour, but I cannot help remarking that the railways can play an important part in developing industries in the province. I may also submit that local bodies can also help the public in developing industries in the province and they are capable of giving good and substantial concessions to the public. For instance if any industry is started in a town, the municipal committees can very easily exempt raw material entering the city for that particular industry from paying terminal tax. In my opinion this is the inherent duty of every municipal committee that it should grant concessions for the welfare and prosperity of the town. I would, therefore, request the Government, that they should move the railway authorities and local bodies to adjust the rules of freight charges and terminal taxes so as to help the industries of the province.

In the end I would like to submit that the suggestions that I have given are not such as can be taken exception to either by the Opposition or by the Government or any class of people (Hindus, Sikhs, Muhammadans, Christians), of the province capitalists or the labourers, agriculturists or non-agriculturists. On the other hand all classes of people can benefit out of them provided the suggestions discussed above are adopted according

to the prevailing conditions and circumstances in the province. The question of unemployment can also be solved to a great extent. With these words, Sir, I support the cut motion now before this honourable House in the spirit in which I have already drawn the attention of the House in the beginning.

Lala Deshbandhu Gupta (South-Eastern Towns, General, Urban) :

I have gone carefully through the items of expenditure that constitute this grant and my honourable friend the Minister for Development will excuse

me if I make a painful observation that he either lacks the capacity to run this important department of Industries or he lacks the will. This is the conclusion which I have arrived at and I think no fair-minded member of this House can fail to reach it. The half-hearted, hesitating, halting and almost step-motherly treatment given to this department during the last one year offers no other explanation except that the Honourable Minister in charge of the Department is wanting in the necessary will for the development of industries of this province (*hear, hear.*) Sir, If you go through the items of expenditure under this head, you will find that we have been presented with no definite programme for the industrial development of the province. It seems as if no careful thought has been given to the various industrial requirements of the province. As has already been stated by my honourable friend Rai Bahadur Mukand Lal Puri, adequate provision for proper survey of the industrial requirements of the province has not been made and you will agree with me, Sir, that without a proper survey we cannot really advance one step towards the industrial development of our province. My main charge in one word against the department is that the Department has not got the proper outlook for industrializing the province. It seems my honourable friend the member in charge of Industries is suffering from the conviction that industrial development of the province will retard rural progress or that it is antagonistic to the interests of the rural population. If that is his view, I cannot congratulate him. I would only say that he is still living in the middle ages if he does not know that the industrial progress of the province is the only solution for the economic backwardness of the masses of this province. My honourable friend is taking my remark in a light vein, but I ask him whether he has given any programme through which he can say that the province will advance industrially, or has advanced industrially during the last one year or is likely to advance during the coming three or four years of the tenure of the present Ministry. Where is the programme in the budget which has been presented to us? We find that a small amount of only one lakh of rupees has been set apart for giving aid to industries for the supply of machinery on hire purchase basis, grant of subsidies to industries and guarantee of a minimum return on the whole or part of the capital investments made by Joint Stock Companies. These are the three important heads under which we can give encouragement to the industries of the province. I ask him whether he considers the provision adequate taking into consideration the requirements of the province. I say it is not, and I challenge the Honourable Minister for Development to deny that the requirements of the province are really much greater and require a far bigger provision under this head than he has proposed. Sir, the constituency that I represent can claim to run three important industries of the province.

[Lala Deshbandhu Gupta.]

I mean the hosiery industry, the blanket industry and the brass-ware industry. I want to know from the Minister for Development whether he has ever thought of the blanket industry of Panipat which is suffering and which has made absolutely no progress during the last so many years. I see even for the Punjab jails he is importing blankets from outside and he has never considered whether the blankets industry of Panipat can be so developed as to supply not only the requirements of this province but also meet in part the requirements of some other provinces. I find that in Panipat the same old crude methods of weaving are being followed. There is no arrangement for improved carding, there is no proper arrangement for improved spinning. What to say of other things, there is no provision for the blessed demonstration parties for such an important industry which are provided for some other centres. I am only citing it as an instance to show that the Honourable Minister for Development has taken no pains to study the actual industrial requirements of the province. Similar is the case of the hosiery industry. Perhaps you are aware, Mr. Speaker, that Ludhiana alone produces more than 50 lakhs worth hosiery goods every year, but whenever the question has been raised either on the floor of this House or through representations made to the Honourable Minister for Industries and to the Premier, we find that no encouragement has been given or promised for this important industries. The Punjab Government has taken no pains to see that the railway freights which work out to the disadvantage of this industry are adjusted or some pressure is brought to bear upon the Railway Board to adjust these freights, in the interest of their industry. No facilities are given to the people for the purchase of machinery on hire-purchase system. Is it not a scandalous state of affairs that the premier industry of the Punjab which is responsible for bringing in 50 lakhs of rupees to the province is neglected in that manner? Similarly there are many other industries, cottage industries particularly for which there is practically no provision under this head. If you go to other provinces you will find that they have made adequate provision for improving cottage industries in their provinces. If we take the leather industry, I trust my honourable friend is not unaware of the possibilities of the development of the leather industry in the district adjoining his own. Similar is the case with woollen goods industry. He knows it fully well that if proper care is bestowed and proper encouragement given, this important industry of Hissar and several other districts can flourish to an extent that we can supply the entire requirements of our province and meet the requirements of other provinces as well. So my main charge against the head of the department is that he lacks the proper comprehension, the proper outlook and the proper will necessary for improving and developing the industries of the province. I do not wish to go into details for the simple reason that it is a painful fact that the whole country is half a century behind many other countries of the world in this respect and it requires no extra intelligence or labour to study and borrow ideas from the industrially advanced countries. My honourable friends sitting over there might say that the Opposition only criticises the Government and does not make any constructive suggestions, but I ask what is the use of making constructive suggestions in view of our experience of the first year of the Unionist Rule? What has the Honourable Minister done with the suggestions that were

made last year? Is it not a fact that he has not even provided for sending a small batch of students to foreign countries to receive technical education for meeting the principal needs of the province in industries? What the industrial department should have done is that they should have worked out details of at least 50 or 100 schemes requiring an investment of capital ranging from 5 to 50 thousands and they should have advertised the schemes and informed the people that they can have the benefit of these worked out schemes. Further they should have provided for a trained staff consisting of instructors, etc., to help in solving the difficulties of those engaged in industries. But have they taken any steps in that direction? May I ask as to what is the change that has come about in the Industries Department ever since my honourable friend has taken charge of that department? I find the same old red-tapism and the same old indifference towards the industries which has marked the Department in the past. The other day I went to Ambala and a very big firm which has helped in the industrial development told me that if they have to go for a petty loan to the Industries Department, they create numerous difficulties and impose impossible conditions and offer no encouragement.

Lala Bhim Sen Sachar : Is it a non-agriculturist firm?

Lala Deshbandhu Gupta : I think so. I submit that this department should admit of no class distinction in such matters and I may be permitted to say that if the Honourable Minister for Development believes that the industrial progress of the province is in any way antagonistic to the rural interests of the province, I think in fairness to the department and to himself he should give up the portfolio and take charge of some other portfolio.

Sir, he might share the burden of the Revenue Minister or that of any other Minister. I know that he can select his job better than I can suggest. If we wish to improve the economic condition of our province—and we are in a position to do so at present as ours is a surplus budget, and there is a big amount on which we can draw—I would suggest that the Minister for Industries should take a bold stand and come out with revolutionary programme for industrializing the province. He must work out some concrete schemes in which the province can take real interest with a view to develop the industrial conditions of the province. As it stands I cannot congratulate the Minister in charge on his achievement and although I do not want to be unfair to him, I must tell him that if he wants to improve the condition of the rural masses, if he wants really to improve the industrial conditions of the province, Swadeshi should be the watchword of the Government. But, Sir, what do we find here? If you go to lavatories attached to the Assembly you will find Pears' Soap lying there. This shows the interest of the Punjab Government in swadeshi. They have not taken any care to patronise their own makes, they have not taken care to inculcate the spirit of Swadeshi, in the Government departments what to say of doing any propaganda in favour of swadeshi. With this mentality how do they propose to improve the industrial conditions of the province? Is this the manner in which they can hope to improve the lot of the agriculturists? You must know that in the Hissar district, during the last famine, its people were prepared to work even for one anna a day and it was the spinning wheel that provided them that little work. In a province in which poor

[Lala Deshbandhu Gupta.]

masses are so backward economically, I want to know whether it is not the first duty of the ministry of that province to provide them with certain industries which could give them subsidiary work or which could add to their income. My own impression is—I would not say that my honourable friend who is a very capable man otherwise lacks the capacity to run his department—that he lacks the necessary will and this is my conviction that he lacks it badly too. I do not propose to take much time of the House in going into details. I would only request him that if he wants to do justice to his portfolio, if he wants to do justice to his department, he must cease to give the step-motherly treatment to his department which he has been giving so far. With these words I support the motion that is under consideration.

Chaudhri Tika Ram (Rohtak North, General Rural): Mr. Speaker, I desire to offer a few remarks on the points raised by my honourable friend, Pandit Bhagat Ram Sharma. He began with certain remarks about the Honourable Minister for Development when he was a member of the Abiana Committee. That was hardly to the point and I would not waste the time of the House in replying to that criticism. The thing on which he laid stress and which calls for a reply is the Stores Purchase Department about which he threw a challenge to the Government. About this point the policy of the Government is that it realises that the purchase of stores to meet the requirements of Government departments is one of the most effective means of helping and developing the local industries. The question of setting up a provincial Stores Purchase Department has been under its consideration primarily with a view to assist in the development of local industries. I think that statement of the position of the Government would satisfy not only my honourable friend but also the majority of members of this House and I think this is a step which is quite forward and which should be appreciated by one and all. The other thing to which my learned friend Pandit Bhagat Ram Sharma made a reference was the assistance given by the Punjab Government under the Industrial Loans Act and then subsequently under the Punjab State Aid to Industries Act. He was making a sort of confusion about the two measures which are quite distinct from each other. The policy of the Government has been to render assistance in two ways under these Acts. In the first place the Government has been giving assistance by way of grants. Those grants are given for the following specific purposes :—

- (a) Grant of loans ;
- (b) Grant, sale, lease of land, raw materials, water or any other property of the local Government ;
- (c) Payment of subsidy for conduct of research ;
- (d) Supply of machinery on the hire-purchase system ; and
- (e) Guaranteeing of a minimum return on the whole or part of the capital of a joint stock company invested in an industry.

There are then certain other functions which are encouraged by this department. The other thing about which he was mistaken was with regard to the assistance which is given in this way. There are two distinct provisions in this budget the first of which relates to the Department of

Industries and that is the assistance which will be given by the Government in the form of grants and subsidies and some other objects which I have just now enumerated. There is further on a provision of loans to the extent of two lakhs. That means that in this budget there is a provision for two lakhs for rendering assistance by way of grants and subsidies and guaranteeing of minimum of returns and two lakhs as loans for similar purposes, so that the amount comes to four lakhs of rupees. There is a further provision of about one lakh of rupees ; for subsidy to industries Rs. 50 thousand and Rs. 50 thousand for assistance in respect of hire for working machinery. So it will be double assistance that the Government will be rendering to various industries of the province. Under these two heads assistance would come to something like five lakhs of rupees and I think that a sum of five lakhs of rupees is a substantial sum considering the amount of assistance that had been rendered in the past. With your permission I would like to say a word or two about the remarks which were made by my friend from Panipat, Lala Deshbandhu Gupta. He started with some uncharitable remarks as he usually does against the Honourable Minister for Development. I have no serious complaint against him on this account but the real point which he desired to make and which he raised was, what assistance has been given by the Government to the dying and blanket industries of Panipat ? For his information I would like to say that the Government is maintaining an Industrial School at Panipat and the subjects taught there are wool spinning and wool weaving. I think that these are the arts with the help of which blankets are made. Government is alive to the necessity and it has provided the school of which I have made mention already at Panipat where wool spinning and wool weaving are the special subjects taught. The study of those subjects is encouraged and I think that this is a sufficient provision which should have satisfied him but it seems that he has not paid sufficient attention to it.

Lala Deshbandhu Gupta : Is that any help to the blanket industry ?

Chaudhri Tika Ram : Certainly. Wool-spinning and wool-weaving are of great help to the industry. If blankets are made out of wool, then these two things are very necessary and they will go a long way in helping the industry work. The other industry to which pointed reference was made was the hosiery industry of Ludhiana. He is very well aware that the freight policy of the railways is not under the control of the provincial Government. If he meant that the Punjab Government should take some steps for getting concessions I should say, for the information of my friend that the Punjab Government has always been doing everything in its power to get such concessions for the people, whether the benefit accrues to the agricultural population or to the industrial population. That has been the consistent and very prominent part of the policy of this Government. Whenever an occasion or a necessity arises where assistance in this direction is needed, Government has been very prompt in this respect, and in this way also Government has done its part of the business. It now rests with the Central Government or the Railway Board whether it is prepared to grant concessions or not. The other thing to which I would invite the attention of my honourable friend is that the Government

[Chandhri Tika Ram.]

is doing everything in its power to encourage this industry. Government is maintaining a Hosiery Institute at Ludhiana. I think it is a step which is really in the right direction and which should have been appreciated by my honourable friend. There are one or two things which I would like to place before the House ; they relate in the first instance to the provision of technical advice. Government maintains industrial research laboratory and investigation has been carried on in certain raw materials which can be beneficial for the industrial development of the country. They have in the first instance made particular efforts to examine clays, available in the Punjab suitable for pottery industry, vegetable oil seeds, oils and cereals, such as wheat, rice and maize for their starch contents, the results of which have been published in the form of monograph. Other problems tackled by the laboratory are essential oil bearing seeds, manufacture of glue from tannery waste, production of thinner for cellulose paints, production of oleo-butter colouring, etc. It may be interesting to the House to know that a number of small industries have been set up as a result of the investigations and advice by the laboratory.

The second point which was raised by my friend the member who represents labour from Lahore, Lala Sita Ram, was that there is lack of technical advice in this province and the Government has not paid any great attention to it. That is not the position. Government maintains a large number of experts for technical advice to those industrialists and investors of capital who want to found factories or start any new industries. There is a textile inspector who works whole time. I think textile industry is the most important and is the premier industry to which attention should be paid by any Government in this country. Government was alive to this necessity and provided the services of a textile inspector. Then there is a weaving superintendent who is also an expert on the subject of weaving. He offers his guidance and suggestions to the public in these matters. Then there is hosiery expert who is a whole time servant and he also does very useful work. Then there is, in order to encourage tanning industry, a tanning expert for leather works and other such schemes. For the industry of dyeing there is a dyeing expert. There are so many other experts. There is an industrial engineer and an industrial chemist. All these persons are experts and they are doing very useful work and the prospective industrialists and investors in new industries have drawn very largely on the advice of these experts and have made large profits out of industries which they have started as a result of the advice of these experts. This is one of the subjects to which the Punjab Government has always been paying very great attention. It is thus the most uncharitable thing to say that there is lack of technical advice in this province. I know there are a number of industries which can be started in this province because there are great facilities and resources for the promotion of a good number of industries in this province, but considering the limited resources at the command of the provincial Government I think the amount of work that the Punjab Government is doing is very satisfactory. The Punjab Government certainly deserves congratulation for doing all this in the sphere of industrialization.

The other point raised by my honourable friend Pandit Bhagat Ram Sharma was about marketing facilities. By marketing facilities he meant that certain communications and means of transport in his own district should be improved. That indeed is a factor which goes in the direction of encouragement of industry. The Public Works Department is doing all that is humanly possible in the way of improving the roads in his own district as well as in other districts. (*Pandit Bhagat Ram Sharma : Not in my district*). It is a hilly part and it offers certain difficulties in the way of improving these roads. So far as this side of the question is concerned, Government is doing a good deal in this respect. For the information of the members I would say that Government has started two or three depôts in very important centres of trade and industry. The Arts and Crafts Depôt, Lahore, has been in existence for a number of years to help arts and crafts workers of the province in marketing their products, besides giving them up to date designs to meet the present day requirements of the market. A marketing organisation has been set up with a central depôt at Amritsar and branch depôts at Hoshiarpur and Multan. They are doing very useful work in the way of acting as an agency for those industries and are proving very useful in this respect. Then, Sir, financial assistance has been given by this department to various industries of the province to the extent of Rs. 8,27,450. Considering the limited resources at the command of the Punjab Government this amount of assistance given to the industries of this province is very encouraging ; and a further provision of about 5 lakhs in this budget will go a long way in encouraging cottage industry in this province.

Now, Sir, I would, with your permission, desire to lay certain facts to which sufficient attention has not been paid in this House and that is the provision in the industries budget for the industrial schools and industrial education. Promotion of industrial schools and industrial education is one of the first necessary things for industrial development of the country. With your permission I should be allowed to say that the Punjab Government is maintaining as many as 84 industrial schools for men and boys and there are 26 schools for girls which are maintained and subsidised by the department for promoting industrial education among women in this province.

I would further invite the attention of honourable members to the disparaging remarks made by my honourable friend Pandit Bhagat Ram Sharma about the usefulness of the demonstration parties. I do not know how far he was justified in saying that these demonstration parties were absolutely useless. Sir, they are in a way peripatetic industrial schools. The ordinary activity of these demonstration parties is this that they go and settle in rural centres which are sufficiently big to attract people from outside and they carry on their work, show it to the people and encourage those people by imparting education in various processes which are necessary in that art. There are so many parties which have proved useful for promoting and encouraging industries. The whole countryside wherever they go has acclaimed them and said that they have proved successful and very useful for encouragement of those industries in those parts of the country.

Pandit Bhagat Ram Sharma: Sir, I want to ask one question from the honourable member who is just now in possession of the House. He has criticised my remark about demonstration parties. I would ask him whether he will for the information of the House show that weaving and spinning demonstration party is going to educate the whole district extending over 8 hundred miles ?

Chaudhri Tika Ram: If my learned friend expects the Government to start industrial schools in each and every village of his district, then I think he must agree that it is absolutely impossible for any Government in this province to do so, because after all the funds of the provincial Government are limited and the only way in which assistance can be rendered is the constitution of demonstration parties. With limited funds at our disposal we have to show people the way to take to these industries and we have been showing the way to people to take to these industries. We have been training them in various processes which are essential for successful working of these industries. Demonstration parties are a model to people and I think they have got very superior value and they can prove beneficial in every part of the province.

My honourable friend, Lala Deshbandhu Gupta has also remarked as to what was being done for the district of Hissar. (*Lala Deshbandhu Gupta* : Leather industry in particular). It would be very difficult to give my learned friend an idea as to what has been done by the Government in the way of encouragement of these various industries. (*Lala Deshbandhu Gupta* : Over and above what was done by the previous Government). We are to build on the existing foundations. We cannot create a new heaven and a new earth in one day. My honourable friend knows very well that these things call for energy and call for funds which are not forthcoming. Therefore, considering all these limitations, what the Punjab Government has done, should be considered quite satisfactory. For his benefit I would read out a statement detailing aid to small scale industries. So far as weaving is concerned the Punjab Government has made an advance of one lakh of rupees for its encouragement. A sum of Rs. 42,800 has been given by the Government by way of assistance to tanning industry. Apart from tanning and leather schools which the Department of Industries is keeping at Kasur, Jullundur and Sialkot and so many other places, the Government is rendering help by way of financial assistance by giving a subsidy or loan of Rs. 42,800. The above-mentioned items are the first two items of the statement of small scale industries. The rest are as follows :—

<i>Industry.</i>	<i>Amount advanced.</i>
	Rs.
Wood work and furniture making, etc. ..	88,300
Tennis gut	18,000
Cutlery	15,000
Durrie making	5,000
Bed legs making	7,000

<i>Industry.</i>	<i>Amount advanced.</i>
	<i>Ra.</i>
Emery wheel making	1,000
Sugar	42,500
Block making	3,000
Pottery	7,000
Ink manufacture	2,000
Canning, jams making and food stuffs ..	12,000
Steel trunk making	2,000
Iron sheetings	2,000
Dyeing and Calico Printing	13,000

Government is alive to the necessity of encouraging each and every industry which stands in need of encouragement and help. So, what I was submitting was that the Government is maintaining an industrial school at Hissar and there the teaching is imparted in the subjects of wool weaving, wool spinning and these demonstration parties also work in several villages in that locality and people of those villages have taken to industries and are making good profits as a result of the assistance provided by the Government. The demonstration parties have also done very useful work by giving demonstrations at local fairs and exhibitions. I would not, I think, be out of place if I were to give an idea to the House as to the work that was done by these parties in various fairs and exhibitions in this province. During the current year the department has participated and is proposing to participate in the under-mentioned fairs and exhibitions :—

- (1) Dehat Sudhar Mela at Veroki.
- (2) Farmers' Week, Multan.
- (3) Annual anniversary of Tulsi Jantro, Abohar.
- (4) Kulu Fair, a fair which is held in the part of the district of my learned friend Pandit Bhagat Ram Sharma.
- (5) A local exhibition organised by the Deputy Commissioner at Muzaffargarh on the occasion of His Excellency's visit.
- (6) Health and Baby Week, Rewari.
- (7) Cattle Fair, Multan.
- (8) Horse and Cattle Fair, Montgomery.
- (9) Health and Baby Week, Karnal.
- (10) Farmers' Week, Jullundur.
- (11) Cattle Fair, Hoshiarpur.
- (12) Annual Tournament of Criminal Tribes, Punjab at Mughalpura.
- (13) Cattle Fair, Gujrat.
- (14) Farmers' Week, Rawalpindi.

[Chaudhri Tika Ram.]

I should also submit that the demonstration work that was done at the Lahore Exhibition was appreciated by one and all and has also been found very useful. This department has left no stone unturned in the way of the improvement and the encouragement of these cottage industries. As far as was humanly possible with the limited funds at the disposal of Government, the department has been making the best use of those funds and I think much credit is due to the marvellous and successful way in which the department has been conducted by the Honourable Minister for Education and under his supervision by the Director of Industries.

My honourable friend Lala Sita Ram also made certain remarks as to the use to which the Special Development Fund should be put. This Special Development Fund is a particular fund meant for particular purposes. A sum of 6 lakhs of rupees has been taken this year from that fund for encouraging or for special development programme in the various spheres of public utility. Next year twelve lakhs out of that fund will be taken. There was an apprehension in the mind of a certain honourable member that this fund would not be spent equally in all districts of the province. I want to dispel any fear which may have been lurking in the mind of the honourable member on that score. What the Government intends to do is to encourage various useful works in the various departments. They will first work in one tahsil of each district. Then next year another tahsil will be added for an intensive programme of the same nature. In the course of the third year a third tahsil will be added and so on and so forth. On an average there are four tahsils in a district. In the course of six years this programme will be carried out in all those four tahsils and thus a sum of 72 lakhs will have been spent equally in all the districts and in all the tahsils and in all the places and localities of the district. No particular place has been selected for the purpose. As a matter of fact the whole of the province will benefit by it and the kind of apprehension that exists in the mind of my honourable friend is certainly wrong and should be cast away by him.

He made references to certain amenities which he wanted should be given for the improvement of the general conditions of labour in this province. The Punjab Government is quite alive in this respect and short of taking any revolutionary step it will take suitable action in all these things, hours of work and unemployment insurance and all the amenities that are required. The amelioration of the condition of labour is nearest and dearest to the heart of the Development Minister of the Punjab Government.

Remarks have been made about the inadequate provision in the budget for the encouragement of industries in this province. With your permission I would suggest that Government is not behaving in the old stereotyped fashion. Government has put a specific programme before this House and a distinct improvement has been made on the old conditions. In this way by and by, in a business like way the Government propose to go from one activity to another. In this way alone the Government can do justice to the various needs of the province. Apart from this there is no other way. With these words I oppose the cut motion of my friend and would ask this House to reject it.

Sardar Sampuran Singh (Lyallpur West, Sikh, Rural) : Industries are really complementary to agriculture. At present the pressure of population is mainly upon agriculture in this province, and the result is that the *per capita* income from agriculture is continually decreasing with the result that the country is becoming poorer and poorer. In order to bring relief to an agriculturist it is absolutely necessary that the province should be industrialised steadily and the speeding up of industries should be expedited. There is a very large population which requires employment and which ekes out an existence from agriculture and unless industries are developed there is very little hope that there can be any relief to the people in general, and agriculture will suffer the most unless industries are developed very quickly. In Japan for a population of 15 millions there are 60 million acres of land under agriculture. In our province for a population of 28 millions there are only 30 millions acres under agriculture. That is in Japan for every individual there are four acres of land, while in our province we have for each individual only about one acre of land, and we very well know that Japan is one of the very highly industrialised countries and despite this fact they have four acres under agriculture per man. In our province we have no industry at all, yet the agricultural area *per capita* is so small. It is the duty of every Government to tap all resources in order to bring income to the people of this province.

This is the side which is most neglected and unless they shake up their lethargy and gird up their loins and try to industrialise this province, there is no hope of bringing relief to the general public of this province. The department is very much burdened by a few highly paid officials. Their pays are quite inconsistent and comparatively speaking they are high as compared with the standard of living in this province. We are spending only Rs. 20,700 on research. It is a pity, Sir, that out of a budget of about 11 crores we should be spending only about Rs. 20,000 for industrial research. I congratulate the learned Parliamentary Secretary who has just sat down after his beautiful speech and the satisfaction with which he views the work which the Government has so far shown in the Industries Department. I congratulate him because his mind is so satisfied and happy over the conditions which are prevailing in our province. His conscience does not prick him at all for the troubles of the people and the poverty of the country which it is the duty of the Government to remove. I know it is very good for him—that satisfaction. But so far as the welfare of the province is concerned, it is so painful to hear those words from his mouth. He is very proud of a few carpentry and ironsmith schools in the province. I would request him to leave carpentry and the work of ironsmiths alone. We have plenty of them in our province. As a matter of fact a very large number of them are spread all over the country in India. If you go to Bombay workshops you will find them full of Punjabi carpenters. If you go to Tatanagar you will find plenty of Punjabi carpenters. These small schools in the name of which you spend so much money are not wanted. We want some research work and the real development of industry to bring about something new. Carpenters we have enough and these carpenters who are produced in these schools are not even good carpenters and they would not be able to compete with those people and consequently they would be starving and you will have a set of dissatisfied people who will not even thank you for all you

[S. Sampuran Singh.]

have done them. In my opinion the best way of educating people in industries is to open classes and teach them in the ordinary schools and colleges under the University. This will both give them good foundation so far as general education is concerned and will also train them for the various sides of industry. One thing which I would suggest to the Government is that they should arrange to send youngmen for training to the railway and the big factories all over the country, that is for steel-making, motor making and other mechanical works, oil-seeds and vegetable ghee factories. For that purpose they should give research scholarships so that they may get proper training, in proper quarters. I would make a suggestion in this direction. They should have a plant at Khewra mines to manufacture alkalis, because we have plenty of salt and lime at that place and if we start something of this kind, it will open up several other small industries connected with alkalis such as making of sodium carbonate, caustic soda, soap, oils, glass and pharmaceutical things and this can be done, so far as my information goes, at a very modest cost of 10 lakhs of rupees.

Again there is a great scope in the Punjab for making Linoleum. There is plenty of linseed oil and saw dust which can be made from chil wood and the raw material which is required for making this thing can be had in large quantities in this province.

Then, Sir, there is a great scope for manufacturing alcohol for power use. It has been a question which has been under the consideration of the Government for some years now. If alcohol is mixed up with petrol it becomes very cheap for running motors. There is a great scope and a very large amount of money in it if only Government will facilitate manufacture of alcohol by introducing necessary legislation.

Then there is great scope for making paper out of *prali*, rice stalks. Maize stalks are very good for making artificial silk. These are all avenues which have yet to be explored. I was the other day astonished to learn in Calcutta that the Punjab has in very large quantities iron ore and it is a pity that the Punjab has never thought of steel-making.

Our lime is very good for making cement also. So far we have done very little in this direction.

(At this stage Mr. Speaker resumed the chair).

Iron ore is to be found in the Khewra Salt range. *(Voices : We did not know that).* You do not know this and that is why I had to learn it in Calcutta. They know more about you than you know. In the end I will state one thing more and that is that the Government should not feel so easily satisfied. As I have already submitted, in a budget of 11 crores, they are spending only 20 lakhs knowing well how much this province requires in industries and unless they shake themselves out of this lethargic and complacent attitude about the industrial development of our province, we cannot expect very much from them in this direction *(hear, hear)*.

Syed Amjad Ali Shah (Ferozepore East, Muhammadan, Rural) : We have heard speeches from both sides of this House telling us that the Department of Industries is not doing anything. Some speakers have been kind enough to say that the department is doing something but not enough.

Except my honourable friend Sardar Sampuran Singh who has just sat down, none of the speakers has mentioned what should be done. All of them have indulged in saying that industries should be promoted in the province and that the Punjab should be industrialised, but none of them have shown the way, how to do it. My honourable friend has referred to three specific matters which would, if worked, help the industries of the Punjab. The first thing he mentioned was alkali, that in our salt range of Khewra there is a great field for producing alkali which could be used by various industries. I think he knows that and if he does not, I may bring it to his notice that there has already been formed a company to work this place for alkali and as far as I know an agreement has been signed with the Government of India and a concession has been granted for 28 years.

Lala Deshbandhu Gupta : Is it the Imperial Chemicals?

Syed Amjad Ali Shah : Anyhow the alkali is going to be produced, whosoever may be the company doing it. Pandit Bhagat Ram Sharma has raised the question of educational training and education which would give industrial training. If I may draw his attention to the various institutions which are working under the Department of Industries, I am sure, he will agree with me that already quite a lot of provision has been made for this kind of education. I may refer him to the report of the Department of Industries, Punjab, for the year ending 31st March, 1937. In this he will find that there are already 36 institutions in the Punjab where different kinds of industries are being taught. Then my honourable friend Pandit Bhagat Ram has mentioned industries in foreign countries. He has referred to England, Japan, Germany and various other countries including the United States of America. I would only draw his attention to one fact which is that these countries are independent countries, they are masters of their own tariff rates. They are masters of their own customs and duties and they are masters of their own exchange. Whilst here in this country we have got all these things fixed by the Central Government.

Diwan Chaman Lall : By our masters.

Syed Amjad Ali Shah : These conditions are a very serious handicap to our industries. The second thing which my honourable friend suggests is about the railways here. In other countries the railways are a great help to the industries but here, I am sorry to say that they are a great brake on the promotion of industries, because if my honourable friends would take the trouble of working the goods train fare of various articles manufactured in England, they would find that the prices of articles manufactured here in our factories are more than the prices of the articles manufactured abroad, simply because of these railways freights. I may give an instance of this fact and that is about jams. In this country of ours we produce fruit on a very large scale and it is sold very cheap here, we also produce sugar and in England they import sugar, here we have very cheap labour far cheaper than in England, and yet you will be surprised to hear that the price of jam landed at the ports is 4 pence a pound while the manufacturers here in India cannot produce jam at that price.

Lala Bhim Sen Sachar : Should we therefore attempt nothing here?

Syed Amjad Ali Shah : No. I was only mentioning this to show that the comparison that has just been made is not a fair comparison. Another thing

[Syed Amjad Ali Shah:]

is that gentlemen who give us instances of industrial countries like Japan and England completely forget that their industries have grown up not in a day nor in a year, it has taken them centuries to build up industries. India has only started industries recently, if I may use that expression, and during the course of the last ten years you will be pleased to observe a lot of headway has been made with regard to certain industries and I would only like to point out two or three industries in this connection. One is the iron and steel industry of India. There used to be only the Tata Iron Works at Tata Nagar, now we have two or three very big companies in Bengal with a capital of several crores and then I am glad to say that in our own province also we have a company started, I hear, by my honourable friend Dr. Sir Gokul Chand Narang. The other industry is sugar. Sugar companies have been started all over the United Provinces and Bihar and this goes to show that wherever raw material is available.....

Sardar Sampuran Singh : But they have been closed all over the Punjab.

Syed Amjad Ali Shah : That just goes to show that people who open these factories do not study the problems and do not study the various data very carefully. If they had done so they would not have had to close them down. If the factories in the Bihar and United Provinces are working satisfactorily there is no reason why they should not be working satisfactorily in the Punjab.

Dr. Sir Gokul Chand Narang : They did not anticipate excise duty.

Syed Amjad Ali Shah : It is the same everywhere.

Dr. Sir Gokul Chand Narang : Yes, but without the excise duty, they would have worked all right.

Syed Amjad Ali Shah : If you will look into the budgets of the years 1934-35, 1935-36, 1936-37 and the present budget you will find that every year there has been a substantial increase in expenditure on the Department of Industries and the Government is doing its best to promote industries which they have taken in hand. But I would draw the attention of the Government to a very important fact which is this. Out of the various industries which are being developed by the Government, only the hosiery industry is finding any market—the other industries, I am afraid to say, are not making any headway. There are various reasons for this, the details of which I am not entering into, but what I would request the Government is that before they launch any scheme or any proposal for industrialising the province, they should first of all have a very competent expert who should collect the data of the province which would be the magna charta of developing the industries in this province. I, with all humility, say that the provision in the budget of an expert at Rs. 500 for three months is very small and very insignificant. This duty of collecting data on which the industries of the province are going to be built should be entrusted to an expert who has had the experience of working factories, who has had the experience of different countries, who has had the experience of marketing and then this gentleman should go round the province, from district to

district, from tahsil to tahsil, collect different data and then have it examined by various experts because no one man would be available who would be able to give expert opinion on all lines connected with industries. It cannot be expected of one man to be a metallurgist, an agriculturist and a mechanist. Therefore, it will be necessary that a board of experts should meet before which this data should be placed and sifted. These experts then in their turn, may take up certain decisions as to which industry would be feasible in a particular district and in what area, and after that has been done, financiers of the province like the Honourable Dr. Sir Gokul Chand Narang and others may be asked to examine that data and if they find that the business or the proposals are going to be lucrative and if they like to take up and build up factories, they may very gladly do so. Failing that, if Government is convinced that the data collected by their experts is good, then Government may launch those schemes themselves. My suggestion in this respect is that we all hear of cottage industries. Cottage industries cannot and will not flourish unless they have parent factories. In all countries where cottage industries are flourishing, there are parent factories. I will only give an example of the manufacture of cycles. Take the case of factories manufacturing cycles in Japan. If there is one factory in a certain town, it gets its supply of parts from small subsidiary factories worked by people on cottage industries basis in suburbs roundabout. One group of people manufacture handles, another mudguards, another group manufacture chains and pedals and so on and so forth. These people when they have manufactured the necessary quantity of spare parts, send them on to the parent factory where these parts are finished and assembled into cycles. Thus Japan is able to dump those cycles at Rs. 15 per cycle after paying that exorbitant duty of fifty or sixty per cent. in India while other cycles cannot be had at less than Rs. thirty per cycle. My friend was referring to sericulture in Kangra district. If sericulture is a thing which can be promoted in Kangra district, then a factory for sericulture may be set up and subsidiary cottage industries will grow up with it. Each district may have a factory of its own. You will thus promote the industries of the province. With such a bold and courageous step which, I am sure, my honourable friend Sir Chhotu Ram is capable of taking industrial development of the Punjab can be improved.

Premier : There are other suitable industries. What about the jam industry ? (*laughter*).

Syed Amjad Ali Shah : I may also say that my honourable friends on the other side have been clamouring for more money for the Department of Industries. If I say that the Industries Department should be closed and the money spent on the Industries Department need not be spent on that department, then I am sure that my honourable friends opposite would say that the Punjab Government is going to its doom because it is discouraging industries and it is showing favouritism to agriculture and to the rural public. But I may point out that twenty lakhs of rupees which the Industries Department spends to-day does good to two or three thousand people only. If that is saved and spent on the roads of Punjab alone, then I am sure that the gain will be much more. I will only impress this fact on the House that the cost of transportation of a maund of stuff on kacha road is nearly three pies per maund per mile while transportation cost of the same

[Syed Amjad Ali Shah.]

stuff on a pucca road would work out to nearly one pie per maund per mile. I am not a mathematician myself, I am sure there are many in the House, and if they will work out they will find that a very large sum of money would be saved and it would go to the poor zamindars. If roads were in a good condition, they will naturally reap advantage in better prices and better rates. I will further throw a suggestion, I do not know whether the Industries Department have gone into it so far or not. To-day our cotton seed, which is left over after ginning, is used only as fodder. In America this cotton seed is first treated by delinting machine and then the seed is pressed and very valuable oil is extracted which is used in margarine and in higher qualities of toilet requisites and after that the residue is used as fodder. Here in the Punjab we have no other use of cotton seed except throwing it to the buffaloes for making milk richer. Here we pride also on our very good lands, very good canals and very good animals and their breeds, but I am sorry to say that there does not exist a single dairy in the Punjab which is worth the name. Punjab to-day is in that very happy position of having the best breed of cattle and also giving an impetus to the zamindars for keeping better breed of cattle. What do we find here? I myself own a few heads of cattle and I am very sorry to say that ten heads of milching cows or buffaloes would not yield more than seventy or eighty seers of milk while a similar number of cattle which I have seen at Kaventer's at Delhi and Aligarh, yield thrice the quantity of milk which we get in the Punjab. If Government intend doing anything I would very humbly request them to set up a central dairy which I am sure will find a ready market in the town of Lahore. Unfortunately here in India we indulge in generalities and say things without weighing them. For instance, our Rural Reconstruction Department has been saying that the zamindars should not destroy cow dung as it can be of very great value to them as manure. The Rural Reconstruction Department has not really gone into the root of the question. The zamindar uses cow dung as fuel; it is the cheapest form of fuel. This fuel can only be saved if there is any substitute. I am afraid without giving any substitute the department concerned should not insist on its being used as manure. I am sure a substitute can be found out if an expert is asked to make a research.

Then there is another very important aspect of the growth of industries, what are called cottage industries. We have all been hearing members seriously complaining of the high rate of interest charged by the money lender. We have heard on various occasions honourable members complaining that they have to pay some thing like 12, 24 and even 36 per cent. but in this province we have got the co-operative societies which are supposed to be lending money to the zamindar at lower rate of interest. What do we find? The co-operative societies lend money at 6 per cent. where they have their banks in towns and outside the rate of interest is 10 to 12 per cent. I am not a money lender myself but I know a little of the money market of India. I can safely say that to-day the rate of interest is about 8 per cent. The Punjab Government bonds were oversubscribed in a very short time and the rate of interest was only 8 per cent. Similar loans were floated by other provinces of India. The Government borrows money at 8 per cent., they can afford to give this money to the poorer zamindar for his

cottage industry at say 4 per cent. if at all it wants to make any profit. I personally think that they should not make any profit and they should give money to the zamindars at the same rates at which they get it.

Lastly I would like to say a few words with regard to the All-India Exhibition. I am very glad to say that our Government took this bold step of having an exhibition on an all-India scale and spent a sum of about a lakh or so which my honourable friend Diwan Chaman Lall was pleased to call a circus. He did not agree with us in holding such an exhibition as he thought they were an eyewash and he particularly criticised the wrestling and other amusements which were displayed in the exhibition. Mr. Speaker if anyone else than my honourable friend Diwan Chaman Lall had levelled that criticism against the exhibition I would have taken it to be correct but my honourable friend who has the experience of foreign countries and I am sure he has seen many exhibitions and has seen various amusement parks on which money is spent lavishly, cannot say why wrestling or any other amusement was provided: this is not a part of the exhibition. If he was present in England during the Wembley exhibition he would have seen the amount of money spent on decoration and amusement parks and then again he would have seen the same thing on a still lavish scale at the Exposition Coloniale in Paris. There he must have seen all sorts of amusements, including things which we may call funny such as how bugs behave under certain conditions. This was one of the things which was exhibited in one of the exhibitions. This is only a form of attraction. My honourable friend knows the value of advertisement more than any one else in this House. The Lord Mayor's procession in London is nothing but an exhibition. Every year thousands of pounds are spent on it and millions of people gather there simply to see this show. The Lord Mayor's procession is just to draw the attention of the people to various industries which are progressing in the country. This wrestling or any other amusement was only to attract the people so that they may come to see what Government had to show them. If it was purely a simple exhibition of scientific, technical and mechanical works, I am sure it could not have drawn so many people. This exhibition, apart from the other good, was a very successful exhibition from the stall-holders' point of view. The exhibition in the United Provinces was not by any means successful from the stall-holders' point of view. Here as the report shows and what many merchants have told me, they have done very good business, which shows the success of the exhibition.

At this stage the Assembly adjourned till 2-30 P.M. on Friday, 25th March, 1938.

PUNJAB LEGISLATIVE ASSEMBLY

2ND SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Friday, 25th March, 1938.

The Assembly met in the Council Chamber at 2 P.M. of the clock. Mr. Speaker in the chair.

STARRED QUESTIONS AND ANSWERS.

*2249.—Cancelled.

COSTS OF TRANSMISSION LINES OF HYDRO-ELECTRIC DEPARTMENT.

*2250. **Sardar Sahib Sardar Gurbachan Singh** : Will the Honourable Minister of Public Works be pleased to state—

- (a) the cost per mile of wiring of 11,000 volts transmission line of the Hydro-Electric Department ;
- (b) also the cost per mile of wiring 32,000 volts transmission line of the Hydro-Electric ;
- (c) the cost of 11,000 kW. and 32,000 kW. transformers used by Hydro-Electric Department of Public Works Department ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) The cost per mile of a 11,000 volt transmission line varies according to the conditions. These include the amount of energy to be transmitted, the distance over which it is to be transmitted, and the nature of the country through which it is to be transmitted. The cost can vary between Rs. 1,750 and Rs. 8,000. If the cost is likely to be more than Rs. 8,000, a transmission line of a higher voltage is usually erected.

(b) The cost per mile of a 32,000 volt (32,000 is not used here) transmission line is governed by the same consideration as the cost of a 11,000 volt transmission line. It may vary between Rs. 4,000 and Rs. 8,500. If the cost is likely to be more than Rs. 8,500, a transmission line of a higher voltage is usually erected.

(c) This part of the question is not clear. It may, however, be said that the cost of the 12,000 kVA transformers used by the Electricity Branch is Rs. 91,584, and the cost of the 27,000 kVA transformers used by the Department is Rs. 2,06,541. The Electricity Branch does not use transformer of the ratings mentioned in the question.

*2251.—Cancelled.

POSTING OF CANDIDATES FOR THE POST OF EXTRA ASSISTANT
COMMISSIONERS AND TAHSILDARS.

***2252. Lala Bhagat Ram Choda :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that tahsildar candidates after receiving settlement training for full one year are first posted as naib-tahsildars and have to work for nearly two years as naib-tahsildars before they get a chance for appointment as tahsildars ;
- (b) whether it is also a fact that candidates for the posts of extra assistant commissioners, after receiving settlement training for a year or even for a smaller period are directly posted as extra assistant commissioners ; if so, the reasons for this differential treatment in the case of these two categories of officers ?

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

(b) Candidates for the post of extra assistant commissioner are generally given training after they are appointed to the service. Any training they receive before appointment is at their own expense. There is no question of differential treatment.

SALARIES PAID TO CANDIDATES FOR THE POSTS OF TAHSILDARS
AND EXECUTIVE AND JUDICIAL GAZETTED OFFICERS
AFTER TRAINING.

***2253. Lala Bhagat Ram Choda :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the tahsildar candidates after receiving settlement training and after having been posted as naib-tahsildars to learn their work, do not get even the initial salary of a tahsildar ;
- (b) whether it is also a fact that other executive and judicial gazetted officers like extra assistant commissioners, and sub-judges begin to get the starting pay of their cadre as soon as they finish their settlement or judicial training ; if so, the reasons for this differential treatment ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No. Every tahsildar candidate who has undergone revenue training for one year is given preference over naib-tahsildar candidates for appointment as naib-tahsildar to complete his two years further training and gets the pay of the post. If there is no post of naib-tahsildar to which he can be appointed, he is at his own option allowed to work as an honorary naib-tahsildar for the necessary period.

(b) The conditions for appointment to other executive and judicial posts are not necessarily the same as for tahsildars. The extra assistant commissioners receive their training after they are appointed to the service. They may, in certain cases, also receive training before appointment in an honorary capacity. The question of differential treatment does not therefore, arise.

CIVIL AND VETERINARY HOSPITALS IN THE AMBALA DIVISION.

*2254. **Khawaja Ghulam Samad** : Will the Honourable Minister of Education be pleased to state—

(a) the number of civil and veterinary hospitals under Government, district board and municipal committee control separately in the Ambala division, district-wise ;

(b) whether the Government intends to increase the number of such hospitals under their control in the Ambala division ; if so, by how many and when ?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : (a) A statement giving the required information is laid on the table.

(b) Yes. The scheme of provincialization of district and tahsil headquarters hospitals, which was abandoned for some years on account of financial stringency in the province has been revived from the current financial year and such hospitals will be taken over by Government in course of time, provided the local bodies concerned, which are maintaining them at present, agree to the conditions laid down by Government for the provincialization of such hospitals. With regard to veterinary hospitals I may say that owing to the small number of veterinary assistant surgeons coming out of the Punjab Veterinary College, no new hospital can be opened at present.

Statement showing the number of civil and veterinary hospitals under the control of Government, District Board and Municipal Committees separately in the Ambala Division, districtwise.

Name of District.	NUMBER OF CIVIL HOSPITALS UNDER THE CONTROL OF			NUMBER OF VETERINARY HOS- PITALS UNDER THE CONTROL OF		
	Govern- ment.	District Board.	Municipal Com- mittee.	Govern- ment.	District Board.	Municipal Com- mittee.
Hissar	5	31	4	..	11	..
Rohtak	5	19	2	..	16	..
Gurgaon	3	28	5	..	14	..
Karnal	5	26	2	..	11	..
Ambala	7	14	3	..	8	..
Simla	1	1	3	1	2	..

REALISATION OF LAND REVENUE FROM VILLAGE CHANG IN
BHIWANI TAHSIL.

***2255. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that the *parts* of village Chang in the Bhiwani tahsil for *kharif* 1937 and that of its neighbouring villages like Mithathal, Rewari and Bambla is nearly equal ; if so, the reasons why land revenue realisable from village Chang has been ordered to be realised while the land revenue from its neighbouring villages mentioned above has been suspended in whole or in part ?

The Honourable Dr. Sir Sundar Singh Majithia : The answer to the first part of the question is in the negative. The second part of the question does not therefore arise.

JUDICIAL TRAINING GIVEN TO THE INDIAN MEMBERS OF
THE INDIAN CIVIL SERVICE.

***2256. Sardar Muzaffar Ali Khan Qazilbash :** Will the Honourable Premier be pleased to state—

- (a) the number of the members of the Indian Civil Service from 1930 onwards, who have been given the full judicial training of 18 months ;
- (b) how many out of these are Indians and how many Europeans ;
- (c) if the answer to (b) shows that there are more Indians trained for judicial work than Europeans, reasons for the same ?

The Honourable Major Sir Sikander Hyat-Khan : (a) 6.

(b) 4 Indians and 2 Europeans.

(c) There are no particular reasons. Officers are sent for judicial training at the administrative convenience of Government.

PROPOSAL REGARDING LOCATION OF PUNITIVE POLICE POSTS AT
VILLAGES CHUHAR CHAK AND DHODEKE IN FEROZEPUR
DISTRICT.

***2257. Sardar Rur Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it is proposed to quarter punitive police posts in villages Chuhar Chak and Dhodeke in thana Mahan, district Ferozepore ; if so, whether the Government would lay on the table of the House the reports of the police regarding the inhabitants of these villages ;
- (b) the names, parentage, age and nationality of those inhabitants of the above-named villages against whom the police have made allegations ;
- (d) whether Government appointed any officer to inquire into the allegations referred to in (b), if so, with what result ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : (a) It is understood that the local officials have a scheme of this kind under consideration, but no proposals have yet been made by them to Government.

(b) and (c) Do not arise.

Pandit Muni Lal Kalia : May I know the grounds for such a scheme in these villages ?

Parliamentary Secretary : I have stated that there is general complaint against the inhabitants for harbouring criminals.

Pandit Muni Lal Kalia : Since when these complaints are being made and since when an enquiry is being made by the Deputy Superintendent of Police ?

Parliamentary Secretary : I cannot tell the exact date but for some time past.

Pandit Muni Lal Kalia : Is it the home village of the honourable member who is putting this question ?

Parliamentary Secretary : I am not aware of it.

REPRESENTATION OF RAJPUTS, RATHIS, MAHTAS, ETC., FOR
BEING RECORDED AS RAJPUTS.

*2258. **Captain Dina Nath** : Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that the members of Rajput, Rathi, Mahta, Thakur tribes of district Kangra have submitted representations to the Government several times that the members of these communities may be recorded as 'Rajputs' in the revenue record ;

(b) if the answer to (a) be in the affirmative, what action the Government intends to take in the matter ?

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

(b) The matter is under consideration.

Captain Dina Nath : Has any enquiry been made into the matter ?

Minister : I have replied that the matter is under consideration.

FRAGMENTATION OF HOLDINGS IN KANGRA DISTRICT.

*2259. **Captain Dina Nath** : Will the Honourable Minister of Revenue be pleased to state whether it is a fact that the holdings of the zamindars in Kangra district have become very small on account of their fragmentation and that these holdings are no longer economic ; if so, the action the Government intends to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : *First part.*—Some of the holdings are certainly no longer economic.

Second part.—Consolidation is encouraged by Government but it is difficult for the movement to make headway in this district owing to the varying levels of land in hilly country and consequent difference in the fertility of the various fields.

INTERMEDIATE COLLEGE AT RUPAR, DISTRICT AMBALA.

***2260. Lala Duni Chand :** Will the Honourable Minister of Education be pleased to state—

- (a) whether the application of Pandit Ganga Ram Sharma of Rupar for the affiliation of an Intermediate College at Rupar by the Punjab University has been accepted ; if so, on what conditions ;
- (b) with reference to the reply to the supplementary question arising out of question No. 113 (starred) put by me on 9th July, 1937, to the effect that the rules do not require the deposit of any sum as a condition precedent to the grant of affiliation, why Pandit Ganga Ram Sharma has been required to deposit the sum of Rs. 40,000 in cash ;
- (c) the action that the Government proposes to take in the matter ?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : (a) The Syndicate of the University of the Punjab at its meeting held on the 4th February, 1938, accepted the recommendation of the Committee of Enquiry, on the application of Pandit Ganga Ram Sharma, for affiliation of the proposed Intermediate College at Rupar to the effect that he be given time up to the end of March, 1938, to enable him to comply with the conditions of affiliation already laid down by the Syndicate. On hearing from Pandit Ganga Ram Sharma the application will be further considered by the University.

(b) Under clause (g) of section 21 of the Indian Universities Act the College applying for affiliation has to satisfy the Syndicate that the financial resources of the College are such as to make due provision for its continued maintenance. Under this clause the Syndicate has called upon the College to collect Rs. 40,000.

(c) Government cannot interfere in the matter.

Lala Duni Chand : In view of the fact that section 21 (g) of the Indian Universities Act does not require payment of any particular sum and all that it requires is that provision should be made to meet possible deficit, why is the payment of Rs. 40,000 being insisted upon ?

Parliamentary Secretary : This figure has been fixed by the University and the honourable member is aware that the Punjab University is an autonomous body under the Government of India, therefore the Punjab Government cannot interfere in the matter.

Lala Duni Chand : Is it a fact that Pandit Ganga Ram Sharma has offered the guaranteed payment of Rs. 2,500 yearly and is it not sufficient ?

Parliamentary Secretary : No.

Lala Deshbandhu Gupta : Is it a fact that there are certain colleges where such a big deposit was not demanded ?

Parliamentary Secretary : In some cases the condition is even higher than Rs. 40,000. In this case it is the action of the Syndicate of the University and the Punjab Government has nothing to do with it.

Lala Duni Chand : Is it true that Pandit Ganga Ram Sharma offered to deposit Rs. 30,000 by 31st March and wanted some time for the deposit of the balance of Rs. 10,000 and if so, whether the affiliation will be favourably considered under these circumstances?

Parliamentary Secretary : How can any reply be given to this supplementary question? It is for the University to say whether they are satisfied or not, and Pandit Ganga Ram Sharma ought to approach the University and not the Punjab Government.

Lala Duni Chand : Do I understand that the Punjab Government has no kind of control either direct or indirect?

Lala Deshbandhu Gupta : May I know whether Government is prepared to advise the University Syndicate in this matter that they should not accord distinctive treatment to different institutions in a matter like this?

Mr. Speaker : That question need not be answered.

Sardar Ajit Singh : Does Government intend to extend the time limit that has been given to Pandit Ganga Ram Sharma for depositing the sum of Rs. 40,000 in cash by 31st March, 1938, for one year more, i.e., by 31st March, 1939?

Sardar Hari Singh : In view of the fact that there is a great need of the diffusion of higher education in the rural areas of the province, particularly Ambala, may I ask whether Government is prepared to do anything in the matter to help this college being brought into existence?

GIRLS' SCHOOLS IN RURAL AREAS OF AMBALA DISTRICT.

***2261. Lala Duni Chand :** Will the Honourable Minister of Education be pleased to state—

- (a) the number of girls' schools in the rural area of Ambala district;
- (b) whether the Government intends to start any new girls' schools in the said district; if so, when and where?

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

WATER-LOGGED AREA LYING BETWEEN RUPAR IN AMBALA DISTRICT AND MACHHIWARA IN LUDHIANA DISTRICT.

***2262. Lala Duni Chand :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether he is aware that a long tract lying between Rupar, Ambala district, and Machhiwara, Ludhiana district, is very much water-logged;
- (b) whether it is a fact that there exist no arrangements to drain off the surplus water into the Sutlej river;
- (d) the steps that the Government intends to take in the matter?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, to some extent.

(b) No.

(c) Does not arise.

REPRESENTATION OF VILLAGES LYING AT THE FOOT OF SHIWALIK
HILLS IN AMBALA DISTRICT AGAINST THE CLOSURE OF
SHIWALIK AREAS FOR AGRICULTURAL PURPOSES.

***2263. Lala Duni Chand :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that a representation by the inhabitants of the villages lying at the foot of the Shiwalik Hills in Ambala district has been sent to the Conservator of Forests praying for an inquiry into their troubles and grievances arising out of the closure of Shiwalik areas for agricultural and pastoral purposes ;

(b) the action that has been taken on the said representation ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No such petition has been received.

(b) Does not arise.

SCHEME FOR SUPPLY OF WATER TO THE AMBALA CITY.

***2264. Lala Duni Chand :** Will the Honourable Minister of Education be pleased to state if any further progress has been made in the scheme for giving adequate water supply to Ambala City?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : Out of the three new wells sunk at Handsera last summer two have proved successful and it is proposed to sink three or four more wells this year.

COMMUNAL REPRESENTATION OF HEAD CLERKS IN THE OFFICES OF
THE SUPERINTENDENTS OF POLICE IN THE EASTERN
RANGE.

***2265. Chaudhri Jugal Kishore :** Will the Honourable Premier be pleased to state—

(a) the number of head clerks in the offices of the Superintendents of Police in the Eastern Range ;

(b) how many of them are Hindus, Muhammadans and Sikhs ;

(c) how many of them are of depressed classes, if none, reasons for the same ;

(d) what steps the Government wants to take to give adequate representation to the depressed classes in the above-mentioned cadre ?

Parliamentary Secretary : (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : (a) Eleven.

(b) I think it better not to answer this. The honourable member will have heard the replies given to other questions of a communal character.

(c) and (d) None. The head clerks are selected from the executive clerks in these offices, and no member of the depressed classes is at present available for promotion.

ATTACK ON RESIDENCE OF ASSISTANT SURGEON OF HISSAR DURING
THE RIOTS ON 11TH FEBRUARY, 1938.

Pandit Muni Lal Kalia : On behalf of Pandit Shri Ram Sharma I ask question No. *2266.

Khawaja Ghulam Samad : On a point of order, Sir. I would like to know before this question is replied to, whether the so-called assailants are undertrial in the courts. If so, the question is not at all admissible and cannot be asked and replied on the floor of this House. It is *sub-judice*.

Pandit Muni Lal Kalia : The subject matter of this question is not before any court. There may be other questions.

Mr. Speaker : Will the Government member please throw light on the matter ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : I understand that this case is now before a court of law.

Pandit Muni Lal Kalia : May I know the subject matter of the complaint before the court, and the source of your information ?

Diwan Chaman Lall : May I draw your attention to parts (f), (e), (g) and (h) ? None of these could be possibly a matter *sub-judice*. They merely seek information as to whether the police arrangements were adequate or not, the reasons for not guarding the hospital and whether it is a fact that the doctor got himself transferred by wire. How he could have got himself transferred by wire, I do not know. How could that be a matter which is *sub-judice* ?

Parliamentary Secretary : I am not sure about it, if you order I can give the reply.

Khawaja Ghulam Samad : I take objection to this, Sir. If you rule that the matter is not *sub-judice*—

Mr. Speaker : What is *sub-judice* ?

Khawaja Ghulam Samad : The supposed assailants who are involved in this riot are under-trial in a court of law. All the questions are *sub-judice*.

Mr. Speaker : It is for the Government to say whether the matter is *sub-judice* or not. When the Secretary says he is not in a position to say that it is, and he is going to answer the question, what right has the honourable member to object to his answering the question ?

Khawaja Ghulam Samad : My past experience is that similar questions put by some of the honourable members including myself were not admitted and answered, the matter being *sub-judice*.

Mr. Speaker : I request the honourable member not to rise again and again and begin a speech. He has no right, and if he does so again, I shall have to ask him to leave the House.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : If my honourable friend can satisfy me that the case is *sub-judice*, then it will be desirable not to answer the question.

Mr. Speaker : What matter is now *sub-judice* ? That is the question.

Premier : If cases are going on in regard to the matter, then the whole matter is *sub-judice*.

Pandit Muni Lal Kalia : But this question relates to happenings after the riot and not during the riot.

Mr. Speaker : It is doubtful whether all or only some of the matters involved in the question are pending before a court.

Premier : I would say that practically all the parts of the question except (h) would affect the case if answered.

Mr. Speaker : Is the Honourable the Premier in a position to say that he does not wish to answer the question, because a case is pending in a court of law. I might invite his attention to rule 10—

Provided that no question shall be asked on any matter which is under adjudication by a court of law having jurisdiction in any part of His Majesty's dominions.

Premier : I can only answer part (h).

***2266. (Pandit Shri Ram Sharma) :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that the Civil Surgeon, Hissar, just after the riot had begun in the town on the 'Id day, asked the police and local authorities to make special arrangements for the protection of the civil hospital ;
- (b) whether it is also a fact that the Assistant Surgeon Mr. Kanwar Lal Jhangee was asked by a municipal servant and the hospital dai to visit a case within the affected area, which he refused in suspicious circumstances and asked the patient to be brought in the hospital ;
- (c) whether after a short time the residence of the assistant surgeon was attacked by a furious mob and was kept at bay by a few private servants of the doctor ;
- (d) whether a second attack was also made after some time and the doctor and his whole family saved their lives by shutting themselves in the quarter guarded by the servants ;
- (e) whether during the short interval of the attacks the doctor arranged to phone to the police ;
- (f) whether there were any police arrangements from 12 A.M. to 8 P.M. when the Deputy Commissioner and Superintendent arrived at the hospital escorted by a full police guard ;

(g) the reasons for not guarding the hospital where the wounded persons were being brought and when the doctor was anxious for their necessary protection ;

(h) whether it is also a fact that Doctor Kanwar Lal Jhangee in these circumstances got himself transferred by wire ?

The Honourable Major Sir Sikander Hyat-Khan : (h) No. The Assistant Surgeon was transferred by the competent authorities on their own initiative.

Lala Duni Chand : Since these unfortunate happenings at Hissar, has the Government considered the question of protecting Government servants in such cases ?

Premier : How does it arise out of the question ?

Mr. Speaker : It does not.

SEARCH OF DWARKA DAS LIBRARY, LAJPATRAI BHAWAN, LAHORE.

*2267. **Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state—

(a) whether Dwarka Das Library situated in the Lajpatrai Bhawan, Lahore, was searched on 17th August, 1936, under warrants issued by the Court of M. Abdul Samad, magistrate, 1st class ;

(b) whether the Inspector searching the library took possession of any books ;

(c) whether any books were returned to the said library ;

(d) the list of books not returned ;

(e) whether any of the books not returned have ever been proscribed by the Government ; if so, which books and when ;

(f) the reasons for not returning these books ?

The Honourable Major Sir Sikander Hyat-Khan : (a), (b) and (c) Yes.

(d) It is not in the public interest to give the names of these books.

(e) and (f) The books not returned (of which it is not in the public interest to furnish a list) were found actionable under the provisions of section 19 of the Sea Customs Act of 1878 and were confiscated under section 182 read with sections 8 and 167 (item 8) of the said Act. In this connection the attention of the honourable member is drawn to Finance Department (Central Revenues) notification No. 61, dated 10th September, 1932.

Sardar Sohan Singh Josh : May I ask the Honourable Premier to give the names of books returned ?

Premier : It is not in the public interest to give the names of those books.

Pandit Muni Lal Kalia : May I know whether the books taken from the library were noted in the registers of the library ?

Premier : How do I know it ?

Diwan Chaman Lall : May I ask the Honourable Premier whether the provisions of section 19 of the Sea Customs Act were complied with in so far as a notification was issued in respect of everyone of these books which have been taken away by the police ?

Premier : They could not have been confiscated unless there was such a notification.

Diwan Chaman Lall : May I ask if the Honourable Premier can indicate the dates on which the notifications in respect of each of these books was issued ?

Premier : I do not think my honourable friend expects me to carry these dates with me.

Diwan Chaman Lall : I did not expect the Honourable Member to possess such a remarkable memory. But all that I ask is this. Will the Honourable Premier give us the dates on which these books were proscribed by notification under section 19 of the Sea Customs Act ?

Premier : My honourable friend is referred to the various Gazettes.

Diwan Chaman Lall : If action was taken by my Honourable friend to confiscate these books, was he or was he not aware of the dates of the notifications in respect of these books ?

Premier : The department concerned was so aware.

Sardar Hari Singh : May I ask the Honourable Premier to state if he would have any objection if the names of the books not returned is disclosed by the librarian ?

Premier : I have every objection to disclosing the names of these books because I do not want to give any publicity to them.

Sardar Hari Singh : Under what law has he objection if the names are published by the librarian ?

Premier : I have got nothing to do with the librarian. That question may be put to the librarian.

Diwan Chaman Lall : Is it a fact that these books were notified in the Gazette and therefore the titles of these books are published for general knowledge ?

Premier : Yes. But it does not behove me to give them further publicity in a concise form.

Diwan Chaman Lall : May I enquire whether anyone of these books was prohibited by notification under section 19 of the Sea Customs Act, to enter any particular part of India ?

Premier : I have read out my answer that they were actionable under the provisions of section 19 of that Act.

Diwan Chaman Lall : May I ask the Honourable Premier to look at the question once again and his answer ? Section 19 of the Sea Customs Act stipulates prohibition into any particular part of India. Now was there any notification in regard to anyone of these books prohibiting its entry into any particular part of India ?

Premier : I am not aware in which particular part of the country these particular books have been prohibited. But so far as this province is concerned, no action would have been possible if they had not been proscribed.

Pandit Muni Lal Kalra : Is it not a fact that the books confiscated are being freely sold in the Punjab ?

Premier : If so, it is wrong and if the honourable member will give me the names of the sellers, we will take suitable action.

Diwan Chaman Lal : Is it possible that he possesses some of these books in his own library ? (*Laughter*).

Premier : Not now.

Sardar Sohan Singh Josh : May I know if any search list was made by the Inspector in charge of the search ?

Premier : I am afraid I cannot go into these details.

Lala Deshbandhu Gupta : May I enquire whether the Honourable Premier has got the list of the proscribed books revised or whether he still has the old list ?

Premier : There is no question of revising the list. They are proscribed from time to time.

Mian Muhammad Iftikhar-ud-Din : Is the Government aware of the fact that some of the books which are not allowed to be read here are actually courses of study at Oxford and Cambridge ?

Premier : There may be several books which are courses of study in Russia but that does not mean that they are read here.

Mian Muhammad Iftikhar-ud-Din : I am referring to the spiritual home of the members opposite. (*Laughter*).

Premier : It is not my spiritual home. It is the spiritual home of my honourable friend where he imbibed the doctrines of socialism. (*Laughter*).

Sardar Sohan Singh Josh : May I enquire if the Honourable Mr. Purshotamdas Tandon protested against the indiscriminate taking away of books ?

Mr. Speaker : That question need not be answered.

Mian Muhammad Iftikhar-ud-Din : Would it not do good to the honourable members opposite if they were to read those books ?

Premier : If such books have done no good to my friend opposite, how can they do good to others ?

SEARCH OF MASTER KABUL SINGH'S HOUSE AND OFFICE, ETC.

*2268. **Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state—

- (a) whether Master Kabul Singh, M. L. A.'s house situated in village Gobindpur, district Jullundur, and his house and office in Jullundur city were searched in his absence in July, 1935 ;

[Sardar Sohan Singh Josh].

(b) whether any books were seized by the officers who searched these places ;

(c) the list of the books seized ;

(d) whether any of the books seized are proscribed books ; if so, their names ;

(e) the reasons for not returning these books ?

The Honourable Major Sir Sikander Hyat-Khan : (a) The searches were made in May, 1935, and not July, 1935.

(b) to (e) Some books were seized, but I am not prepared to go into details of a matter nearly 3 years old, for which I am in no way responsible.

Lala Deshbandhu Gupta : Is the Honourable Member not prepared even to say whether these are proscribed or not ?

Premier : I am not prepared to go into the details because I am not in any way responsible for the action.

Sardar Sohan Singh Josh : Was Capitalism by Carl Marx also taken away ?

Premier : I am not prepared to go into the details.

Sardar Hari Singh : Why not ?

Premier : Why should I ?

Pandit Muni Lal Kalia : May I know whether these books which were taken away are still with the Government ?

Premier : I said that I was not responsible for the action taken then and I do not propose to waste my time in looking into this matter now.

Dr. Sant Ram Seth : Have the Government ever read those books which were taken away ?

Premier : I have not.

Sardar Sohan Singh Josh : May I know if ' Capital ' by Carl Marx is being sold in every book stall in the city ?

Premier : How does this question arise out of the answer ?

Lala Deshbandhu Gupta : How does he say that he is not responsible? Does he not hold himself answerable for the action of the past Government ?

Premier : Not for all actions.

Lala Deshbandhu Gupta : Is he prepared to say whether that action was right or wrong ?

Premier : The honourable member is asking my opinion.

Lala Deshbandhu Gupta : Was the Honourable Member himself in charge of this portfolio when the action was taken ?

Premier : No.

Lala Deshbandhu Gupta : Was any of his colleagues in charge of it ?

Premier : Some body must have been.

Lala Deshbandhu Gupta : Was it any of his colleagues on his left ?

Premier : No.

Pandit Bhagat Ram Sharma : Is the Honourable Premier considering the question of returning these books now ?

Premier : My honourable friend would have saved his own breath and time and that of the House if he had listened to my reply.

PROFESSIONAL TAX LEVIED ON SOME PEOPLE IN VILLAGE SUJON,
DISTRICT JULLUNDUR.

***2269. Master Kabul Singh :** Will the Honourable Minister of Public Works be pleased to state whether it is a fact that complaints have been made to the Deputy Commissioner, Jullundur, and also to the Honourable Premier by the residents of village Sujon, thana Banga, in Jullundur district, that the lambardars of the said village with the chaprasis of the District Board, Jullundur, harass women-folk in the absence of their husbands in connexion with the realisation of professional tax imposed by the district board ; if so, the action taken or intended to be taken on these complaints ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : No such complaints are traceable.

Pandit Muni Lal Kalia : From which source was the enquiry made ?

Minister : From the official source.

Minister for Revenue : Do you think any other source is also available ?

APPLICATIONS OF THE PEASANT PROPRIETORS OF VILLAGE CHAHAL
KHURD, DISTRICT JULLUNDUR, PROTESTING AGAINST THE
INEQUITABLE CONSOLIDATION OF HOLDINGS.

***2270. Master Kabul Singh :** Will the Honourable Minister of Development be pleased to state whether the peasant proprietors of village Chahal Khurd, police station Banga, tahsil Nawanshahr, district Jullundur, sent several applications to the authorities concerned protesting against the inequitable consolidation of holdings effected in their village ; if so, the action taken or proposed to be taken in the matter ?

The Honourable Chaudhri Sir Chhotu Ram : Yes, applications were received from certain proprietors. An enquiry has been held into the matter and it is hoped that an arrangement, satisfactory to all concerned, will be reached.

SARDAR DEVA SINGH'S LETTER TO SUPERINTENDENT OF AMBALA JAIL.

***2271. Master Kabul Singh :** Will the Honourable Minister of Finance be pleased to state—

- (a) whether it is a fact that Sardar Deva Singh, in December, 1934, sent 8 dollars to his son Kartar Singh, Babbar Akali, a terrorist prisoner in the Ambala Jail, and they were duly entered on his history ticket ;

[Master Kabul Singh].

- (b) whether it is a fact that on 3rd February, 1937, he again sent 10 dollars to his son but they were not received by him ;
- (c) whether it is a fact that on 1st September, 1937, Sardar Deva Singh wrote a letter to the Superintendent, Jail, Ambala, complaining against this but received no reply to his letter ;
- (d) if the reply to (a), (b) and (c) be in the affirmative, whether the Government is prepared to hold an inquiry into the matter ?

The Honourable Mr. Manohar Lal : (a) On the 3rd January, 1935, a sum of Rs. 21-5-0 was received by money order and duly added to Kartar Singh's private property account at the Ambala Jail.

(b), (c) On the 21st September, 1937, a letter was received by the jail authorities from the convict stating that his father had informed him that he had sent 10 dollars more on the 3rd February, 1936, and that this had not been credited to him. It was found that a sum of Rs. 26 had been received by money order on the 10th March, 1935, and entered in Register No. 18 on the same date. By an oversight it was not entered in Register No. 2, and it was not sent with the prisoner at the time of his transfer to the Jullundur Jail. It was remitted to him by money order on the 9th November, 1937, and his receipt is with the jail authorities.

(d) Does not arise.

COMPLAINTS AGAINST SUB-INSPECTOR OF POLICE, KHANNA.

***2272. Chaudhri Muhammad Hassan :** Will the Honourable Premier be pleased to state—

- (a) the number of complaints against the sub-inspector of Khanna ;
- (b) have any inquiries been made into these complaints ; if so, by whom ;
- (c) whether any action has been taken by the Superintendent of Police in the matter ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh : (a) The question presumably refers to complaints of corruption or the like. Only one such complaint has recently been made. This was forwarded by the honourable member himself.

(b) and (c) An enquiry was made into the complaint mentioned at (a). It was found to be unsubstantiated.

Chaudhri Muhammad Hassan : Why was not a gazetted officer deputed ?

Parliamentary Secretary : It is not necessary to depute a gazetted officer on every enquiry. An Inspector was considered fit enough for an enquiry of this nature.

Chaudhri Muhammad Hassan : What was the reason that he was considered fit enough ?

Parliamentary Secretary : The Superintendent of Police considered him fit.

Chaudhri Muhammad Hassan : What is the date of that complaint ?

Parliamentary Secretary : The honourable member himself forwarded it, he ought to know it better.

Chaudhri Muhammad Hassan : I am not the complainant. I ask you the date of the complaint and not the date of its forwarding.

Parliamentary Secretary : I am sorry I cannot give it off-hand.

Chaudhri Muhammad Hassan : Who was the complainant ?

Parliamentary Secretary : One Labhu Ram.

Lala Deshbandhu Gupta : What was the nature of the complaint ?

Parliamentary Secretary : The complainant was Labhu Ram who alleged that in a case under section 406, Indian Penal Code, a Sub-Inspector of Police had taken away a cow for his own purpose.

Chaudhri Muhammad Hassan : Is it a fact that the cow was returned to the complainant by a court of law ?

Parliamentary Secretary : I am not aware of that.

RELIEF TO VILLAGE SANDHWAN, DISTRICT JULLUNDUR FOR
DESTRUCTION OF KHARIF CROPS BY SUNDI.

*2273. **Master Kabul Singh :** Will the Honourable Minister of Revenue be pleased to state whether he is aware of the fact that the last "*Fasli Kharif*" in village Sandhwan, tahsil Nawanshahr, district Jullundur, was destroyed by the pest (Sundi), if so, the steps the Government intends to take to grant relief to the village mentioned above ?

The Honourable Dr. Sir Sundar Singh Majithia : No damage is reported to the *kharif* crop in village Sandhwan by any pest. The question of relief does not arise.

STANDING ORDERS ISSUED BY THE SUPERINTENDENT OF POLICE,
AMRITSAR, REGARDING DEFENCE WITNESSES.

*2274. **Sardar Partab Singh :** Will the Honourable Premier be pleased to state whether there are any standing orders issued by the Superintendent of Police of Amritsar district to the effect that defence witnesses for the accused in the Crown cases in that district should in all cases be hauled up for police inquiry and for entering their names in police register No. 10 ; if so, whether the Government will be pleased to lay a copy of these orders on the table of the House ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : No, Sir.

Sardar Partab Singh : Has not the Government received any complaint of the fact that some persons have been registered in number X on account of appearing as defence witnesses in Crown cases ?

Parliamentary Secretary : They may have been registered on other grounds, but there is no standing order to which the questioner refers.

Sardar Partab Singh : Is the honourable member aware of the fact that there are two policemen in plain clothes moving about the courts and finding the names of the witnesses who appear in defence of the accused in Crown cases ?

Parliamentary Secretary : I am not aware of such cases.

Lala Deshbandhu Gupta : Is it a fact that defence witnesses have been entered in this register as a matter of fact ?

Parliamentary Secretary : No, not all the defence witnesses.

Lala Deshbandhu Gupta : I am asking about Crown cases.

Sardar Partab Singh : Is it a fact that in a case against Master Tara Singh in connection with rioting in Jallianwala Bagh a lambardar was approached ?

Mr. Speaker : That question does not arise.

SUSPENSION OF A PATWARI OF VILLAGE BOTALA.

***2275. Sardar Partab Singh :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether a patwari of village Botala, district Amritsar, was suspended by Revenue Minister in 1937 ; if so, the name of the patwari and the charges against him ; and whether any inquiry has been made with regard to the charges that led to the suspension of the said patwari ;

(b) the result of the inquiry mentioned in (a) above ;

(c) whether the Honourable Minister's action has been upheld or set aside ; if set aside, the reasons for the same ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No, the patwari Sardar Khan was suspended by the Settlement Officer, Amritsar. The following charges were framed :—

(1) that he demanded and took bribes from the zamindars in connection with the remission of land revenue proposed on account of damage caused by hail-storm.

(2) that he informed the zamindars without authority that no remission would be given them.

An enquiry into these charges was made.

(b) The charges were not substantiated, but he was transferred from his circle.

(c) Does not arise.

COMPLAINT OF CORRUPTION MADE AGAINST THE POLICE BY ROOPA SINGH OF AMRITSAR TAHSIL.

***2276. Sardar Partab Singh :** Will the Honourable Premier be pleased to state—

(a) whether he received any application from Sardar Roopa Singh, son of Ala Singh, caste Jat, of village Chhajal Wadi, tahsil

Amritsar, district Amritsar, in November, 1987, containing allegations of bribery against two constables ;

(b) whether a similar application was also recently received by the Deputy Commissioner, Amritsar, and the Superintendent of Police, Amritsar ;

(c) if the answer to (a) and (b) above be in the affirmative, the action taken on the same ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : (a) and (b) Yes.

(c) An inquiry was made under orders of the Superintendent of Police. This showed the allegations against the two constables to be without foundation.

Sardar Partab Singh : When was that enquiry held ?

Sardar Sahib Sardar Ujjal Singh : I am sorry I cannot give the exact date.

Sardar Partab Singh : Who was the enquiring officer ?

Sardar Sahib Sardar Ujjal Singh : A district inspector of police.

Sardar Partab Singh : Did he ask the complainant to appear before him and give evidence ?

Sardar Sahib Sardar Ujjal Singh : Yes, he examined the petitioner and four other witnesses.

DEMANDS FOR GRANTS.

INDUSTRIES—(concluded).

Mr. Speaker : The Assembly will now resume discussion on the demand for Industries.

Syed Amjad Ali Shah (Ferozepore East, Muhammadan, Rural) : Sir, in continuing my speech of yesterday, I want to bring to the notice of the Government the tanneries of the Punjab. We have spent a lot of money in educating the people and giving them practical demonstration as to how tanneries should be worked and how tanning could be done. But so far, I am sorry to say no appreciable achievement has been made. The reason which occurs to my mind is that tanning processes of other countries are copied. Tanning is a very technical subject and the conditions differ from province to province and from country to country. The effect of climate is considerable on skin and unless a research is made on the skins of that particular district or place as to what processes it should undergo, effective results cannot be obtained.

I am glad to say that our Government have the Leather Research Chemist who, I am sure, will apply his mind particularly to this point which I have raised. Yesterday my honourable friend Lala Sita Ram, who represents the Labour Constituency, said that students should get industrial training. I have already said that we have 36 schools giving industrial training but these students, after they have got training in different industries, are not employed and the reason is that those industries in which

[Syed Amjad Ali Shah.]

they have training are such which probably cannot be worked on a commercial basis and, therefore, I would again very humbly request the Government to go into this question of surveying the industrial prospects of the province first and then try and give impetus to any industry which they think can be easily and commercially worked. I would draw the attention of the House to a fact which I am sure will support my argument and that is this. I understand that in the Punjab we have lot of sand from which glass bottles could be made. We have also various other ingredients which go to make glass. The ordinary green glass which is the coarsest and cheapest kind of glass, can be made out of sand with limestone or chalk and sodium carbonate. All these ingredients, as far as I know, do exist in the Punjab. We have a glass factory in Amritsar and we have various glass factories all over India but I am sorry to say, and my honourable friends will be surprised to hear, that there is not a single glass factory in the whole of India which can produce bottles. I myself wrote to numerous glass factories and had the reply that none of them manufacture bottles. What is the reason? Surely it is not that bottles are not needed or there is no market for them, because if you look up the import statistics of India you will find that in the year 1935-36 no less than Rs. 22,10,922 worth of bottles were imported in India and here in the Punjab we are developing an industry which would help lot of our youngmen and the unemployed and that is the fruit preserving industry. In this industry any number of bottles can be used. As these bottles are not produced in India, they are either obtained from foreign countries or the poor manufacturers have to get second hand bottles for this purpose which certainly do not give a good finish and good packing to their stuff which may be as good or better than that obtained from foreign manufacturers. I laid stress yesterday on the fact that roads play a very important part in the development of industry and I would only bring it to the notice of the House that they are a boon not only to the industrialists, agriculturists and peoples of the cities but even to villagers and I would in this connection refer to an instance of my own constituency where the villagers of certain tracts situated on either side of Mallanwala are prepared to give to the district board a sum of one lakh if they make a road from Ferozepore to Mallanwala. If those poor people can afford to contribute a very large sum of rupees one lakh, it just goes to show how important roads are to the development of industry and agriculture. (*Hear, hear*). We have an un-official body called the Economic Board of Enquiry. This body collects statistics for agriculture and I would request them that they may very kindly apply themselves to collecting statistics also for industry. As these students have time, and ability, if they apply themselves to this, it will surely give good results. The industrial development of the Punjab cannot be achieved unless we have a thorough survey and I would again repeat here that the survey which the Government has in mind is most inadequate and will not give the desired result. I would beg of the Honourable Minister for Development to drop this idea of survey which he has in mind. An officer getting Rs. 500 as salary cannot possibly have that experience and ability to lay down the magna carta of the industrial survey of the Punjab.

Minister for Public Works : Does ability go by pay ?

Syed Amjad Ali Shah : Yes, Sir. My honourable friend Lala Sita Ram, who is not here, complained the other day of the time limit and he quoted this verse of Ghalib :—

فکر معاش عشق بقان یاد رفتگان—اس مختصر سی عمر دین کیا کرے کوئی
With due respect to the poet Dag I will conclude my speech with a few verses which will illustrate our financial limitations

پیش نظر زراعت و تعلیم و ہسپتال
پبلک کی ہیلتھ کا بھی ہمیں رات دن خیال
سرکھیں شکستہ صنعت و حرفت کی دیکھ بھال
بیمار صد ہزار اور انار ایک کی مثال
ہم کو نہ چشم یاس سے دیکھا کرے کوئی
اس مختصر رقم سے بھلا کیا کرے کوئی

Sardar Sohan Singh Josh (Amritsar North, Sikh, Rural) (*Punjabi*) : Sir, the problem of industry is in reality an all-India problem. Before I make any suggestions with regard to the industrial development of the Punjab, I would like to submit that British Imperialism has been the most formidable obstacle in the way of industrialising India. It is a well-known fact that prior to the war of 1914, the few industries that we had here, owed their existence to the efforts of private individuals, and that the Government did all it could to discourage this private initiative. After 1914, the Government of India was in sore need of war material. So they began to encourage a few industries in India which we find to-day. It is admitted on all hands that the advancement of India can only be achieved by industrialising the country. If the Government is in right earnest to see the Punjab keeping pace with other advanced countries, it should make efforts to bring about industrial revolution in the province.

Yesterday, an honourable member, in the course of his speech, remarked that the agriculturists look with suspicion at the industrialisation of the province. I myself come from a village and I represent a rural constituency and still I believe that it is highly essential for the welfare of the agriculturists themselves to promote industries in the province. I make this submission on the strength of my study of history that industrialisation of the province would go a long way in ameliorating the condition of the poor cultivators. But here I should strike a note of warning that the Government should not give preference to industries at the expense of agricultural interests.

Yesterday, my honourable friend, Mr. Mukand Lal Puri, remarked in his speech that the Government could not improve the lot of the agriculturists by passing any Indebtedness Acts. The betterment in their condition could only be made possible if the province is properly industrialized. But I have reasons to disagree with him in the assertion he made. There is no doubt about the fact that the Indebtedness Act has benefited the poor agricultural classes to a great extent, and a new Act can remove their burden with one stroke of the pen. What I mean to say is this that the Government should not develop industries at the cost of agriculture.

[S. Sohan Singh Josh.]

In the Punjab the problem of unemployment has become very acute. The people of the province have been constrained to take to agriculture on account of unemployment. Although it is an admitted fact that agriculture is no longer a paying profession yet they cannot do anything but stick to it. There is no gain-saying the fact that development of industries can go a long way in removing unemployment from the province. In case of industrialisation of the province the villagers who are at present vainly following agricultural pursuits can work in the factories and increase their income thereby. Now-a-days the condition of the agriculturists is pitiable. Their lot is a hard one. In most cases it is impossible for the agriculturists to make both ends meet. A great many of them have sold their lands and many agriculturists have started lorry services in the province. It is a fact that the promotion of industry is highly essential for the removal of unemployment from the province. But I know it for certain that under the present capitalistic regime the problem of unemployment is incapable of solution and I am sure that it will never be solved, because the present regime can only prosper if there are hordes of the unemployed.

Sir, we are not living in the 18th century. It is 20th century which has its own advantages. In the 18th century, at the time when Mr. Watson invented the steam engine, people of Europe had great suspicions in their minds against this innovation and felt shy of the proposed industrialisation of the country. But to-day in this machine age many facilities have been provided and many opportunities have been afforded to us for the industrial development in the province. If the Government were to give particular attention to this department I hope and trust that it would prove a helpful factor in the betterment of the condition of the Punjab. It appears from the programme adopted by the Punjab Government that it will help in encouraging those indigenous industries and concerns that actually stand in need of its help. Secondly, the Government would see to it that expert advice is not refused to any concern. We are told that demonstration parties would tour about the whole province for making propaganda work in favour of industrial development. Moreover, it is said that Government would subsidise those concerns whose financial condition is not sound. So this is what the Punjab Government intends to do in this respect. It is not prepared to take a single step beyond the framework of this programme. The newspapers of the province had published the programme of the Unionist Government with big headlines. But its half-hearted measures in this respect have reminded me of a well-known Punjabi saying.

کھودیا ہمارے نکلایا چوہا

(a mountain in labour producing a mouse). The Punjab has certain advantages over other provinces which would certainly serve it as helpful factors in the industrial development of the province. We have here Hydro-Electric Scheme with its marvelous results. It is satisfactory to know that the scheme is working at present most successfully in the province, and it can easily be extended all over the province. And the day is not far off when it would help us to bring about an industrial revolution in the country.

Secondly, we have here our own coal mines and petroleum fields which can help us to a great extent. But I know that the Honourable Minister would remark that it is a reserved subject and cannot be discussed on the floor of the House.

I fail to understand what special distinction these demonstration parties possess that the Government is never tired of singing their praises. Blacksmiths do not know about moulding of iron and making of scrapes and other agricultural instruments. If you go to villages you will find my statement cent. per cent. correct. The blacksmith of a village in particular cannot improve agricultural implements. It is the business of the demonstration parties to go from village to village and give them advice for improving those implements. But to my regret the Government have not done their duty fairly well. Besides anything else the agricultural instruments should have been modernised. Moreover, we see that the demonstration parties and the Agriculture Department have not so far done anything substantial for the masses. However, it is said in the present report that a demonstration party would go from village to village and tell the oil pressers that oil should be pressed according to the modern methods. It is very commendable, provided it would actually be done. I may submit here by the way that in the Punjab villages there are still many an oil presser which press oil according to the old old way. They must be instructed by the Government to adopt modern methods.

So far as industry is concerned I am sorry to mention that the Punjab is the most backward province in India. For instance, take Bombay, the United Provinces and Bengal, these provinces are comparatively far more advanced in industry. In this connection I would like to inform the Honourable Minister incharge that there is much scope for industry in the Punjab and I am sure if a little more care be taken in this direction the industry may prosper with rapid strides. For industry to prosper, I suggest to you a few constructive measures. Villages are replete with unemployed artisans who are experts in their line. They should be given employment by setting up new factories. Even Punjab villages do not lack skilled artisans. You will find efficient artisans belonging to all communities who can make things better than those made by the government factories. I would request the Honourable Minister incharge to visit the villages personally and I am sure he will meet hundreds of skilled foremen, blacksmiths and weavers who can do wonders but being out of employment and being not encouraged are unable to show their skill to the people. It is no less than a slur on the Government that they loiter in villages without work and the Government cannot accommodate them in any of their industrial factories.

I do not want to say more on this point, but, I would like to draw your attention to one thing in particular, that is, the paper industry. The Government should take pains to improve this useful industry. We have got every facility at home. As my honourable friend, Sardar Sampuran Singh, has stated, in the Punjab we have got plenty of straw and stubble which may be availed of in connection with the paper industry. Wood pulp can be obtained from Kashmir through the river Jhelum and other raw material from various parts. Coal and petrol are also available in the

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province. I beg to draw the attention of the Government to these favourable conditions which exist in the Punjab for the development of the paper industry. If you see other provinces you will be surprised to know how they are making use of wastage. I went to Lucknow and visited some paper factories there. I was wonder-struck to see for myself that they made paper out of obnoxious refuses and dirty pieces of clothes which we do not like to keep in our houses. I saw that paper which was made out of these refuses, was quite decent and was of high quality. When other provinces have advanced so much in paper industry why should not our province follow suit when every necessary thing for that industry is available here. If the Government start this industry, I am sure, it will prosper in no time. But I may anticipate what the Government would most probably say, namely, that we should wait until the Survey Department submit its report about this matter.

Sir, another most important point which I want to emphasise is the need of improving the lot of factory labourers. The problem of providing proper dwellings and adequate wages for labourers have been neglected by the Government. Moreover, the formation of trade unions is not being encouraged by the Government. You might be aware that in 1935-36 only 33 labour unions were registered under the Trade Unions Act. The report of 1934-35 says that in this year also 33 unions were registered. The report of 1936-37 I could not get from the library. The Registrar has got only 33 registered unions while there are 802 registered factories in the province. I think there are still more that have not been registered as yet. Do you know the reason for that? The owners of factories do not like the formation of trade unions, because they know that one day they will be asked to yield to the demands of the labourers. Moreover, the Government give the labourers no protection. But Europe has admitted that by trade unions the out-put of production is increased. Trade unions are made in order to bargain with the owners and the proprietors of factories. The labourers can thus easily approach the owners of factories and claim for increase in their wages and decrease in the working hours. In this way they get these facilities. I know, some honourable members of capitalistic, mentality may object by saying "Less hours, less wages." But I may submit for their information that it has been proved by repeated experiences that by decreasing working hours and by increasing wages the output of production is so much increased that no loss whatsoever takes place at all. I do not think it would be reasonable for the Government to raise objections against the formation of trade unions. My submission is that trade unions must be formed and the Government should take drastic measures in this respect. Legislation should be passed for the recognition of trade unions. Company unions should be discouraged. It is the business of the workmen and labourers to draw up rules and regulations according to which they want to be governed. Now I invite your attention to the unregistered factories. We have tried to draw the attention of the Chief Inspector of Factories, Punjab to this matter several times before and we have requested him to register every such industrial factory that has got a reasonable standing in the market, but he has not considered this matter at all. In Amritsar the Sehgal Weaving Factory situated in

front of his office is working efficiently for the last 8 years but it has not been registered as yet. I may submit that there are hundred and one such factories, which have not been registered as yet, although they have been working successfully for the last so many years.

When we discuss the question of industries there are other things which attract our attention as well. All honourable members know that children are working as labourers in factories. If, you look up the report about the working of factories in the Punjab you will find that 490 boys were employed in registered factories in the year 1937. I may also submit that when these boys were produced before the certifying civil surgeon, he rejected 89 as unfit and passed the rest of them. I think some sort of an Act should be passed by which boys up to 14 or 15 should be forcibly sent to school. It will take some time to pass an Act for the compulsory education of adolescents, but meanwhile Government can enact a law prohibiting the employment of children in factories. As a matter of fact everybody knows that the atmosphere of factories is so bad that it prevents children from growing and generally the result is that their growth is stunted. Again we see that women are also employed in factories. In the year 1935, 7,597 women and in the year 1936, 8,155 women were employed in factories. I am quoting only the figures that have been published about the registered factories. If we take unregistered factories also into consideration, we would find that a large number of women were employed in the factories in 1935 and 1936. The same is the case with children. The question of the employment of women in factories bring us face to face with many knotty problems, *e.g.*, the question of their health, reduction of hours of work, as also the question of making adequate provision for expectant mothers. I would, therefore request the Government to pay special attention to the state of health of women and children employed in factories.

The conditions of factories so far as ventilation is concerned is not satisfactory. I admit that satisfactory arrangements for ventilation have been made in newly established factories. But the old factories have no such arrangements. The buildings in which they are situated are dark and dingy. Fresh air and rays of the sun cannot penetrate into hopelessly out of date buildings. In my opinion this is a serious matter and it is the duty of the Government to see that satisfactory arrangements for ventilation are made in these factories.

Now I come to the problem of providing houses for the factory workers. We all know that the poor labourers have to live huddled up together in very small houses. In fact I can say that a family of 6 or 7 persons is forced to live jumbled up together in a room, which is generally smaller than jail cells. In my opinion this adversely affects the health of the poor labourers. I would request the Government that they should pay special attention to it and should try to solve this problem as early as possible.

Now I would like to say a word about trade unions. There are something like 33 trade unions in the Punjab whose financial condition is not satisfactory. This is due to the fact that owners of factories do not allow trade union representatives to collect subscriptions from the workers. If anybody has the audacity to collect subscriptions for trade unions, the owners of the factories enter their names on the black lists. Whenever they

[S. Soban Singh Josh.]

get an opportunity the factory owners victimise those who collect subscriptions for trade unions. I think this policy is fraught with grave danger. It is the duty of the Government to encourage trade unions and help their leaders rather than allow the factory owners to victimise them.

Now I come to the question of strikes. I may submit that the workers do not go on strike without any reasonable cause. They are not mad people or idiots who choose to go on strike and to starve for nothing. My submission is that the labourers go on strike only when they are hard pressed by fines and when they are no longer able to put up with insults heaped upon them by the factory owners. The strikes that took place recently were due to the cut that was imposed on the wages of the labourers, but generally the strikes take place on account of the above mentioned reasons. I very regretfully submit that the Government have done nothing in this connection. On the other hand they have shown their lack of sympathy for trade unions. I may submit that the Government also asks the strikers to furnish securities for good behaviour and institutes cases against them and sends them to judicial lock-up. I remember that when the labourers of Lace and Weaving Mill at Chheharta went on strike, many cases were filed in the courts against the strikers. Although I know that the matter was brought to a successful end by the intervention of an honourable member of the Unionist Party, still I cannot help remarking that many of the strikers were thrashed mercilessly and false cases were also instituted against them.

The inspection of factories is very defective and in support of my contention I may be permitted to quote figures. In 1936 the total number of factories was 802 but only 578 were inspected as against 548 during the previous year. The reason why so many factories remained uninspected is that the factory inspectors were detailed on duties other than inspection. It is mentioned in the Annual Report on the Working of the Factories Act in the Punjab (1936) that owing to the occupation of the Chief Factory Inspector in connection with his duties of a returning officer during the elections, the inspection work suffered much. I fail to understand the logic of Government's placing him on unimportant duties at the expense of more important and urgent work of inspection. I would impress upon the Government the necessity of paying greater attention to the inspection work.

Now I would like to make a few observations in connection with the unskilled labour. In 1936 an ordinary factory worker earned a wage of Re. 0-8-6 per diem as against Re. 0-8-9 in 1935, which means there was a decrease of one pie in his daily income. I have no figures for 1937 in my possession and therefore I am not sure whether there was any further increase or decrease in his wages. Anyhow what I want to drive at is that the daily or monthly income of the factory labourers is appallingly small. It is very difficult for them to make their both ends meet, especially when they have big families to support. I may submit that Re. 0-8-6 a day is not even a living wage and I, therefore, impress upon the Government the desirability of increasing it at least to one rupee per diem. They should adopt means to achieve this end. If they failed to do so, this failure will be nothing short of a stigma on their name. It will ever be said to their discredit that this Nationalist Government could not do anything substantial to effect an increase in the wages of factory labourers. Again, in 1936 the

women workers earned a wage of Re. 0-4-0 a day as against Re. 0-3-9 a day during the previous year. I am at a loss to understand why they are paid less than men workers when they put in the same amount of labour as the latter do. I think the principle of 'equal wages for equal work' should be strictly observed by the factory-owners and the Government should see that the latter acted upon it.

Now I turn my attention to the number of accidents that take place in the factories. There were 710 accidents as against 617 in 1935, in the North-Western Railway Workshops at Moghalpura. The increase in the number of accidents indicates that the lives of the workers are becoming less safe in the factories. I would ask the Government that if they attach any value to the lives of these poor workers, they should seriously consider the question of framing regulations with a view to putting a stop to such accidents. They should introduce safety devices and ask the factory owners to make arrangements for fencing the dangerous machinery. The other day my honourable friend Lala Sita Ram who represents the railway labour here, entreated the Government to adopt measures to improve the pitiable lot of the labourers. I am sorry that he did not take up a bold stand nor had he the courage to plead the cause of labour with vigour.

Further I would like to tell the honourable members about the action taken by Government against the factory owners guilty of over-employment of workmen outside the prescribed hours of work. Ninety-nine prosecutions were instituted out of which eighty-two resulted in convictions. But the punishment awarded to the guilty factory owners was quite inadequate as compared with the nature of the offence. It is mentioned in that report that the average fine awarded in these cases was Rs. 28 per case, an amount which is incommensurate with the gravity of the offence. I would submit that these paltry fines would not deter them from indulging in the breach of the rules of the Factories Act. Under the provisions of this Act the workmen are required to work not more than nine hours a day and therefore those factory owners who are guilty of infringing this provision of the Act should be severely dealt with and heavy and deterrent punishments should be inflicted upon them, as it is inhuman to extort more work from the factory workmen who are already over-worked and low paid. I may be permitted to quote an extract from the Annual Report on the working of the Factories Act in the Punjab (1936). It runs as follows :—

A sum of Rs. 1,964 was realized in fines, the average amount of fine per case being Rs. 28 as compared to Rs. 29 last year. Considering the nature of the offence, the award of Rs. 28 per case for over-employment appears to be palpably inadequate. It may be hoped that the magistrates will realize the seriousness of the offence." It is evident that even a responsible person like the Director of Industries admits that the factory-owners have been shown leniency by the magistrates.

Again, Sir, only eight prosecutions were instituted against the factory owners for the existence of insanitary conditions in their factory premises. I would submit that authorities have taken no pains in this direction, because if we visit the premises of the factories in general, we find that little sanitation has been observed. I would, therefore, ask the Government to take strong action against those factory owners who make no sanitary arrangements in their factories.

[S. Sohan Singh Josh.]

One word more and I have done. It goes without saying that the Unionist Government have not been able, so far, to bring about any improvement in the industrial conditions of the province. They have even failed to enforce the existing law relating to industry because they lack the very courage that is so essential for implementing the provisions of the law of the land. I would go a step further and declare that no provincial government constituted under the Government of India Act of 1935 whether it be the Unionist Government or Congress Government, can as a matter of fact bring about that regeneration of industries in India that all of us have in view unless and until a socialist-revolution takes place and sweeps away the various difficulties that stand in our way. Let me make bold to assert that the greatest hindrance in this connection is the existing law which has turned this country into a market of raw material. This law is most conducive to the British Imperialism and unless we do away with that, we would not be able to industrialise our country.

Lala Sita Ram : On a point of personal explanation, Sir? I wish to remove a misunderstanding that seems to have crept into the mind of the honourable member who has just resumed his seat. I never said that the Government should not do all that lies in their power to industrialise the province. My only point was that we need not resort to force for the attainment of an object that can very well be accomplished by peaceful means.

Begum Rashida Latif Baji (Inner Lahore, Muslim women) (*Urdu*): I wish to assure the House through you Sir, that the only means of solving the all-important problem of unemployment is to industrialise the province. It goes without saying that a country which depends on foreign countries for the supply of each and every article of necessity can never hope to keep pace with the onward march of civilisation. Let us take for example the case of Japan. It is a very small country but due to industrial expansion has acquired the foremost place among the countries of the world. Now compare with it the subcontinent of India that remains in the unenviable position of depending on others for the necessities of life. In this country the teeming millions are starving simply because they have not improved their industries. It is a thousand pities that the pangs of hunger have deteriorated the intellectual brilliance of the people and weakened their health. It is deplorable indeed that the artisans and the craftsman here are called by very humiliating names. A cobbler is called 'Chumar' and a weaver is called 'Kamina' or 'Julaha bewaqf.' That is why industries in this country have altogether been neglected with the result that our province has become very backward economically. Unemployment is on the increase. If the Government comes forward to undertake large planned industries the masses will follow their lead and no longer look down upon such professions as weaving, etc. It would be quite in the fitness of things if all the students whether they be rich or poor are trained in the various crafts. When the Government provides this training to the students, people will no longer regard these arts as contemptible or worthy of the poor only. What a Government does is always counted honourable by its subjects.

Now let us consider how best we can get rid of unemployment in this province. I would say without any fear of contradiction that industrialisation of the province is the only effective remedy for unemployment. With this end in view we have to open a large number of factories in the entire length and breadth of the Punjab, but this cannot be done without a huge capital and it is a deplorable fact that capital in this country is very shy at the present moment. In order to remove the misgivings and doubts of the capitalists the Government should undertake to sell shares of various factories which they may open in the different parts of the Punjab. I am reminded of a similar act on the part of the Government when they sold the shares of the Reserve Bank in the year 1935 and the limit of time allowed for that purpose was very short but in spite of that people bought all the available shares within the short limit of time with the result that a large number of enterprisers had to regret that too little time was allowed for the purpose because otherwise they would have certainly bought many shares of the Reserve Bank.

(At this stage Mr. Speaker left the chair and Diwan Chaman Lall occupied it.)

It is an indisputable fact that the public in general entertain grave doubts about private enterprisers and fear lest their capital may be lost and they may come to grief afterwards. But I may claim beyond the possibility of contradiction that if Government declare their intention of selling the shares of some industrial concern, not only lakhs but crores of rupees will be collected in no time. *(An honourable member :—* But the pity is that the Government does not do that). The rich and poor both stand to gain by the industrialisation of the province. It will open new avenues of work for the unemployed. Besides, the labourers will receive a better treatment at the hands of the Government officials in the state-owned factories. We will hear less about the grievances of the employees against the employers. The best result of the industrial expansion will be the removal of unemployment from the province, and the amelioration of the conditions of the teeming millions. At present it is an indisputable fact that unemployment has impaired the general health of the people. There is a Persian proverb which says :—

مرد بیکار یا شود دزد یا شود بیمار

And it is amply borne out by the actual conditions of the poor peasantry of the Punjab in as much as they work hard for 6 months and remain idle for the rest of the year during which period they assemble under the shade of trees, smoke 'Hukkah' and indulge in useless chatting. Far from earning anything in these days they waste away whatever little they already possess in litigation. They fall victims to the various diseases on account of idleness which itself is a kind of disease. It behoves the Government to find out and provide work for the poverty-stricken agriculturists in their idle periods so that they may be able to enjoy affluence some day. In this connection I would like to sound a note of warning to the Government that it would be dangerous to establish new factories in the rural areas without previous industrial survey of the locality where a factory is to be established. It will be quite in the fitness of things if the Government pays

[**Begum Rashida Latif Baji.**]

special attention to this important fact. A locality which abounds in silk-worms will be suitable for silk industry and the one in which sugarcane grows in abundance will be fit for establishing sugar factories there. The Government would be well-advised to open factories for producing furniture in a village where wood can be had in abundance, and similarly honey-industry should be started only in that area where bees can flourish. Again, we need a large quantity of gum for consumption in the offices and we place order for its supply with foreign firms. But may I suggest that it can very easily be procured from trees in our own province. The Government should make up their mind to use local gum only and if they do that I am sure that it would be collected in bottles and preserved for sale to the Government offices. These are some of the practical suggestions that I beg to offer and I appeal to the Government to be pleased to consider them sympathetically and try to put them into practice.

(At this stage Diwan Chaman Lal left the Chair and it was occupied by the Deputy Speaker.)

We find that the indigenous medicines are all very useful and efficacious. But they are very rarely used in these days. This is not because they do not possess any curative value but because they are prepared by very unhygienic methods. Take for instance the case of 'Joshanda'. It is a very ordinary thing, yet it is a sure antidote for cold. The trouble, however, is that whenever you order for a small quantity of it from the bazar, it would invariably contain hundreds of germs. There is no essential difference between Arq-i-Badyan and grape-water. But shake the bottle of Arq-i-Badyan and you will see germs with your own eyes. It is obvious that those who love cleanliness cannot use such extractions.

In rural areas medicinal herbs are found in abundance. The Government should establish factories there to manufacture clean and pure drugs. You will then find, that our tabibs and vaidas who have now got nothing to do, will attract a number of customers, and the indigenous medicines will be in great demand. Moreover, as they will be cheaper, even poor people would be able to buy them.

Lala Deshbandhu Gupta : Is the honourable lady member speaking on industries ?

Deputy Speaker : I would request the lady member to speak to the motion.

Begum Rashida Latif Baji : I am speaking to the motion, Sir.

Dr. Sir Gokul Chand Narang : She is quite in order. She is talking of the drug industry.

Begum Rashida Latif Baji : Factories should be set up on a large scale in towns. Take the case of bicycles—what a simple contrivance, yet how useful ! If we were to start bicycle works in this country, we could buy Indian-made bicycles instead of those imported from Japan.

We had occasion to see, at the Lahore Exhibition, so many things which had an exquisite and artistic finish. In this connection I may mention cloths of various kinds, utensils and other miscellaneous goods. I hope and

trust that if the Government were to promote such handicrafts, our economic conditions would be considerably improved.

In the end I would earnestly appeal to the Government that in view of the present state of affairs in the province and in view of the fact that the poor people lack employment and consequently even the barest necessities of life, it should lose no time in undertaking an energetic campaign for industrialising the province. But I would submit, that no committee should be set up to go into this matter. This is a question of providing bread to the masses. If it were to be entrusted to a committee, it will be indefinitely postponed like so many other matters crying for solution. The setting-up of factories will provide work not only to the workless cultivators and labourers, but it will also absorb a large number of the educated unemployed. I assure you that the educated youths of our province are in the most pitiable condition. Being civilized and cultured, they cannot resort to thieving or picking of pockets. Nor can they organise an agitation against the Government for the removal of their grievances. For they know that if they were to do so, they would find their names in the list of the offenders rather than that of the workless, and that they would not be able to find any employment for the rest of their life.

It has often been said, both inside and outside this House that we have now our own Government and that those in authority are our kith and kin. If all this is true, what justification is there for one brother to lead a royal life while the other is starving to death. I hope, the Government will accept these humble suggestions of mine, for they are sure to provide an effective solution for the problem of unemployment, without proving in any way a financial drain on the provincial revenues. The Government should devote all its energies to one thing alone, and that is the provision of work for the unemployed in this province.

Pandit Muni Lal Kalia (Ludhiana and Ferozepore, General, Rural): Mr. Deputy Speaker, much has already been said with regard to the importance of industry so far as the progress of Punjab is concerned. It will not be a mere repetition if I say a few words regarding the importance of this department so far as our own province or so far as the whole of India is concerned. It is only the industrial backwardness of the country that invites foreigners to make it a market of their products and it is only the industrial backwardness of a country that is very often the cause of so many wars. The present-day struggle is mostly due to such backward countries like India, China and different other countries which are still up to the present day regarded as the markets of the countries which are regarded as industrialists. It is only this backwardness which has kept India, as a matter of fact, the attraction of the world. It is called *haya ki Chirya* (Sone ki Chirya) simply because people come over here and they find it a market for the produce which they make in their countries.

At present, it is all the more necessary, when we find that the population is increasing in large numbers and the land cannot sustain the burden of this increasing population, that industrial development should not only help the unemployed, the educated unemployed, but should remove the indebtedness of the province and should directly help the agriculturists of whom so many things — whether true or untrue,

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whether real or unreal — are stated from time to time from the benches opposite. It is a stage when the agriculturists of the Punjab and every one of the province can be helped if there is only a bit of re-orientation so far as the industries in the province are concerned.

If we have a look at the budget figures of the current year, we find that there is no material change so far as, even, the arrangement in the different sub-heads of the major head Industries is concerned. A cursory look at it will show that though the whole of the demand, like a few others, is a votable one and there is nothing that is non-votable, free discretion has not been used either in allocating money to different departments or doing things according to the demand of the public, or in the interest of the masses, introducing any changes which may be called either material or important. The total amount in the budget that is to be spent in this year is something like Rs. 20,14,000 out of which more than half is to be spent on industrial education and industrial development. What is this industrial education on which so much is to be spent? Is this amount adequate, is it being properly spent, are the educational institutions doing any useful purpose, is the public kept in touch with the activities of these institutions? These are some of the questions which we should now consider. The amount spent on industrial education is a little over 10 lakhs and it is spent on Government industrial schools and different other institutes, some for hosiery, others for weaving and dyeing and some for metal works. In different other ways this money is being spent. Whether anything which is useful to the public is being done in these different educational centres can be ascertained from the persons who reside in the localities where such institutions exist or have concern with them. I can at least give definite instances so far as Ludhiana is concerned. Only the other day I met the Honourable Minister for Development and brought to his notice the step-motherly treatment that Ludhiana was getting under the present Unionist regime. He was kind enough to promise an early visit after the session to Ludhiana in order to help the small factory owners of that area. Ludhiana district is a field where a little reorientation can help industry to a great extent and if some steps are taken industrial centres can be established on a better footing. I understand that there are over 400 factories where hosiery, knitting, textile and similar business is carried on. More than 200 of them are registered under the Indian Factories Act. About 40 per cent. of the Muslim population of the city, from where the Honourable Minister for Education is coming, are weavers by profession and they are carrying on the business of manufacturing durries and other materials which are required in our own houses. In the districts itself there are about 40 or 50 thousand harijans and *chamars* for whom there is also a representative on the Unionist benches in the person of the Parliamentary Private Secretary to the Premier. Most of these harijans and *chamars* in the villages are in sad plight. I am sorry he is not here, otherwise he must have attended to his duties as a representative of the backward classes better than by doing Unionist propaganda in his *ilqa*, doing anti-Congress propaganda round about the villages where he lives. More than 50 per cent. of these *chamars* in these villages are doing weaving work; but they

are neglected. Their methods are such that they cannot compete even with the weavers of the town. They get very little for what they do throughout the day. A family consisting of a husband and wife with two or three children can only earn about 4 or 5 annas a day for doing this work throughout the day. If a little attention were paid and practical training were given to these people in that case their backward condition could be much improved than by methods now claimed by the other side they are doing ; but no attention is being paid to them still.

Some of the demands of the Ludhiana manufacturers were placed before the Honourable Minister for Development and before the Premier on their visit to Ludhiana. One of the most essential things they want is that they should be given land where they could have all their factories and there could be a sort of an industrial colony outside Ludhiana. I can just give a rough picture of the thing, in case Government only moves a bit in the matter to acquire land to these people. It does not cost anything to the Government : it does not contravene in spirit or letter the provisions of the Land Alienation Act. As a matter of fact it is a thing which is required for the industrial development of a town where more than ten lakhs are invested in the form of machinery, and sales alone exceed something like 40 or 50 lakhs a year. If a place like that is acquired in the suburb of a town there will be an industrial town as big as Ludhiana itself. There will be about 6 or 7 hundred factories, hosiery factories, textile factories, foundry works and other allied industries. There are at present about 25 thousand workers doing work in these factories. Most of them are skilled. There will be residential quarters for these workers, residential quarters for factory owners. There would be schools, there would be recreation grounds and there would be other things which are necessary for an industrial town. In that case nothing is to be spent by Government. They only want facilities for the acquisition of land so that they may have their premises where they could carry on their trade and could compete with foreigners and others. The other thing they want is that they should be given proper aid for the progress of industry. The present Punjab State Aid to Industries Act has been in force for the last year and a half ; but its provisions are more rigid and strict than the provisions of its predecessor which was called the Industrial Loans Act of 1928. The name of that Act was defective because the word loan shows on the one side money-lender whether the money-lender be Government or it be some private person, and on the other side loan also gives the idea of indebtedness. In this case the name is very majestic : it is the State Aid to Industries Act. What is being done to industries under this Act ? I give a concrete instance. Supposing a gentleman wants Rs. 10,000 from the Government to invest in an industry. Under the rules he has to deposit an advance of Rs. 2,000 out of Rs. 10,000 and for Rs. 8,000 he has to mortgage his machinery and along with machinery he has to mortgage his immovable property to the extent of Rs. 8,000. Property immovable and machinery worth Rs. 16,000 have to be given in security. Just imagine the conditions : he has to mortgage or give in security his machinery and immovable property and he has to pay Rs. 2,000 in advance. Compare such terms with the hire purchase system and the agreements which are in force by private companies. Lorries are given and other machinery is given on the condition that the owner of the

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machinery cannot sell it for the time the balance is not paid in easy and convenient instalments and he does not possess proprietary rights so long as the whole of the balance is not paid. This is not the position so far as the State Aid to Industries Act is concerned : it is most discouraging, ineffective and impracticable. Unless conditions are modified and unless terms agreeable and convenient to the manufacturers are introduced it is no use to harp on such a measure which is not in the least useful to the persons for whom it is meant.

Then there is another trouble to those people and that is the problem of cheap supply of electricity. What is being done in these days? Large quantity of current or power is used by these factory people, but only 10 per cent. of the general supply of the current consumed by factories is given at industrial rates while the rest is charged at ordinary rate. That is not a point on which much should be said but it is a thing for which the Government itself to a great extent is bound by its own assurances at the time when this big scheme was launched and subsequently when further demands were being granted in the old Council for furthering and carrying on that great scheme on the understanding that electricity would be supplied for industrial development of the province, at cheaper rates. What is the idea of having such a thing, when electricity is not being supplied to these factories at a rate at which, after using it, they can compete with other countries? So, this is another thing which these people want and so far as their demands are concerned. Their demand is that 50 per cent. of the general supply should be charged at the industrial rate.

Then further facilities are not being given to these people, but the Factory Act is being applied in its full force so far as these factories at Ludhiana are concerned. It is therefore urged that the amount and the nature of security in these cases should be decreased and revised and that the form of security should also be modified. Land should be acquired for having an industrial town where all sorts of industries can be encouraged. A suitable area can later on be located in that district itself. There are some places to which His Excellency the Governor General or His Excellency the Governor has been paying visits to encourage the industries that are being carried on in some villages one of which is Nandpur. There foundry and hosiery machines and other complicated machines are being manufactured. There is another important factory in Ludhiana proper and that is called the Punjab Machinery Works. Another is Punjab Khalsa Foundry Works. They are also doing very useful work and one of the most complicated machinery is being manufactured there. They also required full encouragement. Then there are other industries which are allied or accessories to this main industry and they will also get their encouragement.

Now I come to the institute that is there and for which there are good words said in the annual report for the year 1936, I mean, the hosiery institute in Ludhiana. It is said in the report that this institute is doing very good work and it is giving training to industrialists there and it is sending forth students who are proving very efficient in the industry itself. But things are not such as they appear in that report. As a matter of fact, perhaps this matter is not within the knowledge of the Honourable Minister in

charge of Industries that this so-called institute is competing with other manufacturers at Ludhiana. The principal of that institute is in the hands of certain individuals, who for their own self-interest are always giving him wrong information and who are misguiding him. They secure orders from outside and place those orders with the principal. The things are prepared there. If there is a loss, that loss is borne by the Government. Things are prepared there and sold in the market through those persons. Things are not prepared there for the purpose of giving training to students. Things are not prepared there for imparting technical training to students, but as a matter of fact, these things are manufactured there for buyers and for suppliers, who themselves possess no mill or factory and have nothing to risk, but simply they get a certain percentage of commission and some of it must be going to the persons who undertake such responsibility. That is going on there. So far as personal qualifications of the Principal are concerned, the Honourable Minister for Development and the Honourable Minister for Revenue must be knowing personally that Ludhiana does not lack in very experienced and efficient hosiery experts. There is one gentleman, Mr. Hans Raj, Dhanda, B.A., who was sent as a state scholar for 3 years to England and the continent and who is the best person so far as hosiery industry is concerned. There is another gentleman Mr. Hisam Din and there are also other gentlemen Mahasha Ghasita Ram, Mr. Ram Parshad, who are experts. But their advice is never availed of. This gentleman who now happens to be the principal of the institute is not doing any work which can be said, in any way, to be connected with the training of students. Then it is said that this institute is well-equipped. I do not agree with the report in that respect as well, and with the remarks that are made from time to time by the Department of Industries. There are several other local factories which are more well-equipped, where students from this institute go daily for training and where practical training of a far better type is being given than the one given in this institute.

There is the Swadeshi Manufacture Syndicate, Swadeshi Karyala, Sutlej, Sind, Oswal, Gulati, Pearls, Mohini, Kishore, Beri, Thappar and several other mills and so many other knitting factories which are far more equipped. There are 30 or more such factories in Ludhiana which are equipped in a much better way and work is done in a much better scientific way than the institute which is said to be a model for Ludhiana and which is not well-equipped. This institute does not give any training to students. It is working like a private concern where profiteering is going on. I think the department will take necessary action at an early stage so that this complaint is removed and it really becomes an institute that may be useful to that centre and other centres of the province.

Then there is another Government Industrial School. There also things are not done in the way in which they should be done in a centre like Ludhiana where there is so much demand for articles required in these industries. Ordinary foundry works are located near about that school either in the form of machinery work or just like one that is known as Khalsa foundry works, where much better things are done than in the industrial school. I know some instances where students once admitted into this school were taken away from it and put into those foundries and

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factories and they did better there than in that school for which about Rs. 14,000 are being spent annually.

If an industrial town like the one suggested is developed it will be an asset and it will be a thing which will be an achievement of the Unionist Government. That town may be named, as it is the custom now-a-days, after the Honourable Ministers and it may be called Chhotupura or Sikanderpura. It may be named after any person but the encouragement should be there. It may also be named after the Ministry and called Waziranbad. Then there are about 16 or 20 industrial schools in the Punjab and each of them can be named after each Parliamentary Secretary and Private Parliamentary Secretary and the chief whip. If a modern industrial town like that is named as Sikanderpura or any of the names I have just mentioned, people will not object to it but at the same time people must have some advantage and some gain out of this State patronage.

It is no use spending so much money on the Department of Industries when nothing real is done by it. I will mention one or two items before taking up the more important items. It is said that Government has appointed marketing officers, a very attractive name indeed. The object of appointing these officers is that facilities should be provided for the disposal of the produce. There are only two methods by which this can be done. One is that the consumer must know from where he can get the things that he wants, and the second is that the producer must know the place to which he can send his goods. But what have the marketing officers been doing all this time? Their activities are confined to papers in offices, or writing reports or submitting papers, but no publicity whatever, of what they are doing is given. It is their business to give the widest possible publicity to what they are doing, so that the consumers should know the place from where they can have their goods and public should know which of the Government institutes are preparing articles. In that case he would be encouraging the provincial trade and he would be encouraging the provincial industrial products. It often happens that a person is ready to buy a Punjab-made article, he is ready to buy a swadeshi article, but he does not know from where he can buy it. What is the marketing officer doing? It is his business to bring consumers and suppliers and producers together and where such and such things can be had. Publicity is the only thing that should be done by the marketing officer, if he is genuine in his efforts. Publicity is a thing the utility of which cannot be denied in modern times. You can just see the kind of wide publicity in the form of advertisement by the post office, the telegraph office, the telephone department, the railway department and several other Government departments. This is also a Government department and I fail to understand why the authorities or the gentlemen in charge of this department have not so far paid their attention to such activities of their department, namely publicity. The object of this advertisement should be not only to give them figures or to show the merits of their machinery or to tell them how many schools the Government is running in the interests of the advancement of industries in the province, but they should give publicity which is not very meagre and in skeleton form but details of the particulars of things prepared by them.

the schools and places where they are prepared, their cost price and everything connected with the case that goes to help the purchaser should be mentioned.

Then there are other facilities which could be provided to industrial centres. I am told that traffic facilities are wanting absolutely so far as the industrial area in Badami Bagh is concerned. On both sides there are a good number of factories, but the railway line in between is a nuisance so far as the traffic between the two industrial centres on either side of the railway line is concerned. Either a convenient overbridge or an underbridge is a necessity which the Industries Department should ask the Railway to build, and that alone would remove the trouble now experienced.

On the rural side there are a good many industries which do not cost anything to Government but which require a little encouragement from Government. My friend Sardar Sohan Singh Josh has referred to some of those industries, such as shoe making, oil pressing and other ordinary things which at present are more or less ignored. If a little effort is made and the touring or demonstration parties take a little interest in them, much can be achieved. When they visit a village, they should stay there not with a view to giving a demonstration of what Government is doing, but with the idea of spending some days continuously at a station and giving facilities for giving training to the poor backward people of the village in the type of industry that is suited to the circumstances of the village. For example, a demonstration party goes to a village and they want to give training in tanning. It is no use their introducing to the poor villagers the most complicated machinery that cannot even be purchased by well-to-do persons. What they should do is to improve upon their present methods without much investment. If encouragement on these lines is given, then it would enable the villagers to send their children to schools. The Dyeing Institute at Shahdara alone is not sufficient for far off villages, many of which do not even know of the existence of the institute. Besides, there they are using the old stereotyped methods with the same old colours and designs which are not popular in the market. The business of the demonstration parties should be to impart training which can be adapted at very low cost and which can improve the conditions of those who depend upon that industry for their livelihood and for whom it is a question of life and death. There are other industries which Government alone can undertake—the difficult industries, such as mining, oil fields, the construction of steel and other big works. These are industries some of which are already existing. They should be patronised and others should be subsidized, and then Government itself should take upon its shoulders the development of that aspect, for the State is the proper authority that can advance such big schemes. When we talk of industrialising the Punjab, when we talk of giving assistance to the industries, we do not want any Manchester or Leicester or big centres in the Punjab. What we want is that there should be a big village reconstruction and all the increasing burden on land should be decreased. What we want is that poverty should be removed from this land, what we want is that hunger should be removed, what we want is that people should be self-dependent, and what we want is that each village should be a self-contained unit. In saying this I cannot be criticised for saying something which is not practicable. Practical shape can be given to these things by persons

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who have big portfolios, who can distribute thousands to these industries in one form or another, and a lot of which is being spent on the officers, the inspectorate, superintendence, clerks and upon contingencies and many other items, but nothing is being spent for the villagers in order to remove their difficulties. I do realise that from the other side taxes are being given to the people and nothing useful. As a matter of fact I am not putting forward any suggestion that these poor people should be taxed. Not in the least. When I quote an instance I quote it in the spirit that the other side will take up the good in it and reject what is bad. If they think there is anything impracticable in it or if they think that there is any political element in it, they can reject the suggestion. But I assure them that there is no political element in it. It is in the interests of the sufferers, in the interests of the poor people, I am suggesting these things here. Again in this department there can be no question of statutory agriculturists and non-statutory agriculturists, Jats or non-Jats, Muslims and Hindus and questions of that sort. Nothing of the kind. Unfortunately there is a popular impression against the Development Minister that he is not sympathetic towards industries. But I think the way in which he is smiling, the way in which he is taking notes of these matters, shows that such a charge is unfounded. (Interruption.) It may be that his look is deceptive. But I do not say he is deceptive. At any rate it appears for the present that he can give, if not a step-motherly treatment, at least 80 per cent. help to the industries of the province, especially when there is so much clamouring from the other side about what is being done for the zamindars, about the preservation of the Land Alienation Act and so on. He should also know the proper application of that Act. There should be a relaxation of the application of that Act so far as it is used for the purchase of land that is required for the industries at the different centres. It is only when there is development of industries side by side with the development of agriculture, that agriculture can improve. Punjab should no longer be said to be the only province in which more than 80 per cent. of the people live on agriculture alone. Even in villages where the entire population lives on agriculture, they have to depend upon many industries. The purchase of cloth, the purchase of other necessities are all natural. They cannot live only on wheat and gram. So, if these villages are also centres where these industries can easily be developed, it will be a good thing and I hope that the Minister in charge in his reply will not cast any aspersions on the members who make these suggestions, as was done by the Honourable Premier at the instance of a member who was irresponsible and who gave a wrong information. Unfortunately I was not attending to his remarks at that time, otherwise I would have at once refuted those allegations and shown the *mala fides* of his colleague.

Deputy Speaker : The honourable member must confine his remarks to the motion under discussion.

Pandit Muni Lal Kalia : I am merely saying that the Minister for Industries should not cast aspersions on persons who make practical and valuable suggestions simply because they are coming from this side.

Deputy Speaker : This is not relevant to the motion under discussion.

Pandit Muni Lal Kalia : The Opposition should not be run down simply because they make impracticable suggestions. My submission is that we make practicable suggestions, suggestions that count, suggestions that will bring the agricultural province to a position where it can hold its position among the other countries of the world. It may no longer be a market to those countries which are warring between themselves and which want to capture the Indian market. India is still after 150 years of British regime, a field for the raw products of other countries, a market for their manufactured goods. Other countries must realise that India is a self-dependent country and the products of this country are sufficient and it is no longer a market for other countries. That is the service which any sincere gentlemen, whether he happens to sit on the Treasury benches or on other benches can do. Otherwise by simply providing big funds for the inspectorate and superintendence and such other things and not spending even a single pie on the villagers in the form of help to them, in the form of aid to them, we will be playing a colossal joke. There is no necessity of running such a show if we do not mean to help the people for whom these departments are being maintained.

Next, I have to submit that there is no change in the policy of the Unionist Government so far as the department of industries is concerned. What are the figures as they stand ? Out of Rs. 20,14,000, only two lakhs are to be given as aid to industries. Last year there was a budget provision of one lakh for this purpose and out of it only Rs. 80,000 was given as aid to industries as shown in the revised estimates for the year 1937-38. I hope that during the current year a similar reduction will not be made in the amount of two lakhs provided for the purpose. Even this amount of 2 lakhs is not enough for the purpose. It is not a figure that can in any way help the industries of the province. It should have been, in my opinion, 25 lakhs. If one month's pay of all the Ministers, Parliamentary Secretaries and other heads of the departments is given as aid to industries, even that may not be enough. If that is done you will be in a position to get more pay in future and that will be a good business proposition. Invest this amount on the industries of the province and later on if you continue to hold the confidence of the electorate, you are sure to reap the fruits of your investment and you may take more money. (*Interruption.*) My honourable friend on this side reminds me of another matter and that is the special development fund to the extent of Rs. 50,000, which is also shown here. I would only substitute 'Unionist' for the word 'development' and call it special Unionist fund and in that case that amount may go in the right direction. If the amount is only to be used for propaganda work and for the purpose of making speeches against the Congress, then, in that case it will be only a minus expenditure so far as the Department of Industries is concerned.

These are some of the suggestions, Mr. Deputy Speaker, which I wish to place before the House and I hope the Minister for Development will take them in the spirit in which they have been offered.

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Raja Ghazanfar Ali Khan (Parliamentary Secretary) : The honourable member who has just now preceded me has, in my opinion, provided a typical specimen of the speeches which are generally made from the

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Opposition benches. We expect that the Government while replying to the speech made by him would not utter a word which would in any way cast a reflection on the Opposition party. Unfortunately, Sir, most of the members opposite even on such a non-controversial subject as the industries bring in certain arguments which are not relevant to the question before the House and want to create a political capital out of everything that comes before them. Therefore if some of the remarks are repudiated in the same language, they should not blame the Government for that.

Pandit Muni Lal Kalia : Absolutely not.

Raja Ghazanfar Ali Khan : However, I consider that Government have done very wisely in putting agriculture and industries under one Minister. Before the inauguration of provincial autonomy, the member in charge of agriculture was different from the member in charge of industries. That is why unfortunately an impression was created that when you talk of industries you talk of only a limited interest in the country, I mean the urban interest, while I fail to understand how when one talks of industries he ceases to talk of the working classes. We all know that the Honourable Minister for Development has a very genuine desire to serve the province. He is particularly anxious to help the backward communities who at present reside in rural areas. Therefore, I am certain that in his policy regarding industries, he will always keep in mind that industries are not merely to be confined either to the urban areas or to the people who represent urban interests. It should be his foremost duty to see that industries are developed in the rural areas.

Instead of indulging in generalities and taking the time of the House, I would say a few words about my own constituency and my own district. There are certain suggestions which I would like to make to the Honourable Minister with the hope that he will be good enough to pay a very sympathetic attention to these requests and will try to devise some scheme with which to help the people. I believe the Imperial Chemical Industries are going to start their works in our ilaqa near Khewra. I understand that they are going to start that work with a very large capital running into 4 or 5 crores. I do not know whether the Punjab Government have any voice in regard to conditions, prospectus or agreement which was arrived at between the Imperial Chemical Industries and the Government, but if the Punjab Government have any voice in the matter, I would ask them to insist that the Company recruit all their officers, clerks and labour from the local people instead of bringing people from outside. I would also expect the Government to invite the attention of this company to give some voice to Indians in the directorate and also as far as possible to encourage Indian capital. I believe, there is a proposal for starting a paper industry in the ilaqa near Jhelum on account of the timber that comes from Kashmir. I am sure the Government will lay down the same conditions when they are giving permission to a company to start work near Jhelum. Another point about which I would like to say a few words is about Choa Saidan Shah. The Honourable Minister visited that place last year. Choa Saidan Shah is, I believe, very well known for its roses. I think this place produces best roses in the Punjab.

Rai Bahadur Mr. Mukand Lal Puri : And you are one of them.

Raja Ghazanfar Ali Khan : Unfortunately the income made out of these roses is very insignificant. If the Government would advise and help the people in getting lavender made out of these roses on the most scientific methods, I am sure they will get good income. Then I take the case of Pind Dadan Khan. It was once well-known for having brass industry of its own, for making brass utensils. This is now very rapidly disappearing. I would ask the honourable member to consider the desirability of giving a substantial aid to this industry. What happened is this. Originally brassware was manufactured by hammering brass in the ordinary way, but now certain machines have been installed at Gujranwala which naturally are much less expensive to work. I would request the Honourable Minister to kindly ask the Director of Industries to look into the matter and see whether machinery can be installed at Pind Dadan Khan for this purpose. Then there are certain other industries which we have in almost every village known as indigenous industries. Government should allot substantial amount to help these and to encourage these industries. I am sure the Honourable Minister for Development will give his serious consideration to these suggestions which I have made. It is entirely wrong to suspect that the Honourable Minister is not taking sufficient interest in the development of industries. I strongly repudiate that charge. On the other hand, I am sure my honourable friends know that there is a strong conviction throughout the length and the breadth of this province that Chaudhri Sir Chhotu Ram is one of those Ministers who are day and night busy thinking how to serve the province (*hear, hear*).

Diwan Chaman Lall (East Punjab, Non Union, Labour) : I do not want to join in the chorus of praise that my honourable friends opposite naturally have indulged in in favour of the Honourable Minister for Development. Naturally they have to do it, in order to keep up the prestige of their party in season and out of season.

Deputy Speaker : I must ask the honourable member to speak to the motion.

Diwan Chaman Lall : If you have a few minutes patience, you will realize that I am speaking to the motion. The motion is in connection with the Industries Department of which my honourable friend the Minister of Development is the head and a claim has been made by my honourable friend Raja Ghazanfar Ali Khan who sat down a little while ago to the effect that there is no man who thinks as much about industrial development as the Honourable Minister for Development. And when I am taking up that challenge and when I want to talk about it you may rest assured that I shall be well within my rights in talking about this matter concerning the head of the department which is now under discussion under this token demand. Mr. Speaker, it may be true, it may not be true, it does not concern me whether the honourable member has achieved anything, but what I want to talk about is the actual state of affairs in the Industries Department. I do not want my honourable friend Raja Ghazanfar Ali Khan, who is an experienced hand in the matter of legislation and in the matter of investigating the departmental activities of various Governments, to be lulled into a safe state of security by such encomiums

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that he time and again showers upon his chief, the Minister for Development, but I want him to look at these problems from the point of view of a Punjabi and not merely a citizen of Pind Dadan Khan, but a citizen of the Punjab and a citizen of this country, India. Look at it, I say to him with the larger outlook—not the outlook of the gentleman who is used to attending village *hujqa* meetings—but a gentleman who is sitting here as a legislator wanting to do good to the province and to the country. It may be perfectly true that his particular little village needs special assistance and since he is part and parcel of Government machinery I dare say he will find ways and means of giving assistance to his own compatriots in his own village but I want him to help us, to give assistance to the large body of men, women and children in this province who are the subject of exploitation by the industrialists of this province. I want him to look at the problem not only from the point of view of those who produce the wealth of this province, the men, women and children engaged in industry, but to look at it from the point of view of national economy as to what can be done or what has been done in order to develop the national economy of this province. What are the matters which ought to engage the attention of my honourable friend? He should not go on wasting his breath in showering encomiums on his chief. We take it for granted since they are his chiefs, those on the front Treasury benches. (*Raja Ghazanfar Ali Khan* : Yes). My honourable friend is not following the trend of my argument unfortunately. If he understands the significance of my remarks, he will not be so eager to shout. It is expected of an assistant of a front Treasury-bench that he should shower encomiums upon his chief. It is expected of him.

Deputy Speaker : I would request the honourable member to speak to the motion.

Diwan Chaman Lall : I am speaking to the motion and I submit that if you can allow my honourable friend to shower encomiums upon my honourable friend the Minister for Development, I have every right to criticise my honourable friend.

Raja Ghazanfar Ali Khan : I said one word.

Diwan Chaman Lall : He says, 'one word,' but it shows the mentality of my honourable friend, not concerned with the lives, the liberty, the happiness, the prosperity of those who produce the wealth of this province, not concerned with the larger industrial development and industrial planning but showering words of praise on his chief. My honourable friend should remember that the problems that face us in the Punjab are two-fold. Let me have a look at the first problem. It has often been said that in the Punjab as well as in other parts of India the state, which controls industry, ruins industry but it is the private employer who is really the greatest boon to the state and the people of any country. If my honourable friend wanted to praise his chief, why did he not refer to a fact which would have brought out this particular matter in great detail and with such great emphasis that he could have easily scored a point? Let me present my honourable friend with a point that he refuses to see after having dealt with this demand. That point is this. I believe we have a factory owned by the Government at Shahdara known as the Shahdara Weaving Factory. Now, it is not due

to my honourable friend over there that the Shahdara Weaving Factory is actually today a paying concern.

Deputy Speaker : The honourable member should address the Chair. (*Hear, hear*) (*laughter*).

Diwan Chaman Lall : Mr. Deputy Speaker, I am afraid you are unnecessarily interrupting me in my speech without realising that I am not addressing anybody else but yourself. But when I point my hand that side I have every right—

Deputy Speaker : The honourable member should go on with his speech. (*Hear, hear*) (*laughter*).

Diwan Chaman Lall : Mr. Deputy Speaker, your rulings here on the floor of this House are inexorable—I do not say “inexcusable”—(*laughter*) and if you will permit me to proceed with my speech I shall do so and I have every intention of doing so even if you interrupt me. The point that I was driving at was this. Why did not my honourable friend refer to this particular matter? It is not true that the example that this State-owned factory sets, the great profit it is deriving is in any part due to my honourable friend over there but the entire Government can take credit for it and certainly the Director of Industries can take credit for it, for, if I remember aright, this particular factory was a losing concern when he took charge and now it is a paying concern. Now let it be an example to the State. Whenever it desires to work out plans for the further development of industries in this province, let it remember that it has already got an example of its own initiative which has proved a tremendous success—an example to be followed by it for the future. My honourable friend could have easily built arguments on the basis of that, namely, what the Punjab needs is industrial development. That is number one. Does the Punjab need industrial development or not? It is an axiomatic fact. How is that development to take place, how is the Honourable Minister for Development going to take charge of the situation and produce large planned industrial development in this province? How is he going to do it? The only manner in which this can be done is not by doling out assistance to private individuals but by planning on a large scale under the aegis of the State itself (*Hear, hear*). Let the State take a hand in industrial development. To-day money is cheap. It is available to-day on a large scale. If the Government would only utilise money for public purposes it is available, I believe, at less than three per cent. and there is not the slightest doubt that it is the consensus of opinion of all industrialists as well as financiers who know something about these subjects that now is the time ripe in the Punjab particularly for the development of industries—not only development of industries, but the development of all the resources of the Punjab on a planned scale, on a well thought-out planned scale, and this can only be done if my honourable friend would put his hand in his pocket or in the pocket of the public and obtain the necessary loans at low rates of interest and set large industries going. I have often heard complaints in the Punjab in connection with unemployment, in connection with the backwardness of this province industrially, that there is no cottage industry in the province worth its name and that the great need, it has been stated, is for the development of cottage industries in the Punjab. People, who talk about the development of cottage

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industries, forget the fundamental factor that no cottage industry in the Punjab or in the world can flourish unless and until you have a large planned industry which can be fed by cottage industry. Unless you have a large planned industry in operation, no amount of development of cottage industry is going to be of the slightest benefit to the province. Therefore, Mr. Speaker, again, from the second point, it becomes absolutely essential for the honourable member to possess a large vision and to think and plan on a large scale. When my honourable friend does that, then there will be time for my honourable friend Raja Ghazanfar Ali Khan to shower his encomiums upon him—only when he does that. I do hope my honourable friend will tell us something about this large scale planning of industry in the province. My honourable friend the Minister for Finance said the other day, "We have got our foot on the right path. We have given to the Punjab a message of hope and activity" and then having told us that he has got his foot on the right path, that he is at the present moment giving to the Punjab a message of hope and activity which is going to save the Punjab—and I take it that that is a message that he is giving of hope and activity not only for the financial position in which the Government of the Punjab find themselves to-day as a result of the beneficence of god Jupiter but also, I take it, he was talking at that moment of industrial development of this province—having given us this message of hope and activity my honourable friend then proceeds to damp the ardour of his colleagues and the people in this province by saying this which you will find in the printed record of his speech.

The Finance Minister said—

All provincial activity has to be carried on checked at every stage by this constraining factor. Even moderate projects to push forward along essential lines of progress have to be discountenanced. Increased liability for recurring expenditure can be assumed only with a degree of caution that must damp the spirit of any reformer; no bold and large scale improvements, howsoever urgent and matters of necessity, can be entertained.

After giving us the first message of hope and activity we thought that we were going to witness an era of large scale planning in industry. What my honourable friend says is that he cannot possibly visualise in the present state of affairs with provincial autonomy what it is that even moderate projects can be pushed forward along essential lines of progress but that they have to be discountenanced and he cannot visualise a period of large scale planning. I do hope my honourable friend who—when I was referring to the question of large scale planning I noticed at the moment he was feeling possibly a little enthusiastic—I do hope this verdict of the Finance Minister, which I have read out, will not damp his ardour and will not discourage him and that he will continue on the right lines to give a lead to the province in the matter of industrial development. I suggest, Mr. Deputy Speaker, the only method that can be adopted in order to safeguard the Punjabi industrially is the method I have suggested, i.e., state control of large scale industrial development. That could be done, I submit, if my honourable friends over there had the vision—they have been in office for one solid year—if they had the vision and had the knowledge—because I do submit that my honourable friends over there possess neither the vision nor the knowledge unfortunately in regard to these matters—they do not possess

contact with modern industrial development and modern thought in other parts of the world. In one part of his speech the Finance Minister—I am referring particularly to industrial development—did talk about the message of hope and activity but in another part he turned round and said it is not possible that such an achievement could be had in this province. If my honourable friend had realised the real position of the Punjab, the position of starvation, misery, unemployment, dirt and disease stalking throughout the land, if my honourable friend had realised that, he would certainly have taken a wider view and taken courage in order to introduce large scale planned industrial development in the province. The only method by which the Punjabi can be saved is the method of introducing large scale planning not only in industry but also in agriculture—agriculture as the handmaid of industry—if that is done the Punjabi will become prosperous and if that is not done the Punjabi will remain what he is. Men with one of the finest climates in the world, men with fine physique instead of becoming fine specimens of humanity are starving and dying with an income practically of one anna per day. That is the position of the Punjabi to-day. The Punjabi's position can be materially bettered if my honourable friend opposite now undertakes a scheme for the development of industry in the province. I make a suggestion to my honourable friend: will he be prepared—since money is so cheap—to raise a loan say of 10 crores, which is a small sum? My honourable friend, Mr. Few, I notice, Mr. Deputy Speaker, thinks that this might be an extravagant sum, but let me assure him that 10 crores is a small sum for the purpose of industrial development. Even this small sum would perhaps be a remunerative thing if my honourable friend would take the example of the activities of the Director of Industries in the matter of the Shahdara Weaving Mill into account. It would be a remunerative thing if he were to raise a loan and utilise it for the development of industries in the province. I assure my honourable friend that if he were to call a conference of financiers and industrialists—people who do not want a bigger loaf for themselves, people who do not want to grind their own axe, but people willing to serve the citizens of the Punjab—if he were to call a conference of such men he will find that they would be wholeheartedly in agreement with him and would be in favour of the necessity for the development of industry on a large scale and would further show him the ways and means of doing it and would show him how money can actually be added to the revenues of the province if he were to adopt this plan. It has been said by some people that the Punjab is ripe to-day for the development of the textile industry. You have already seen the Punjab hosiery and textile industry developing by the creation of hosiery factories and textile mills in several parts of the province. There is no reason why the cotton we grow here in the Punjab should not be turned into manufactured cloth and utilized by the Punjabi instead of the Punjab importing it from Ahmedabad, Cawnpore, Bombay or Japan and Lancashire. There is no reason why the Punjab agriculturists, who produces cotton, should not benefit by turning that cotton into manufactured goods which can be utilised and worn here by the people. The market is already there; 24 million people who can wear Punjab cloth. Raw material is there. We export raw material to Japan. Japan utilises that cotton, pays freight, pays insurance, sends it back, pays a

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heavy duty of 50 per cent. on those manufactured goods and those manufactured goods come back to the Punjab again made out of Punjab cotton and are sold in competition with the manufactured goods in India. Is that not a statement which should be an eye opener to my honourable friend over there ? If they do not worry about their own salary but worry about starvation and misery in the province they could do something. Unfortunately, Mr. Speaker, it is one of the complaints I have in regard to this particular department. My honourable friend the Minister for Development is in charge of a large number of departments. He is in charge of Development which includes agriculture, veterinary, co-operation, industries and various other little departments which are unnamed. Not even Jesus Christ, in the place of my honourable friend, would ever be able to do justice even to one department. But my honourable friends are supermen : they can take charge of so many departments and then imagine they can do full justice to those departments. If my honourable friend were to dissociate himself from other departments and if he attended to the department of Industries, only and devoted the whole of his time to this very department, he would find his hands more than full ; but unfortunately they do not have their hands full with one or more departments and honourable members will find that they have got so much time at their command that they go about in the country doing propaganda instead of looking to their departments. What is it that my honourable friend could do if he were only to look to his department properly ? He could pay some attention to, as I started by saying, those who produce the wealth of the province. There are 70,000 workers—men, women and children—who are engaged in registered factories in the Punjab. Half of those factories as my honourable friend knows are seasonal factories. Does he know what the condition of the workers in those factories is ? Does any honourable member sitting on those benches know what the condition of the workers is ? (Voices : Yes) Mr. Deputy Speaker, I am very glad to hear this loud and unanimous shout that honourable members opposite know a great deal about the condition of the workers in the Punjab.

Deputy Speaker : I will request the honourable member not to mind interruptions.

Diwan Chaman Lall : I enjoy them. (Laughter.) My honourable friends seem to know a great deal according to the shouts that I hear from the other side. Is it so ? Suppose we grant it that they do ; yet honourable members opposite have not uttered even a single word about the working classes in the Punjab, in all the speeches they have made. Has any honourable member of this House heard one word from anybody, excepting members on this side, uttered or said about the woeful condition of the working classes ? (Interruption.) I do not consider the honourable begum in *burqa* as part and parcel of the Government. I am referring to the honourable members who represent the Government. Have they said one word regarding the working classes in the Punjab ? Not a single word. Let me ask them. Do they know that little children, in spite of the Pledging of Children Act, are still being pledged in little factories in Amritsar ? (Mrs. J. A. Shah Nawaz : Yes.) 'Yes,' says the honourable begum. What action has the Government taken in order to stop this practice

and to prevent the violation of the Act! Has any word been said by the Government or by any Government spokesman against such criminal practice as is being adopted by certain employers? Has any one uttered a single word to condemn a practice like that? And yet they were loud to proclaim that they knew all about it. I would further ask honourable members opposite, 'Have they at any time looked into the condition of employment of thousands of children in factories in the Punjab?' They have been in office for one year and some of them were in office long before that. Have they taken any step to look into the condition of these children? Not only that. In Amritsar itself to-day, according to the latest report of the Royal Commission on Labour, thousands

Deputy Speaker : I will request the honourable member not to address the House in a manner which may give rise to a dialogue.

Diwan Chaman Lall : Mr. Deputy Speaker, I am afraid your experience of this matter is not quite so great as mine.

Deputy Speaker : I will request the honourable member to have courtesy to the Chair and not to make this remark.

Diwan Chaman Lall : Very well, your experience is very vast, Mr. Deputy Speaker. (*Loud Laughter.*) If you will permit me to carry on my argument I will do so. My honourable friends opposite have not looked into the matter of the employment of children in Amritsar factories. To-day in the carpet factories, there are about 800 looms or possibly more. They are not regulated factories. They do not come within the purview of the Indian Factories Act. Therefore they are no concern either of the Chief Inspector of Factories or of the Director of Industries or of my honourable friend opposite, except on the occasion when my honourable friend pays a visit to Amritsar. Now what is the condition of these children? I assert and challenge anybody to contradict me when I say that these children to-day are being made to work for something like 12 to 14 hours a day. Little children, little Muhammadan children, beautiful little children and children who, because their parents are starving and because their parents are cruel and have not the slightest regard for their progeny, are practically sold in these factories. Is it or is it not the duty of my honourable friend in the Industries Department to see to the condition of these children? It is their duty to see to these children, to the plight of these children. Do my honourable friends know how the Pledging of Children Act, which is now being enforced in the Punjab came into existence? Let my honourable friends know this. It came into existence in a very simple manner when the Right Honourable Srinivasa Shastri and other members of the Royal Commission on Labour visited this very carpet factory and there discovered documents which stated that parents were pledging these children into those factories for paltry sums of Rs. 50 or Rs. 75 each. If that was the state which brought about the Pledging of Children Act, why cannot my honourable friends opposite take steps to remove the unpleasant condition of these children in these factories and see that these children are not dealt with in the manner in which they are being dealt with in Amritsar to-day?

I come to another aspect of this problem. The honourable begum, a little while ago I think, asked, "Who settled the Chehartta strike?" May I ask her who settled the Chehartta strike and who sent 40 men into

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jail in connection with this strike? Did my honourable friends over there do that or not?

Deputy Speaker : Strictly speaking the honourable member is not relevant to the motion before the House.

Diwan Chaman Lall : Mr. Deputy Speaker, let me make a submission to you. Perhaps you have not looked into the industries demand. If you look into this Explanatory Memorandum and the document which is called 'New Expenditure,' you will find that a great deal has been said in regard to the administrative side which deals with the condition of the working classes there. If you will look into the reports of the Chief Inspector of Factories and the Director of Industries, you will also find mention of this thing, namely, whenever there is any question of extra hours being raised, whenever there is any strike or dispute, these are part and parcel of the honourable member's department. You may rest assured that I know what I am talking about. It is not the first time that I talk about this matter. I have spent 15 years over this matter and I know what I am talking about.

Deputy Speaker : Please proceed with your speech.

Diwan Chaman Lall : I am replying to your remarks. I will not be taken off my argument by any remarks that I might hear from any part of the House.

Raja Ghazanfar Ali Khan : On a point of order Sir. I just invite your attention to the motion under discussion which is intended to draw attention to the necessity of adequate provision for industrial development. This is the motion which is now before the House.

Diwan Chaman Lall : My honourable friend is quite wrong. The Honourable Speaker ruled yesterday—

Deputy Speaker : The honourable member need not refer to it. There is no point of order involved and the honourable member may go on with his speech. (*Cheers from the Opposition benches.*)

Diwan Chaman Lall : May I revert to the problem that I was discussing? I do want a very serious consideration of this problem. The problem is this that it is no earthly good calling upon this province to indulge in a scheme of industrial development unless you can also assure industrial peace. Industrial peace is one of the first and essential factors for industrial progress. Industrial peace depends upon two factors, namely, protection of workers and conciliation machinery. I was referring, therefore, Mr. Deputy Speaker, to this little strike.

Deputy Speaker : The connection is rather too remote.

Diwan Chaman Lall : Mr. Deputy Speaker, I do assure you that it is not remote. I will bring it nearer home to you if you want any further reference to bring it nearer home to you. My honourable friends realise already that it has been brought home to them. I was saying that you cannot talk about industrial development without industrial peace. When my honourable friends talk about the strike in Cheharta, I ask, them, who settled it? I ask them, who sent them to jail, who kept them in jail? My honourable

friends did. They do not know that there was not only one strike, there were 248 disputes in Amritsar during the year.

In other provincial governments under the aegis of the Industrial Department steps are being taken to appoint conciliation officers for the purpose of settling these disputes. You will realise the importance of this when you realise that the bargaining power of a worker as against the organised employer is of no avail whatsoever, and therefore it is essential for the State to step in and protect the rights of those who are unable to protect themselves, because the scales are heavily weighted against the working classes. I ask honourable members opposite, what during the year have they done to put an end to this state of affairs and to create the necessary type of conciliation machinery which could help the working classes to get their rights, to get a hearing and to get justice? I do not think that my honourable friend, Chaudhri Sir Chhotu Ram, will demur to this proposition or will be unmindful of this proposition, that the first charge of a Minister dealing with industries should be to look after the interests of the working classes, the poorer classes. My honourable friends will sympathise with this particular state of mind, because he has himself time and again taken the stand that he himself stands for the poorer classes. If there is any doubt about it, may I remind him as to what he said at Panipat when he threw out a challenge to Pandit Jawahar Lal Nehru.

Deputy Speaker : I would request the honourable member to be relevant.

Raja Ghazanfar Ali Khan : May I ask whether your rulings are meant to be obeyed or not?

Diwan Chaman Lall : Mr. Deputy Speaker, it is incumbent that you should have a little patience with regard to this matter and you will realise that there is not one sentence uttered by me which is irrelevant to the matter now being discussed. I ask my honourable friend since he stands for the poorer classes, whether he referred in his speech to the misery of the poor man which was the main theme in Pandit Jawahar Lal's ideology and said that he knew more about it than the Pandit who was born in a rich family and educated in England whereas the Honourable Minister himself was born in a poor home and knew more about the woes of the masses.

Deputy Speaker : I would request the honourable member not to refer to it because it has nothing to do with the industrial development.

Diwan Chaman Lall : Let me assure you that it has everything to do with industrial development and I tell you how it is. I say you cannot have an A-1 industry with a C-3 industrial population. I am drawing your attention to this proposition that if you want industrial development you must have an A-1 population dealing with this industry. Otherwise whatsoever wealth you gain will be absolutely of no avail. There will be no safety in regard to industrial development. That is the relevancy of this particular matter. If my honourable friend over there (Sir Chhotu Ram) really feels for the masses it is up to him to move in a manner which will assure a just deal for the working classes engaged in industries in the province, and I say that up to now he has done nothing. What has the department done? If you look at this demand, you will find that one particular department under this head is the department of the Inspector of Factories, and the second

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department is that of the Director of Industries. The job of the Inspector of Factories is that he has to examine and inspect the factories and see that the Indian Factories Act and other allied legislation are not being violated. For that purpose the Chief Inspector of Factories has certain assistants given to him. We have it on record that four industrial inspectors have been engaged by the department of my friend the Director of Industries, that they have been additional inspectors for the purpose of inspection under the Factories Act, and the result is that they are never available for the purpose for which they are appointed. The result is that if you go to-day to Amritsar to find that additional inspector of factories, you will find his office locked up because he has been on leave for three or four months and there is nobody to take his place. The result is that if you want a factory to be inspected, there is no one to do it. Then there is a rule that the Chief Inspector of Factories must give an order to the additional inspector before he is entitled to go and inspect a factory. At Dhariwal one of these inspectors arrived, but he was refused permission by the head of the factory because there was no written consent or authority given by the Chief Inspector of Factories. What is the result? The result is disaster. Out of 802 factories we have in the Punjab, barely half have been inspected in the course of one year. A large number of factories have remained uninspected, with the result that whatever breaches of the Factories Act are being committed, they go unpunished and unchecked. Yet my honourable friends opposite say that they have an efficient system of Government. What is the point of making laws for the protection of the working classes, unless you enforce those laws? What is the point of having legislation, the Indian Factories Act, the Prompt Payment of Wages Act or the Act for the Prohibition of the Employment of Children under a certain age, or the Act relating to 54 hours a week, what is the good of all these measures if there is nobody to see that an employer is working overtime or not, or whether he is working within the ambit of the protective legislature. Whose fault is it? Is it not the fault of the Government? Is it their fault or not if they go about absolutely regardless of the duty that devolves upon them and the burden that rests upon their shoulders to protect the weak? Is it not their duty to do so? Are the members opposite not to take the necessary steps which the law enables them to take in order to protect those who are part and parcel of the industrial policy of this province? Mr. Deputy Speaker, you will realise that we feel very strongly on this point. We feel it, although we do not shout from the house tops that we are the protectors of the working classes in the Punjab and of people who are unable to protect themselves. That is a duty which devolves upon the Government.

May I draw your attention to another particular aspect of this problem. In last year's report that we have before us, the Inspector of Factories states that accidents in the factories increased from 912 to 1,145, and the report states that getting entangled in shafts produces more fatal results than any single cause. Remember this, if there is no inspection, the result is that the employer will be regardless of the safety of the workers. He will not work his machinery in such a manner as to prevent an accident taking place. The result is obvious, because there is no sufficient inspection of that machinery, therefore these accidents are increasing day by day. What is the

result? A representation is sent up by the Union to the Deputy Commissioner of one particular district asking him—because he also under the law is authorised as an additional factory inspector—to take notice of two factories in Amritsar where people of seven, eight or nine years of age, are being made to work 12 hours a day. But first of all the reply comes that he could not deal with this particular union because it is not a registered union. The breaches of law being continued, no action is taken when the attention of the authorities is drawn to this matter and no notice is taken by the highest district authority there, who is empowered to look into these factories, to examine whether the allegation made is correct or not. Is my honourable friend aware that children of tender age are being made to work 12 to 14 hours a day? In black and white allegations have been made of cases under the Prompt Payment of Wages Act, where breaches of the Act are being committed in industrial establishments; cases are being brought to the notice of the Chief Inspector of Factories and for three months there is no reply. You know, Mr. Speaker, that those breaches still continue and I want to ask my honourable friends opposite, what have they done in respect of those breaches? What steps are they taking in order to prevent those breaches. If a man in a factory to-day gets an anna added to his monthly wage and gets, let us say, Rs. 30-1-0, does my honourable friend opposite know that the extra one anna is deducted illegally in spite of the Prompt Payment of Wages Act? If by weight of cloth a weaver has woven a chatak over and above the seer weight or the half seer weight, does my honourable friend know that in spite of the provisions of the Act, that particular chatak is not being credited to the worker? Does my honourable friend know that if a worker is employed in a factory at the end of the month, annas 8 per day is being charged by the employers for the sake of electric bulbs utilised in the factory illegally in spite of the provisions of the law? What prevents honourable members from imposing penalties for such breaches? No action is being taken for the simple reason that the method of inspection in these factories is nil, for the simple reason that honourable members opposite are too careful to sit on the fence themselves or are marching up and down the country doing their own propaganda instead of worrying about these things which are the only things of importance as far as the workers are concerned.

Now take another instance. New factories spring up with new capital. It is natural that one should spread out and build new buildings. But there are many factories which have been constructed, if I may say so, not constructed, but converted — many buildings have been converted—old buildings have been converted into new buildings which are extremely insanitary, which are extremely dangerous and it is up to the department that they should look into all these factories, all these buildings which have been converted, which according to their own reports show a state of affairs which needs looking after and see to it that strict regulations are laid down in regard to these factories, that any new factories that are built in old places or those that are reconverted do adhere to the specifications of the department in regard to these matters.

(At this stage Mr. Speaker resumed the chair.)

Now let me remind my honourable friends opposite regarding another matter, overwork in these factories. In regard to overwork, it has been

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stated in one part of the report on page 3, I believe—Annual Report on the working of the Factories Act in the Punjab.

Overwork is a prolific cause of accidents and ill-health. But when it is remembered that a factory can be inspected only once or twice in a season and that, though it may be caught overworking its people on one occasion, it is at least probable that it overworks them on many other occasions also, it will be seen that a fine of the standard usually imposed makes deliberate disregard of one of the most important provisions of the Act a highly lucrative operation.

Here is the condemnation by the Secretary to Government, Punjab, Electricity and Industries Department, a fullsome condemnation of a state of affairs which should have been looked into. May I ask the honourable friends opposite—this report was published in 1937—I believe this was published after they took charge—what steps have they taken during the year to put an end to this state of affairs? That is to say, Mr. Speaker, as a result of overwork a man is caught up in the machinery, possibly killed, possibly fatally injured or at least seriously injured, whose responsibility is it to see to it that such fatal accidents, serious accidents, do not take place? On whose hands lies the blood of those people who are being killed in factories to-day as a result of overwork, as a result of the breaches of law which are being committed because there is no inspection of these factories? I draw the attention of my honourable friends opposite to another aspect of the matter. In the Moghulpura Workshops we had some time ago a terrible accident, terrible explosion. The honourable gentleman, who was in charge of looking into this matter recommended to the Government that regulations should be made—regulations are probably being made—to prevent a recurrence of such serious accidents. I want to ask my honourable friends opposite what regulations have so far been made? What steps have been taken to prevent a similar state of affairs arising in other factories throughout the Punjab? Now, Mr. Speaker, may I draw the attention of my honourable friends to the exemption that is given in regard to the rest intervals? You realise, Mr. Speaker, that it is impossible for a worker in the conditions in which we live in the Punjab—the strenuous conditions of labour in the factories, the climatic conditions which are adverse to continuous work on the part of industrial workers—it is impossible for him to work without an interval and that it is essential and has been recognised by law that an interval should be given to the workers working in any particular factory. Now in many factories—I believe the number is 72—exemptions have been given to a large number of workers—exemption from complying with this compulsory order or compulsory interval in the course of the day. I ask, why should they happen? Why should honourable members permit any employer to so employ the manhood, the childhood and the womanhood of this province as to ruin the physique of the working classes in this manner by giving these exemptions when they have no right to grant them? If employers as they are in the Punjab to-day should need extra labour or want to work in extra shifts, they should work extra shifts but not at the expense of the workers, nor should they be allowed to work longer than the statutory limit. The worker should be given every privilege that is given him under the law regarding the hour of rest. Now, take Ludhiana which is another centre. I think my friend the Director of Industries held an enquiry some time ago into the state of the working classes in Ludhiana and there he found that the average income of the families

working—he took a sample of 13 families—was, I believe, Rs. 21-5-0 and expenditure Rs. 21-10-0. This is according to the Director of Industries. It is not a labour leader who went there and made the enquiry. This is the responsible head of a department, the Director of Industries who made this enquiry and he found that the average expenditure was more than the average income of these 13 families, a sample of which he took and found that 9 out of 13 workers that he examined were in debt, that loss in business, unemployment, sickness, etc., accounted for more than 45 per cent. of the indebtedness of these workers. Now, it is necessary that my honourable friend should make some efforts in regard to this particular state of affairs which he will find throughout the Punjab in all the industrial centres of this province. It is up to him to see to it that not only does he undertake a large scale planning for the benefit of the province, but that he sets up some sort of enquiry into the industrial conditions of the province and brings necessary legislation before the House in order that justice might be done to those who are unable to protect themselves. May I say that what my honourable friends have done so far is really nothing compared to what remains to be done. What remains to be done is of a colossal nature. My honourable friend Mr. Amjad Ali in a very fine speech that he delivered yesterday and which he continued this morning twitted me about my remarks regarding the exhibition held in Lahore. But he forgot that I was not against the exhibition as such, nor against wrestling matches as such. What I said was about the Latin saying about bread and circuses. Do not give them a circus and deny them bread. What is absolutely essential for these working classes is that they should first and foremost get bread. The classes that produce bread do not get enough to eat. I have said that the honourable members opposite have done very little. What they have done is a mere flea bite in regard to the industrialization of the province or placing the province on the industrial map of the world. As far as the working classes are concerned so little is the effect of what they have done, so little that I might compare it almost to attempting to scratch the thick-hide of the buffalo with the sharp tongue of my honourable friend the Minister for Development. (*Laughter.*) That is the effect that is being created in the Punjab in regard to their activities. I hope that my honourable friends will take a lesson from what I have stated in regard to the condition of the working classes. Industry by industry whether hosiery, wood carving, flour milling or any other they will find that in every class of industry in the Punjab the wages that are being paid are starvation wages and it is necessary if you want to build a prosperous Punjab, that you should take necessary steps in order that you should develop not only the moral and physical qualities of the industrial worker but the economic position of the industrial worker. This is a self evident axiom that if a man has more to spend, he will cause employment to grow; if the financial resources of a people are such that they can meet the needs of a higher standard of life, then the entire province benefits and every class of persons benefits. Mere industrial development, as I said, is not sufficient unless you are going to couple that with state control of the one side and secondly couple it with such steps as will ensure a decent standard of life to the working classes of this province. If you do this and take all the necessary steps to implement the law as it stands for the protection of the working classes, you will be able to change the entire situation in the province.

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and then you will deserve well of the people. If you do not do that and merely say that you are the protectors of the poor and when the time comes you are found wanting, then the province will register a verdict against you which will destroy you in the end. I appeal to my honourable friends opposite to try that in this matter at any rate there should be no controversy except the desire to do the best for the people of this province to try that the people of this province who are our own kith and kin and through whom streams our blood whether he is agricultural worker or industrial worker are served first and best. I am told on high authority that practically ten persons out of every 50 are affected with tuberculosis. I am told that the working classes of this province are on the downward grade physically. I ask my honourable friend whatever steps he takes in his department, the Department of Industries, he will see to it that the standard of life of the people is raised and every protection is afforded to the men, women and children of this province. (*Hear, hear*).

Khan Bahadur Sardar Muhammad Hasan Khan Gurchani (Dera Ghazi Khan, South, Mohammadan, Rural) (*Urdu*): Sir, I am certainly grateful to you for your very kindly giving me an opportunity to speak in this august House. I am a Baloch, Sir, with small education. So I would request you to kindly excuse me if you find any solecism in my speech.

As you are aware, Dera Ghazi Khan is a far off place lacking in all amenities of civilized life. In old times this town had been the headquarters of the Government of the day. But it had the misfortune of being swept off by the river and hence it lost its pristine glory. Formerly it was a busy centre of industry, but as that calamity befell it, rich people migrated to other parts of the province. The town as it exists to-day is too poor to provide its own requirements. It is a lamentable fact that no Honourable Minister of the Government has ever taken the trouble of paying a visit to that place. Now that summer is approaching fast, the torrential waters of the river Indus will again wash away the bridge, and so we cannot hope to see a Minister there for another year (*laughter and applause*). We would, however, be eagerly looking forward to the time when we could have an Honourable Minister in our midst.

Coming now to the subject before the House, I submit, that several prominent members have emphasised the need of industrial development of this province. I am not familiar with English and besides, I find that honourable members are very much amused by the tone and manner of my speech. It is very rare that a member especially from the far flung benches can have an opportunity of placing his views before the House. So I regard myself as very fortunate indeed. In olden times the town of Dera Ghazi Khan was well known for various handicrafts. It excelled in the manufacture of copper utensils and leather work. But the gradual economic deterioration of the inhabitants has led to the abandonment of all these crafts. There is now no factory which can provide employment to those in search of work. I would also like to bring to the notice of the Government that the people of that town have a special grievance against the heavy

octroi tax that is levied on them. So I would request the Government to pay immediate attention to this matter and remit the octroi tax that is realized in excess.

To the west of Dera Ghazi Khan there are mountain ranges and to the east there is the river Indus. The district of Dera Ghazi Khan as the honourable members know, is very extensive. The Baloch people live on the slopes of the mountains. Their one means of livelihood is the rearing of sheep and goats. This is not the occasion for me to refer to the complete absence of facilities for public health in that part of the province. So I will confine my remarks to the employment of industry alone. The Baloch people clip wool from their sheep and sell it to businessmen, who make huge profits out of these transactions. If the Government were to establish a wool factory at Dera Ghazi Khan to manufacture rugs and carpets, it will considerably add to the income of the simple minded Balochis and will also bring large profits to the Government.

Then, the sheesham wood is very cheap and abundant in our district. Wood-work is carried on at Jampur near Dera Ghazi Khan. There is a small factory at Jampur. If it could be expanded and an industrial school set up there it will provide work for so many people who would thus be able to earn their living. I hope, Sir, the Government will give due consideration to these matters. I wanted to say something about agriculture as well. Rice was grown in abundance in the sub-montane tracts of our district. But unfortunately for the last ten or twelve years the rice crop has been damaged by a pest. I trust the Government will do something in this connection.

With regard to our mountain ranges, I would submit that they are not covered by verdure. In 1929 the agents of the Burma Oil Company examined the various parts of these mountains for three or four months. Although they did not take us into their confidence yet we could understand from their talk that our mountains were rich in cement, sulphur, oil and petrol. The Company slept over the matter for some time. Now they are again busy with their schemes. Now if it is a fact, and it is a fact, that our mountains abound in these minerals the Government should come to terms with the Burma Oil Company. I thank you once more and also the honourable members who have listened to my speech with great patience. With these words I resume my seat.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) : Sir, fourteen honourable members have taken part in this debate. I have just forty-five minutes during which to reply to the criticisms that have been made of this department by various members. It will be impossible for me to reply to individual criticisms of individual members, but I can assure all the members of this House that all the criticisms that have been made on the floor of this House will receive my careful attention and sympathetic consideration. (*Hear, hear*). (*Voices from Opposition benches* : That is the spirit). I may, in fact admit that while usually the opposition indulges in mere denunciation on this particular occasion I have received very helpful suggestions (*Hear, hear*) from some of the members of the Opposition. (*Premier* : I hope that change will continue.) It is a very healthy convention and I am sure if it can be maintained we will meet the

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Opposition more than half way. (Hear, hear). (Diwan Chaman Lall: Half of you will come over here.)

I will now draw attention to a few facts. One fact is that there seems to be a lurking suspicion in the minds of many people representing urban constituencies that being a rural man with pronounced rural ideas and pronounced agricultural outlook I will not have the same sympathy for the Department of Industries as a minister in charge ought to have. Sir, I can assure them sincerely that the Industries Department will have the same attention from me as any other department that falls in my portfolio. The reason is obvious. In the first instance, as a minister in-charge of this department it is my obvious duty that I should give of my best to it. Secondly, I realise quite as clearly as any honourable member of this House can, that the prosperity of agricultural classes, the prosperity of the rural population, is closely bound up with industrial development. If we desire to add to the income of agricultural and rural classes, it is absolutely essential that we should enter upon a programme of industrial expansion and industrial development. Therefore, my friends ought to disabuse their minds of this suspicion if it still lingers. The next two points to which I wish to draw the attention of the honourable members of this House are these. When we criticise the Department of Industries—as a matter of fact, whenever we have occasion to criticise any department of Government—we should not forget that there are two governing factors which we cannot get rid of. One is that there are certain restrictions placed upon the free functioning of every provincial Government under the Constitution. However much we may desire to get rid of those restrictions they exist and we ought to take note of those restrictions when we criticise the working of any department. The second limiting factor is that of finance. Within the limits of financial resources of the province, a minister ought to be prepared to do all that he can and honourable members of this House have full right to expect that he will do so, but I will request honourable members of this House not to overlook this limiting factor.

If within the financial resources I have failed to do anything which I could have done or ought to have done I am to blame; but if within these limits I have been able to do something I think a word of acknowledgment will do no harm to the Opposition. Then, I will also draw the attention of the honourable members to a few figures which are more eloquent than the most eloquent speeches that have been made or can be made. After all it is facts and figures on which we ought to base our judgment. The provision made in the last budget framed by the dyarchical government was Rs. 14,70,106 (Diwan Chaman Lall: Anarchical government?) No, dyarchical government. The budget provision made in the budget now under discussion is Rs. 20,14,000, an increase of Rs. 5,43,893. This means an increase of 37 per cent. "I think in fairness members of this House ought to concede that there has been a very substantial improvement upon the position as it existed under the Government which made over charge to the present Government on the 1st of April 1937. Again, let us compare what we have been spending in our own province with what other provinces have been spending. The United Provinces spend 1.57 per cent. of their annual revenues on industries. The present budget in that province is

20,41,000 ; this means 1·57 per cent. of their annual revenue. In the Punjab we have made a provision of Rs. 20,14,000 which gives a percentage of 1·76. Does it not prove that we are spending something more than the United Provinces? Again, expenditure per head on industries in the United Provinces is 7·68 pies : in the Punjab that expenditure is 17·28 pies (*hear, hear*), 2½ times as much as in the United Provinces (*A voice : What revenue per head?*) I have given the percentage of revenue which is being spent in the United Provinces. I have also given the percentage of the revenue which is being spent in the Punjab. In the United Provinces the annual revenue is Rs. 18,02,00,000 : in the Punjab the annual revenue is Rs. 11,41,00,000. Let honourable members make their own calculations. Now, let us see what we have been spending on industries as compared with agriculture. There was a suspicion in the minds of some people that the Agricultural Department might be receiving greater attention on the part of the Punjab Government than the Industries Department. That suspicion ought to be dispelled when I quote the relevant figures. In the United Provinces they spend 5·4 per cent. of their annual revenue on agriculture while the Punjab spends only 3·6 per cent. of its annual revenue on agriculture. I am speaking only of the budget for the year 1938-39. Lastly expenditure per head on agriculture in the United Provinces is 26·88 pies while expenditure per head in the Punjab is 32·64 pies (*Hear, hear*).

I may also draw the attention of the members of the Opposition, in particular, to the statement made by the honourable Mr. Bishwa Nath Das, the Premier of Orissa, to a representative of the *Tribune*. Speaking of industrial growth and development in the Punjab he said, "the Punjab is moving faster than many Congress provinces (*Hear, hear*). (*A voice : That was formal expression of thanks for your hospitality*). There was no question of thanks : the statement was made in the course of an interview given by a Minister of another province to a representative of the *Tribune*. The question of courtesy does not arise. If honourable members are, however, uncharitable enough to think that an honourable Premier of another province will say such things only out of courtesy I can only say that they are very much mistaken. That was about industrial development and expansion. Now I desire to reply to the criticism offered by the honourable member who represents south-eastern towns of the Punjab. He said that nothing whatsoever was being done for the province and particularly for his own constituency. He said that Panipat was a very well known centre of wool industry and yet the methods being used there for carding were old, crude and obsolete and the Government had done nothing to introduce any improvement at Panipat. I will just read an extract from a note with regard to what has been done for Panipat. A carding plant at a cost of Rs. 20,000 has been set up at Panipat. My friend belongs to Panipat and yet he, what shall I say, has been so pathetically ignorant as to say that nothing had been done to improve the process of carding at Panipat.

Lala Deshbandhu Gupta : Has it been set up or has it been ordered ?

Minister : It has been set up there, and I saw it with my own eyes as long ago as August, 1937. My friend also complained that nothing had been done to help the people of Hissar district who are content with one anna

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a day. I hope it will not come as a surprise to my friend that in the Hissar district we have done a good deal to improve the methods of wool spinning and wool weaving; and the unfortunate agriculturist who used to earn only one anna a day, now earns 3 or 4 annas a day for spinning and 8 or 9 annas a day for weaving.

There is a demonstration party for teaching people the art of wool spinning and wool weaving. Again, there was a party of tanning demonstrators which was sent out to Hissar district and which worked there for full 8 or 9 months. We have also been helping weavers of Panipat by advancing small loans and the loans advanced during the year which is about to close, is Rs. 6,500.

Another gentleman, who made a complaint about his district was Pandit Bhagat Ram Sharma. He said that Kangra was the land of the poor, and the agriculturists there could not get even one meal a day and that Government had done nothing for that district either. I just mention what has been done for the Kangra district. A school has been established at Kulu to impart specialised education in wool spinning and wool weaving. Annual competition in demonstrations is held at Kulu on the occasion of *Dussehra* fair to give impetus to spinning and weaving and prizes are awarded on this occasion. My honourable friend was also pleased to remark that that had been done by the previous Government and that the present Government could not claim any credit for it. That is partly true. But my honourable friend should also realise that if anything has already been done for a particular area that area should not claim priority over others where nothing has been done. Now another thing. Sanction has been given to the appointment of a demonstration party for Palampur specifically. This party will be a sort of a moving industrial school to impart training in spinning and weaving of wool. Then, again, sanction has been given to the establishment of a wool teasing, carding and finishing station at a cost of Rs. 17,145 and substantial amounts have also been awarded in loans to the people of Kangra district. In view of these figures, to say that nothing has been done for Hissar, or Panipat or Kangra is, I think, the most uncharitable view of the activities of the Department of Industries.

I may also draw the attention of honourable members to what has been done for Ludhiana people. My honourable friend, Pandit Muni Lal Kalia, was complaining bitterly that nothing had been done for Ludhiana town, in spite of the fact that there are so many hosiery factories and there is so much capital invested there. I will just draw the attention of the honourable member to what has been done for Ludhiana. Loans for the development of hosiery industry at Ludhiana have been advanced liberally. There were 30 applications and the amount advanced in Ludhiana alone on loan is about Rs. 1,20,000. How can it be said that a department which has advanced a loan of Rs. 1,20,000 in a single year to a single town, is not doing its duty?

Another complaint by my honourable friend was that a large number of factory owners desired to found a regular industrial town outside the present confines of the Ludhiana town and that there were serious difficulties

in the way of their acquiring land privately and therefore unless the Government came to their help for the acquisition of this land, the town could not advance industrially. I paid two visits to Ludhiana and a number of hosiery factory-owners saw me at least once. They made certain representations verbally and I asked them to put down their grievances or their requirements in writing and send their representation to the Director of Industries. I received a reminder and again I gave them similar advice. Subsequently they submitted that representation in writing to the Director of Industries and I have directed the Director of Industries to pay a visit to Ludhiana, see things for himself, consult factory-owners and then submit a report. When that report has been submitted I will certainly apply my mind to it and do what is desirable and feasible.

Before my time is finished, I should also like to draw the attention of the House to what has been done and what the Government intends to do for the industrial growth of the province. Now, one of my honourable friends here said that there were seven essential factors required for industrial development of any province. He suggested certain names for these factors all commencing with an "m." I do not exactly remember those names. If I can remember correctly these factors were raw material, market, enterprise, capital, skilled labour, technical talent and expert knowledge. Well, so far as the question of raw material is concerned, there is no end of raw material in our own province, but the chief difficulty is to turn that raw material into finished articles. In the same way, so far as the question of market is concerned, there is plenty of it in the Punjab. I understand that out of all the cloth that is imported into India, as much as 40 per cent. is consumed in the province of the Punjab. So it is obvious that market in the province is not lacking. But with these natural advantages there are certain other factors which are lacking and which require to be developed. They are enterprise and capital. Enterprise is a quality which cannot be produced in the population of the province in a single day or in a single year. It is a question of giving a turn to the mind of the whole population and, I am afraid, I cannot say that that can be given by me in a single year or even in 5 years. But there are ways in which that enterprise can be stimulated. Capital is notoriously shy in the whole of India. It is particularly shy in our own province which is, industrially, very backward. So, Government can do something to stimulate enterprise by overcoming shyness of capital. Shyness of capital can be overcome in various ways. Those various ways are laid down in the State Aid to Industries Act which was passed under the aegis of the previous Government and as a result of the efforts made by my honourable friend Dr. Sir Gokul Chand Narang.

There we have five forms in which State aid to industries can be given, and those five are, making of loans, making of subsidies, guaranteeing a certain return on capital, supplying of machinery on hire purchase system, and one more. In the first year I understand there was a provision of only 1 lakh for all these objects. Next year the provision was 2 lakhs, and this year the provision stands at 4 lakhs. Some of my honourable friends have made a mistake and misunderstood the present figure of one lakh as representing the total that has been provided for all these objects in the present budget. As a matter of fact one lakh represents the excess over the provision that was made in the last year's budget. Therefore, I desire to dispe

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that misapprehension and the honourable members should understand clearly that the present budget contains a provision of 4 lakhs under the State Aid to Industries Act. It has been suggested that the terms of granting loans are very strict and those who apply for loans find it very difficult to comply with those terms. On the question of loans, I think we ought to be quite clear. A loan is a loan, and we ought to apply ordinary business principles to the granting of loans. If a loan is to be granted, then a reliable security ought to be forthcoming, and unless a reliable security is offered I think loans as loans should be refused. (*A voice: A Jat with the bania spirit*) (*Laughter*). I am afraid in the making of loans I must imbibe the spirit of a bania, unless the honourable members want me to make an end of the finances of the province.

Next to loans we have a provision for making subsidies. In deserving cases there is no reason why Government should not make subsidies. But even here we have to be rather careful. We should not simply throw away our money. Subsidy means making a free gift of public money. Unless we are sure that the man is really a deserving person and will make a proper use of the money, we should not give a subsidy.

Then there is the other form of supplying machinery on a hire-purchase system. This can also be done in the case of people who cannot find ready money and perhaps who are either unwilling or unable to borrow money from ordinary money-lenders or ordinary banks.

There is another form—guaranteeing of a certain return of capital I do not know whether anything has been done in previous years, but this year we have sanctioned a fairly substantial sum for the purpose of guaranteeing a return of 3 per cent. for a period of five years in two cases. I was myself under a great misapprehension as to what this guaranteeing of a return meant. I thought it was a very risky business, but I find that it is not so risky as it appears on the face of it. Guaranteeing of a return on capital means that we guarantee, say 3 per cent. on a capital of 2 lakhs or 3 lakhs or 5 lakhs for a number of years on certain terms which do not mean much of a risk. We get machinery for the Government, then we have the personal security of the owner of the business who wants a guarantee on his capital and the total amount on 3 lakhs for five years does not come to more than Rs. 45,000. There is not much of a risk. We have the personal security of the gentleman, we have the security of the buildings and the machinery and after all in the course of five years, if the business does not prosper, all that we require to recover is just 15 per cent. So the machinery and the buildings will in any case secure 15 per cent. of the capital spent by the owner. Therefore, we have been rather liberal this year in granting money for guaranteeing a certain return on capital invested, and I am sure we can make a more liberal use of this power in future.

Lastly, I will say a few words with regard to the criticism of Diwan Chaman Lal who spoke on behalf of the Opposition as a whole. He has made constructive suggestions in many directions and some of those suggestions have my sympathy. For instance, he suggested that nothing was being done to secure protection to women and children working in factories. He said that there was no adequate inspection of factories to see that breaches

of the law did not occur, that in some cases children were even pledged to work in factories on ridiculously low wages. He also reminded me of a speech which he says I delivered at Panipat. As I have been delivering so many speeches, I may possibly fail to recall what I said there. He said that at Panipat I had claimed to be a man, who was out for the protection of the rights of the poor. That is a sentiment which I have expressed very frequently and very likely I expressed it at Panipat also. As a matter of fact I pride myself upon the possession of the sentiment to which reference was made by my honourable friend, and let me assure him that if I am anything, I am a poor man's man (*Hear, hear*). My friend may rest assured that any breaches of the law that may occur in factories, any ill-treatment that is suffered either by children or women while they are working in factories will certainly receive my attention, and I will take the earliest possible opportunity of consulting members of the Opposition and also the representatives of labour on this question. As a matter of fact I already have had talks on this subject with a couple of representatives of labour, at least one of whom was from Amritsar.

I personally observed a few things in certain factories which seemed to suggest that factory laws were being violated. I visited a certain factory. I put a few questions to the children whom I found working there. But they seemed to have been very well tutored. I asked a boy, "When did you come here? How long do you work?" The reply was, "I came to see my brother, I came here with my brother's meal, I play here, work for a bit and then go away." That boy was only 10 or 11. I put similar questions to another boy who was more or less of the same age and he returned the same answers. I visited another concern at another place and I saw four or five children of between 8 and 14 years of age. Here again I put the same questions, and was not a little surprised that more or less the same answers were returned by these children. It seems that the owners of factories tutor these children beforehand so that if anybody came and questioned them on the hours of work, they should return certain types of answers. But there is no doubt that an impression was left in my mind that those children were there to work for a number of hours and that they were not there only for play or for a combination of play and work.

There were other bits of information conveyed to me by those representatives of labour confirming the complaints to which reference was made by Diwan Chaman Lall, and I promise to look into the matter very carefully. Nothing very much can be done in the present year to add to the staff of inspection, but I feel that next year I shall have to add considerably to the staff whose business it is to inspect factories. The complaint that was made by Diwan Chaman Lall that representations, complaints and statements of grievances, remained unheeded for months, is probably true, because when I received these very complaints from other quarters and consulted my Director of Industries, he told me that the inspection staff was so inadequate and that these complaints though often exaggerated were not without foundation. This means that laws are being violated and complaints remain unheeded. I will see that something is done to mitigate these evils even if they cannot be removed entirely. (*An honourable member*: What about non-official visitors or inspectors?) That is a very large question and I am not prepared to say either "yes" or "no" on the floor of this House.

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It may lead to certain types of abuses which the House may not like. The question requires careful consideration. There was another suggestion made by the honourable member on behalf of the Opposition, namely, that cottage industries would not serve our purpose. According to him if it is intended that the Punjab as a province should make real advancement, that we should add substantially to its prosperity, then we cannot depend upon cottage industries alone. He thinks that unless cottage industries are linked up to parent factories in various centres, not much good will come out of cottage industries. I am not prepared to say that I agree with him entirely. But I think there is a good deal of truth in the statement that if we were to depend on cottage industries alone, then probably we should not be adding sufficiently to the prosperity of the province. But cottage industries in the case of people living in rural areas will be very helpful. They have plenty of time for which they have no use and if we could introduce cottage industries in rural areas and add a little to the income of the agriculturist or the village artisan or the agricultural labourer, I think it would be a good thing. Then again the honourable member made another suggestion, that the Government itself should undertake to plan large scale industries. This is a proposition which requires very close and careful consideration. There are two schools of thought. One school of thought maintains that the state should not enter into competition with private enterprise and that the field of industries should be left entirely to private enterprise. According to this school if the state undertakes the execution of industries or the execution of a planned industrial programme for the province or the country as a whole it should do so only by way of starting pioneer factories, and as soon as a factory has been demonstrated to be a paying one it should be made over to a private company. There is another school of thought which maintains that private enterprise may be left to shift for itself and that the state should undertake large scale industries in the interest of the population as a whole. The state as a representative of the general public, as a representative of the population as a whole, should according to this school, make use of capital for the benefit of the community as a whole. There is a good deal that can be said on both sides. But this question has not been considered by the Government. So far as I am individually concerned I am half a socialist. (*Laughter*). I may admit that the suggestion has a good deal of my sympathy. But the question requires very careful consideration and until it has been thoroughly considered by the Government I am not in a position to say anything very definite about it. As a matter of fact I had a resolution to this effect moved by a member of the Unionist party in order to ascertain the views of this House, so that this House as a whole may have an opportunity to express itself on the merits of that suggestion and in the event of its approval of the idea, to suggest the manner in which the scheme should be financed. Now, as the honourable Premier has to make a statement, I will bring my remarks to a close, and may assure the House once again that in spite of the fact that I have admittedly a rural outlook and a pronounced agricultural bias, I have a very soft corner in my heart for industries (*Hear, hear*), not because they are an urban profession, but because they will add to the prosperity of the rural and agricultural population just as much as to the prosperity of the urban population. (*Cheers*).

Diwan Bahadur Raja Narendra Nath : Mr. Mukand Lal Puri is not here. But before leaving the House he authorised me to make a statement on his behalf that he would like to withdraw the cut if after hearing the honourable Minister I was satisfied that adequate provision had been made for the industrial survey of the province.

Minister for Development : The provision for survey can hardly be said to be adequate. But a beginning has been made.

(Honourable members : He cannot withdraw the motion).

Premier : Raja Sahib only wished to point out that had Mr. Mukand Lal Puri been here, he would have withdrawn the motion. He has only clarified the position.

Mr. Speaker : A motion cannot be withdrawn by proxy. (Laughter and cheers).

At this stage Rai Bahadur Mr. Mukand Lal Puri entered the Chamber amidst applause.

Rai Bahadur Mr. Mukand Lal Puri : I beg leave to withdraw my motion.

On the Assembly refusing the leave.

Mr. Speaker : The question is—

That the demand be reduced by Rs. 100.

The Assembly divided : Ayes 23 ; Noes 74.

AYES.

Ajit Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhagat Ram Sharma, Pandit.
Bhim Sen Sachar, Lala.
Chaman Lall, Diwan.
Deshbandhu Gupta, Lala.
Duni Chand, Lala.
Duni Chand, Mrs.
Gopi Chand Bhargava, Dr.
Hari Singh, Sardar.
Harjab Singh, Sardar.
Kabul Singh, Master.

Kapoor Singh, Sardar.
Kishan Singh, Sardar.
Muhammad Hassan, Chaudhri.
Muhammad Iftikhar-ud-Din, Mian.
Muni Lal Kalia, Pandit.
Partab Singh, Sardar.
Rur Singh, Sardar.
Sant Ram, Seth, Dr.
Sohan Singh, Josh, Sardar.
Sudarshan, Lala.
Chaudhri Sahib Ram.

NOES.

Abdul Haye, The Honourable Mian.
Abdul Rahim, Chaudhri (Gurgaon).
Afzaalali Hasnie, Sayed.
Ahmad Yar Khan Daulatana, Khan Bahadur Mian.
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.
Binda Saran, Rai Bahadur.
Chhotu Ram, The Honourable Chaudhri Sir.
Dasaundha Singh, Sardar.
Faiz Muhammad, Shaikh.
Faqir Hussain Khan, Chaudhri.
Fateh Sher Khan, Malik.
Fazal Karim Bakhsh, Mian.
Few, Mr. E.
Ghazanfar Ali Khan, Raja.

- Ghulam Mohy-ud-Din, Maulvi.
 Gurbachan Singh, Sardar Sahib
 Sardar.
 Habib Ullah Khan, Malik.
 Hans Raj, Bhagat.
 Harnam Singh, Captain Sodhi.
 Het Ram, Rai Sahib Chaudhri.
 Indar Singh, Sardar.
 Jagjit Singh Man, Sardar.
 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.
 Mubarik Ali Shah, Sayed.
 Muhammad Akram Khan, Khan
 Bahadur Raja.
 Muhammad Azam Khan, Sardar.
 Muhammad Faiyaz Ali Khan, Na-
 wabzada.
 Muhammad Hassan Khan Gur-
 chani, Khan Bahadur Sardar.
 Muhammad Hayat Khan Noon,
 Nawab Malik Sir.
 Muhammad Hussain, Sardar.
 Muhammad Hussain, Chaudhri.
 Muhammad Nawaz Khan, Major
 Sardar.
 Muhammad Nurullah, Mian.
 Muhammad Saadat Ali Khan, Khan
 Sahib Khan.
 Muhammad Sarfraz Khan, Chau-
 dhri.
 Muhammad Shafi Ali Khan, Khan
 Sahib Chaudhri.
 Muhammad Wilayat Hussain Jeelani,
 Makhdumzada Haji Sayed.
 Muhammad Yasin Khan, Chaudhri.
 Mushtaq Ahmad Gurmani, Khan
 Bahadur Mian.
 Muzaffar Ali Khan Qizilbash, Sardar.
 Muzaffar Khan, Khan Bahadur Cap-
 tain Malik.
 Muzaffar Khan, Khan Bahadur
 Nawab.
 Narendra Nath, Diwan Bahadur
 Raja.
 Nasir-ud-Din Shah, Pir.
 Naunihal Singh Mann, Lieutenant
 Sardar.
 Ram Sarup, Chaudhri.
 Ranpat, Chaudhri.
 Ripudaman Singh, Thakur.
 Roberts, Professor W.
 Sahib Dad Khan, Khan Sahib Chau-
 dhri.
 Santokh Singh, Sardar Sahib Sar-
 dar.
 Shahadat Khan, Khan Sahib Rai.
 Shah Nawaz, Mrs. J. A.
 Sham Lal, Rai Bahadur Chaudhri.
 Sikander Hyat-Khan, The Honour-
 able Major Sir.
 Sita Ram, Lala.
 Sultan Mahmud Hotiana, Mian.
 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.

Mr. Speaker : The question is—

That a sum not exceeding Rs. 20,14,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Industries.

The motion was carried.

KIDNAPPING CASES.

Premier (The Honourable Major Sir Sikander Hyat-Khan): Sir, I am constrained to point out that exaggerated reports about kidnapping cases continue to appear in the press and also are being disseminated otherwise. In spite of the information which

I gave to the House yesterday, I saw in the papers this morning that several other reports with regard to kidnapping cases or alleged kidnapping cases have appeared and I am sorry to say that even a paper of the status of the *Tribune* was stampeded into this kind of scare-mongering which is not doing any good to anybody. Since the news appeared in the *Tribune*, I naturally had to make enquiries immediately and with your permission I propose to take the House into my confidence with regard to the result of these enquiries. It is possible that the complainant in the original cases may have approached some papers with a view to draw the attention of the public or to get more publicity for the unfortunate incident that happened to their children and I do not blame them for it, but they must realize that they will be doing so at the expense of genuine cases, because the attention of the police is diverted to these false cases which eventually are found to be untrue, and the genuine cases suffer.

If these genuine cases alone were brought to the notice of the authorities, then police will concentrate on those cases alone and, therefore, I should like to appeal to everybody concerned and particularly to the press that they should not publish anything with regard to these allegations about kidnapping without consulting the authorities, and also try to allay the apprehension and panic which has been created by these press reports because it will not be doing any good to anybody and as a matter of fact it is doing considerable harm with regard to the investigation of genuine cases.

Dr. Sir Gokul Chand Narang : Not without consulting people on the spot at which an occurrence is reported.

Premier : I am going to give you instances. I am merely referring to what was published in the *Tribune* by 'Our own Correspondent' and four instances are mentioned there. I asked the special staff concerned to make immediate inquiries and let me know what the truth was with regard to those allegations because I must confess that after reading that news appearing in a paper of the status of the *Tribune* I was naturally very much concerned that in spite of what I had been told two days earlier, these things should continue and this is the result of inquiries by the special staff. The first allegation was with regard to two Muslim boys having been kidnapped while they were playing in the street. The inquiries of the special staff show that two Pathans Rasul Din and Baz Khan by name came here from Calcutta along with their luggage. They came to the city for shopping. When they reached Katra Purbian, the boys, who were playing in front of their house, raised a hue and cry on seeing a Pathan passing nearby. Both these Pathans were arrested by the public and produced before the Mochi Gate Guard. Accordingly a first information report was prepared and investigation taken up. During the course of the investigation it was brought to light that one Ilam Din a well-to-do man of the vicinity saw the Pathans passing near the boys and nothing more than that happened and the alleged story, completely lacks corroboration.

Dr. Sir Gokul Chand Narang : But Katra Purbian is not a shopping centre.

Premier : He was passing that way. This Ilam Din, who is a well-to-do man of the vicinity, said that he saw those people passing and eventually, on further investigation, they said that they came from Calcutta and they had their tickets and luggage. With regard to the second instance referred to, the inquiries made show that Ghulam Saqi of Kabul and Yakub Khan were arrested by the Naulakha police under section 109, Criminal Procedure Code. It has been elicited that they were sitting on the grassy plot outside the railway station of Lahore. They were arrested because the police thought that they should like to know further about them and that is why they were arrested—nothing more. There is no kidnapping connected with it at all and that arrest was merely on suspicion. With regard to the third instance, which relates to the disappearance of a Muslim girl from Mozang, it has come to light that the parents of the girl shifted to another house in another mohalla from where the girl went out to play with other girls and got astray. She remained wandering for four hours and eventually came to the house. There are several other incidents which have come to light as a result of investigation by this special staff. Ten or fifteen boys accompanied by a dozen men came to Naulakha police station and reported yesterday that they had seen Pathans who offered them sweets and wanted to thrust something in their mouths whereupon they raised an alarm with the result that the said Pathans decamped. On further inquiries made by Naulakha police the allegations were found to be false. Yesterday, an assistant sub-inspector of police saw a Pathan chased by a number of residents of Krishen Nagar armed with *luthis*. The assistant sub-inspector intervened and got hold of the Pathan. On inquiry it was found that he had gone to Mal Singh, a resident of Krishen Nagar, to recover his debt and was unnecessarily chased by them. There is the panic. Mal Singh corroborated the version of the Pathan. Another incident took place near Sunehri Mosque yesterday. Pir Nasir Din's servant was carrying his master's son through the bazaar. He was got hold of by a certain person who alleged that he was kidnapping the boy and he went so far that a bogus mother of the child was also produced. Soon after, the father of the child arrived and it was found that the allegation was baseless. Again, Fazal Hahi, a boy of ten or twelve years, and servant of a professor, who was alleged to have been kidnapped by the Pathans and rescued by a police constable, on being examined, stated that he had been given one anna piece for the purchase of monkey nuts (*moongphali*) by his master. He accidentally lost the money and being frightened that he would be punished by his master, went to Gol Bagh and there remained asleep for one hour. On reaching the house he concocted the story that he was carried in a bag. This is very interesting. Day before yesterday a foot constable of police, of Old Anarkali Police Station, who was detailed on duty in Sant Nagar in plain clothes to keep a sharp look out for the kidnappers, was suspected by the residents of that locality to be a Pathan, because, unfortunately, he had long moustaches, and roaming about for kidnapping children. On being asked they were told that he was on duty but they did not believe him and took him to the police station as a Pathan.

In view of these incidents I most emphatically appeal to everybody concerned, particularly to the press not to publish any allegations or any news which is brought to them without making sure or verifying the news

by referring to the police headquarters or the nearest police chouki, because if they continue scare-mongering, panic will increase and we will not be able to trace the real culprits in genuine cases.

Lala Deshbandhu Gupta : Why not issue a bulletin every day giving exact information about cases of kidnapping so that the press may publish the same ?

Mr. Speaker : Debate on a Minister's statement is irregular.

The Assembly then adjourned till 2 P. M. on Monday, 28th March, 1938.

1911

1911年1月1日 星期日 晴
1911年1月2日 星期一 晴
1911年1月3日 星期二 晴

1911年1月4日 星期三 晴

1911年1月5日 星期四 晴

1911年1月6日 星期五 晴



1911年1月7日 星期六 晴

1911年1月8日 星期日 晴

1911

PUNJAB LEGISLATIVE ASSEMBLY

2ND SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Monday, 28th March, 1938.

The Assembly met in the Council Chamber at 2 P.M. of the clock. Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS.

OPENING OF FIRE BY POLICE ON ZAMINDARS OF SAHU, DISTRICT
HISSAR.

***2277. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that police opened fire on the petty zamindars of Sahu, tahsil Fatehabad, district Hissar, on 17th November, 1937, as a result of their protest against the action taken by the canal authorities in respect of acquiring their lands in preference to the land of a single landlord of village Bharian in order to make a watercourse for the benefit of another individual zamindar of village Daulatpur;

(b) whether Government have made any inquiry into the matter; if so, its result and the action Government intends to take in this respect now?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The facts are that one Thandi Ram of village Daulatpur obtained permission from the Irrigation Department for the digging of a watercourse through the lands of some Muslim Rajputs. As the latter objected to the digging of a watercourse, Thandi Ram obtained police help for digging the *khal*. On the 17th November 1937, when the labourers were digging the watercourse, the villagers of Sahu assaulted the labourers and the police. Persuasion and arguments having failed, the police were compelled to open fire. Ten rounds were fired, as a result of which three persons suffered simple injuries. The injured persons admitted before the Magistrate deputed to enquire into the incident that they had decided to oppose the digging of the proposed watercourse and had attacked the labourers as soon as the digging had started.

(b) The report of the magisterial enquiry in this case has not yet been received by Government.

Khawaja Ghulam Samad : Were those labourers engaged by Thandi Ram or the Public Works Department?

Minister : I am afraid I cannot give the information required by my honourable friend off hand.

Khawaja Ghulam Samad : May I know the name of the officer who ordered to open fire ?

Minister : There was no canal officer present on the spot.

Khawaja Ghulam Samad : I want to know the name of the magistrate who ordered the firing.

Minister : That is the only information I could give to my honourable friend : I cannot add to what I have already said.

Khawaja Ghulam Samad : May I know the number of arrests made on the spot ?

Mr. Speaker : The Honourable Minister has answered the honourable member's question.

Khawaja Ghulam Samad : I want to know the number of arrests made and the community to which the arrested persons belonged.

Minister : I am afraid I cannot give my honourable friend any further information.

RETIREMENT OF VERNACULAR COPYISTS.

***2278. Lala Duni Chand :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that recently a large number of vernacular copyists all over the province have been made to retire prematurely without payment of any compensation to them ;
- (b) the number of vernacular copyists among them who are below the age of 55 ;
- (c) whether it is a fact that as a result of this action many have been thrown out of employment without any means of subsistence and some have been reduced to a state of starvation ;
- (d) whether it is a fact that owing to the reduction in the number of vernacular copyists litigants find great difficulty in obtaining copies of judgments, etc., and in Ambala district such copies are not being furnished for weeks ;
- (e) whether it is a fact that on this compulsory retirement of the copyists a sense of insecurity and resentment prevails among lower sections of public services ;
- (f) if the answer to the above be in the affirmative, the steps, if any, that the Government proposes to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes. They were given three months' notice of discharge under Article 436 of the Civil Service Regulations and were not entitled to any compensation. With a view, however, to causing the minimum amount of hardship, only those men were retrenched who came under the following categories :—

- (i) Inefficient or otherwise having definitely bad record.
- (ii) Government officials whose services had been dispensed with and who were re-employed without the sanction of Government.
- (iii) Employed after the 15th December 1935.

(iv) Pensioners who were supplementing their income.

(v) Persons in good financial circumstances.

(vi) Copyists who had attained the age of 55 or over.

(b) 49.

(c) No. Discharged copyists, other than those who were financially well off, have already been assisted, wherever possible, to posts such as those of patwaris and petition-writers, etc.

(d) There is said to have been some delay in two or three districts. In Ambala district it was due, however, to abnormal increase of applications.

(e) Not that I am aware of.

(f) Steps will be taken to increase, where necessary, the number of copyists as justified by the increased amount of work.

Khawaja Ghulam Samad : I want to know the age of the persons who were retrenched in Ambala. As far as I know they had not attained the age of 55.

Minister : I am afraid I cannot add anything to the information already supplied.

Lala Duni Chand : Admittedly a large number of employees have been thrown out of employment. Would Government in view of this fact take any steps to improve their condition or relieve them from the position in which they have been put ?

Mr. Speaker : That is a request for action.

Lala Duni Chand : I have not made any request. I want to know if any general relief is proposed to be given. I want information on that point. I am not suggesting any action.

Mr. Speaker : The question asked by the honourable member is a request for action : he could have so worded the question that it would not have been open to objection. Had the honourable member asked 'and if so, what action, if any, Government intend to take in the matter' that would have been a different thing.

Lala Duni Chand : I want to know whether Government intend to afford any relief to the persons who have been thrown out of employment. I want to know the intention of the Government as to whether there are any proposals before the Government with regard to the relief of the people : I am not suggesting any particular action. I simply want to know the general attitude of the Government on this question. I want your ruling as to whether there is any objection in enquiring whether Government intends to help them in any way in view of the fact that a large number of people have been thrown out of employment. I am not suggesting anything.

Mr. Speaker : I have no objection to the question.

Minister : This question will be considered whenever there is any application or whenever there is any vacancy.

Khawaja Ghulam Samad : In view of the fact that work in the Copying Branch has abnormally increased in the office of the Deputy Commissioner, Ambala, what action do Government now propose to clear off the arrears? Do Government intend to employ new hands?

Mr. Speaker : That does not arise out of the question.

Khawaja Ghulam Samad : I want to know if, the work having abnormally increased, as has been admitted by the Minister, Government intend to employ new hands.

Minister : I could only say this that if the work is not disposed of by the present staff, the local officers will take necessary steps in the matter.

Lala Duni Chand : Is it a fact that on account of the reduction or forcible retirement, the present strength of the copyists is unable to cope with the work?

Minister : No.

Lala Duni Chand : Is it not a fact that copies are not being given to the applicants for weeks and some time for a month or so?

Minister : I have no information on the subject.

Khawaja Ghulam Samad : Is it not given in the Fundamental Rules that retrenched hands should be given preference over new entrants?

Mr. Speaker : Opinion is asked. So, the question need not be answered.

SALARIES TO MEMBERS OF THE DISTRICT CONCILIATION BOARD, AMBALA.

***2279. Lala Duni Chand :** Will the Honourable Minister of Development be pleased to state whether it is a fact that a Debt Conciliation Board has been constituted for Ambala district; if so, the number and names of the members appointed for the Board, the salaries and allowances fixed for each of them and the period for which they will work every month?

The Honourable Chaudhri Sir Chhotu Ram : Yes, the details will be found in Punjab Government notification Nos. 951-E. and 952-E., dated February 21st, 1938.

The rate of allowance sanctioned for the chairman is Rs. 200 per mensem and that of members is Rs. 150 per mensem each. In addition, the chairman and members are entitled to a fixed travelling allowance of Rs. 50 per mensem each. They will work on all days except official holidays although they will not have such actual case work to attend to in the initial stages.

Lala Duni Chand : Will the Honourable Minister be pleased to give the names of the three gentlemen who have been appointed?

Minister : I have referred the honourable member to the notification which gave the names, and dates of appointment and other necessary information.

Lala Duni Chand : Can not the Honourable Minister give the names?

Mr. Speaker : That question need not be answered.

Lala Duni Chand : Is it a fact that one of the members appointed, namely, Khan Sahib Muhammad Yusuf, is already in the enjoyment of a pension in consideration of political services rendered by him to the previous Government ?

Minister : No, I am not aware of any pension being received by that gentleman either for services rendered to the present Government or to the previous Government ?

Lala Duni Chand : Is the Honourable Minister aware that he is enjoying several other favours from the Government for his loyalty to the Unionist Government ?

Minister : The question seems to be vague to permit me to give any answer.

Sardar Kapoor Singh : May I know whether the present chairman of the Conciliation Board is a member of the District Board also and thereby he has got this disqualification ?

Minister : One of them was a member of the District Board and whether he has resigned or is still a member of the District Board, I do not know.

Sardar Kapoor Singh : Can a member of the Conciliation Board be taken as a Government servant ?

Mr. Speaker : Opinion is asked.

Lala Duni Chand : Is it true that the Honourable Minister himself appointed Chaudhri Sadu Ram notwithstanding the fact that the Deputy Commissioner had not recommended him ?

Mr. Speaker : The question need not be answered. That is a direct reflection upon the Honourable Minister.

Lala Duni Chand : Am I not within my rights to know whether any particular member, who has not been recommended by the authorities concerned was appointed by the Honourable Minister over their head ? I want information on that point. I am not throwing any reflection upon him.

Minister : Yes, I appointed him myself without any recommendation having been made by the Deputy Commissioner.

Lala Duni Chand : Is it true that in that side of the country, he is one of the best supporters of the present Government ?

Minister : I think the Government has numerous supporters everywhere.

Diwan Chaman Lall : May I ask the Honourable Minister to be good enough to give us the definition of the word 'nepotism' ? (*Laughter*).

Minister : I should refer my honourable friend to the dictionary.

Lala Duni Chand : Is it true that this gentleman was defeated in the recent District Board election and that this appointment has been given to him as a compensation for his disappointment ?

Minister : Certainly not.

Khawaja Ghulam Samad : Had that man any other service ?

Minister : No services are needed.

Lala Duni Chand : Did the Honourable Minister go into this question ?

Minister : No, I did not.

Lala Duni Chand : Is the Honourable Minister aware of the fact that the third gentleman is also given this appointment because he has been rendering loyal services to the present Government ?

Minister : I do not know.

Lala Duni Chand : Does the Honourable Minister know that the third gentleman belongs to a well-known family of Jagadhri ?

Minister : I think he belongs to Raja Joti Parshad's family.

Lala Duni Chand : Is it true that none of them is an independent man ?

Chaudhri Muhammad Hassan : What other considerations prevail ?

Minister : A representative of the money-lending interest had to be appointed and Lala Madhu Ram was recommended as a very suitable candidate by the Deputy Commissioner.

FINANCIAL AID TO COLLEGES BY LOCAL BODIES.

***2280. Lala Duni Chand :** Will the Honourable Minister of Public Works be pleased to lay on the table a statement showing the names of colleges in the Punjab that received financial aid in the form of scholarships or monthly contributions from the municipal committees and district boards and the amount of that financial aid that they received during the years 1935-36 and 1936-37 ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : In view of the labour involved it is not in the public interest to collect this information.

Lala Duni Chand : May I know whether the information that I want would involve extra labour ?

Parliamentary Secretary : Certainly.

INCREASE IN THE NUMBER OF SEATS IN MUNICIPAL COMMITTEE, RUPAR.

***2281. Lala Duni Chand :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether the proposal of the Municipal Committee, Rupar, to increase the number of seats from 8 to 12 was supported and recommended by the Deputy Commissioner, Ambala ;
- (b) whether the Government has passed any orders on the proposal, and, if not, when they are expected to be passed ?

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

(b) Government have approved of the proposal.

COMPLAINTS OF CORRUPTION AGAINST GANDA RAM PATWARI, ETC., OF AMBALA DISTRICT.

***2282. Lala Duni Chand :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether a written complaint over the signatures of over thirty respectable men has recently been made to the Collector

of Ambala district, containing serious allegations against Ganda Ram, Patwari, of Jhingharan village circle, Anand Surup, Patwari, of Kurali and Nizam-ud-Din, Girdawar Kanungo, of Karali, tahsil Kharar, district Ambala ;

(b) the result of the inquiry, if any, held into the above complaint?

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

(b) An enquiry is being held.

PROMOTION OF KANUNGOS AS NAIB-TAHSILDARS.

***2283. Lala Duni Chand :** Will the Honourable Minister of Revenue be pleased to state—

(a) the number of naib-tahsildars appointed each year by promotion from amongst the kanungos ;

(b) how many kanungos of Ambala district have been promoted to naib-tahsildarship since 1926 ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) There is no number fixed.

(b) 3.

Lala Duni Chand : Is it true that during the last fifteen years or so not a single kanungo from the Ambala district has been appointed as a naib-tahsildar ?

Minister : Does my honourable friend expect me to remember what has happened during the last fifteen years.

Khawaja Ghulam Samad : Has any percentage been fixed by the Financial Commissioner for the recruitment of naib-tahsildars from amongst the kanungos ?

Lala Duni Chand : In view of the openly expressed view of the Honourable Minister for Development that Ambala division is badly treated in the matter of recruitment to services, will the Government be pleased to consider more favourably the claims of Ambala division including the Ambala district ?

Mr. Speaker : That is a request for action.

Khawaja Ghulam Samad : I want to know the percentage fixed.

Minister : I am not aware of any percentage that has been fixed by the Financial Commissioner.

QUALIFYING TEST FOR READERS OF SUBORDINATE JUDICIAL COURTS.

***2284. Pandit Muni Lal Kalia :** Will the Honourable Finance Minister be pleased to state—

(a) whether the High Court of Judicature at Lahore introduced the system of qualifying examination for appointment as readers to judicial officers in subordinate courts ;

(Pt. Muni Lal Kalia.)

- (b) if so, whether any persons who qualified in these tests were given appointments as readers ;
- (c) if the reply to part (b) be in the affirmative, whether any appointments so made were disturbed in consequence of the abolition of that test ;
- (d) if there are any instances of disturbance, will the Government please say why the disturbances took place in spite of the prospects detailed for those who took the tests ;
- (e) the position and status of those who qualified in those tests and actually received appointments in consequence of the qualification and later on disturbed ;
- (f) how long this system remained in force and why it was given up ?

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

(b) Yes.

(c) Yes.

(d) and (e) The examination did not adequately serve the purpose for which it was instituted and it was, therefore, abolished. It was decided that permanent and *sub-protem* arrangements made from among successful examinees should not be disturbed. Successful examinees officiating in categories other than the above became liable to revert.

(f) The system remained in force from the 29th June, 1934, to 22nd June, 1937 and was given up for the reasons mentioned above.

EMPLOYMENT OF ACHHUTS IN GOVERNMENT SERVICES.

***2285. Chaudhri Faqir Chand :** Will the Honourable Premier be pleased to state whether it is a fact that no Achhut is employed in any Government department in the Ambala division ; if so, the reasons therefor ?

Parliamentary Secretary (Mir Maqbool Mahmood) : 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, 1938. Division-wise figures of different departments are not available and cannot be collected without disproportionate expenditure of time and labour. The Policy of Government is to give due representation in services to all communities—including the scheduled castes—and selection of suitable candidates from various communities is made accordingly. As stated in reply to various questions put at the last session, suitable candidates of the scheduled castes will receive the special consideration which they deserve.

Lala Duni Chand : Is it true that a lot of matriculates, a good many F.As and some B.As are to be found among the members of the scheduled classes, and if so, were any of them appointed during the last twelve months or so ?

Parliamentary Secretary : I am not aware of the number of F.As. and B.As. among the scheduled classes, but my honourable friend who put that question may be sure that Government will give special consideration to members of the scheduled classes, and instructions to that effect have already been issued.

Lala Duni Chand : Have any appointments of scheduled class members been made during the last year ? If so, how many ?

Parliamentary Secretary : If my honourable friend gives me notice, I can give him exact figures. I am aware that some posts have been given to scheduled classes.

Sardar Lal Singh : Were any posts filled up during the last twelve months for which their case could be considered ?

Parliamentary Secretary : Some posts have been filled during that period.

DIVORCE CASES ON THE GROUND OF CONVERSION.

***2286. Begum Rashida Latif Baji :** Will the Honourable Finance Minister be pleased to state—

- (a) the number of those married Muslim women who on the ground of conversion filed cases in various courts of the province for the dissolution of their marriages in the year 1936-37 ;
- (b) the number of those cases in which applications for divorce were granted by the courts and the decrees issued ?

The Honourable Mr. Manohar Lal : I regret that the reply to the question is not yet ready.

CASES OF ABDUCTION.

***2287. Begum Rashida Latif Baji :** Will the Honourable Finance Minister be pleased to state—

- (a) the number of minor girls who were abducted in the year 1936-37 in the province ;
- (b) the number of cases filed in the various courts of the province about the abducted girls mentioned in (a) above ;
- (c) the number of those persons who were challaned and convicted in connection with these cases ?

The Honourable Mr. Manohar Lal : The required information could not be collected without an expenditure of time and labour which would not be commensurate with the results likely to be achieved.

ESTABLISHMENT OF A SUB-JUDGE'S COURT AT KHUSHAB.

***2288. Mian Muhammad Iftikhar-ud-Din :** Will the Honourable Finance Minister be pleased to state—

- (a) whether it is a fact that more than 75 per cent of the civil work in the Sub-Judge's court at Shahpur comes from Khushab tahsil ;

(Mian Mohd. Iftikhar-ud-Din.)

- (b) that Khushab tahsil litigants have to travel a distance of over 40 miles to reach the court at Shahpur ;
- (c) whether representations by the Khushab tahsil public have been made in this connexion to the Lahore High Court and to the Punjab Government ;
- (d) whether representations in this connexion were also made to the Honourable Sheikh Din Muhammad, Inspection Judge, on the 23rd of February, 1938 ;
- (e) whether the Government is aware of the fact that a resolution was unanimously passed by the Municipal Committee, Khushab, urging the early establishment of the Sub-Judge's court at Khushab ;
- (f) if the answers to the above parts be in the affirmative, the action taken or intended to be taken in the matter ?

The Honourable Mr. Manohar Lal : I regret that the answer to this question is not ready.

REFUSAL OF PERMISSION FOR APPEARING IN VERNACULAR FINAL EXAMINATION TO STUDENTS OF BHANI RAM MEMORIAL SCHOOL.

***2289. Pandit Shri Ram Sharma :** Will the Honourable Minister for Education be pleased to state whether the Government is aware of the fact that the Director of Public Instruction, Punjab, in his letter No. 25732, dated 13th December, 1937, refused permission to the students of the unrecognised Bhani Ram Memorial School, village Ganganah, in district Rohtak for appearing in the recent Vernacular Final and Middle School Examination ; if so, the reasons for refusing the permission sought ?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : Yes ; the students were ineligible for admission under the rules.

ASSESSORS.

***2290. Lala Deshbandhu Gupta :** Will the Honourable Finance Minister be pleased to lay on the table of the House a statement containing the names of the assessors with their educational qualifications district-wise and also state the amount of emoluments paid to them ?

The Honourable Mr. Manohar Lal : The payment of expenses to assessors is regulated by the rules in Chapter 28-C of the High Court Rules and Orders, Volume III.

I regret the remaining information asked cannot be collected without an expenditure of time and labour disproportionate to the results to be achieved.

REVISED SCHEDULE OF TERMINAL TAX FOR AMBALA CANTONMENT.

***2291. Lala Deshbandhu Gupta :** Will the Honourable Minister of Public Works be pleased to state—

- (a) the steps that the Government propose to take to expedite the sanction and notification of the revised schedule of the terminal tax for Ambala Cantonment which has been pending sanction since 1933 to the great detriment of the trade of that town ;
- (b) the reply, if any, that has been received from the Government of India to their representation made on that subject ;
- (c) whether any reminder has been sent to the Government of India on this subject ;
- (d) whether the Government will be pleased to lay on the table of the House the correspondence that has been exchanged between them and the Government of India in this connexion ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) The honourable member is invited to see the reply given to question *1252¹, put by the honourable member for the Lahore City (General) Urban Constituency, and to his own question *1936² in the January session. No decision has yet been reached on the general questions involved in this case.

(b), (c) and (d) The correspondence with the Central Government has not been published, and I cannot undertake to lay copies on the table or to give a detailed account of its contents and progress. The honourable member may be assured, however, that Government realize the importance of the case and will do everything possible to expedite a decision.

Lala Duni Chand : Since this question was brought to the notice of Government through this House, has the question received any further consideration and has the scheme advanced any further ?

Parliamentary Secretary : Correspondence has been going on between this Government and the Government of India. The matter is a complicated one. It will take some time to arrive at a decision, but every effort is being made to expedite the decision.

Lala Duni Chand : Will the honourable member please state when the information was sent to the Government of India, and whether any reply has been received from that Government.

Parliamentary Secretary : It is not possible for me to give the date of the letter addressed to the Government of India or of the date of the reply received by us.

Lala Duni Chand : In view of the fact that this question has been under consideration since 1933 and its consideration has taken inordinately long time, does not the honourable member think that the matter should be expedited ?

Mr. Speaker : That is a matter of opinion.

¹Volume II, page 604.

²Volume II, page 690.

Lala Duni Chand : May I know when this matter is going to be settled ?

Parliamentary Secretary : As soon as possible.

Lala Duni Chand : Does that mean another five years ?

Mr. Speaker : No answer need be given.

Lala Duni Chand : If the answer is 'as soon as possible.' Do you not think that in view of the fact that the question has already taken five years to consider, I am justified in asking whether Government want to take another five years ?

Mr. Speaker : That is ironical, and therefore out of order.

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EXTENSIONS GRANTED TO TWO DEPUTY SUPERINTENDENTS,
CATTLE FARM AND VETERINARY DEPARTMENT AT HISSAR.

***2292. Lala Deshbandhu Gupta :** Will the Honourable Minister of Development be pleased to state—

(a) whether it is a fact that the two deputy superintendents of Veterinary Department and Cattle Farm, Hissar, were due to retire after 30 years' service in June, 1937, and January, 1936, respectively ;

(b) whether both the gentlemen have been granted one year's extension ; if so, why ?

The Honourable Chaudhri Sir Chhotu Ram : (a) One was due to retire on the 1st July, 1937, after attaining the age of 55 years ; while the other was similarly due to retire on the 1st July, 1938. Neither has so far completed 30 years' service.

(b) Yes, extension was granted on account of the shortage of men in the cadre of deputy superintendents.

Pandit Shri Ram Sharma : What are the names of these two gentlemen ?

Minister : The name of one is Chaudhri Baldev Singh and of the other Shaikh Muhammad Rahman.

Pandit Shri Ram Sharma : Does Chaudhri Baldev Singh belong to Rohtak ?

Minister : Yes.

Pandit Shri Ram Sharma : Did Chaudhri Baldev Singh pay any contributions to the Minister for party election purposes ?

Minister : Absolutely groundless.

Pandit Shri Ram Sharma : Has Chaudhri Baldev Singh anything to do with the Party to which the Honourable Minister for Development belongs ?

Minister : What does he mean ? An official is not supposed to have any connection with any Party whatsoever.

Pandit Shri Ram Sharma : Has the Honourable Minister a hand in the matter of this extension ?

Minister : I gave the extension to him myself.

Khawaja Ghulam Samad : Has the Government ever taken into consideration the question of reducing the number of deputy superintendents in the Cattle Farm, Hissar ?

Minister : No.

Pandit Shri Ram Sharma : Did some local official put in a recommendation for extension being granted ?

Minister : I took the initiative myself because there was no suitable man to be appointed.

Pandit Shri Ram Sharma : Was the Honourable Minister actuated by party spirit ?

Minister : Absolutely not.

Khawaja Ghulam Samad : Is the Honourable Minister aware that a large number of deputy superintendents in the Cattle Farm, Hissar, can be reduced ?

Minister : I am afraid their number cannot be reduced, it may have to be increased.

Khawaja Ghulam Samad : Some years ago a proposal was laid before the Government to reduce the number of deputy superintendents at the Hissar Cattle Farm.

Mr. Speaker : Is the honourable member making a speech or asking a question ?

Khawaja Ghulam Samad : Is the Honourable Minister aware that some years ago a proposal was put before the Government to reduce the *amla* of the Cattle Farm at Hissar, as well as the number of deputy superintendents of Veterinary Department ?

Minister : If the honourable member gives notice of that question I will answer it.

Lala Duni Chand : Was the Honourable Minister prompted to take the initiative in the matter because this gentleman happened to be a supporter of the present Government and of the Honourable Minister ?

Minister : I have already answered that question, and my friend ought to have understood the answer quite clearly.

Pandit Shri Ram Sharma : Did Chaudhri Baldev Singh personally apply to the Minister for extension being granted to him ?

Minister : Before he knew that he was going to get an extension, I gave the extension myself.

Pandit Shri Ram Sharma : Will further extension be granted to him after the expiry of one year

Minister : No.

Lala Bhim Sen Sachar : What were the special reasons that prompted the Honourable Minister to give the extension ?

Minister : Because there was no suitable man to be appointed in the vacancy to be created by his retirement.

Lala Bhim Sen Sachar : Is the next immediate man not fit to be promoted to the appointment ?

Minister : It requires to test the suitability of the candidate.

Lala Bhim Sen Sachar : How long has the next immediate man been in service ?

Minister : If the honourable member gives notice, I will answer.

Lala Bhim Sen Sachar : Did he take into consideration the name of the person who was immediately below this gentleman while deciding the question ?

Minister : No.

Lala Bhim Sen Sachar : Did the Honourable Minister send for this information from his department ?

Minister : No.

Lala Bhim Sen Sachar : Did he not consider it necessary to have all the information before deciding ?

Minister : I did not.

Lala Bhim Sen Sachar : Will he please state whether merit was the only criterion which weighed with him.

Minister : What does he mean ? It is obvious.

Diwan Chaman Lall : The Honourable Minister cannot ask a question. He may answer the question if he can, or sit still as he usually does.

Khawaja Ghulam Samad : Is the Honourable Minister in favour of granting extensions to the gazetted officers ?

Minister : I am opposed to any extensions being granted provided suitable men are available for appointment.

Munshi Hari Lal : Did you advertise the appointment ?

Minister : He does not know how these appointments are made.

Munshi Hari Lal : May I know how they are made.

Minister : I am not here to dispel his ignorance.

REGISTERED MEDICAL PRACTITIONERS.

***2293. Lala Deshbandhu Gupta :** Will the Honourable Minister of Education be pleased to state—

(a) whether he is aware of the fact that according to the rules framed by the Punjab Medical Council it is not permissible for medical practitioners certified by the Indian Medicines Board, United Provinces, to call themselves registered medical practitioners ;

(b) whether Government have recently received any representation on the subject from the Medical Council, Punjab, bringing such instances to its notice, where breach of this rule has been discovered ;

(c) if so, the action, if any, that has been taken by Government in the matter ?

Parliamentary Secretary (Mrs. J. A. SHAH NAWAZ) : (a) There is no rule of the Punjab Medical Council under which it is not permissible for medical practitioners certified by the Indian Medicine Board, United Provinces, to call themselves registered medical practitioners. Under section 28 of the Punjab Medical Registration Act, 1916, a person who falsely pretends to be a registered practitioner is liable to be punished on conviction.

(b) Yes.

(c) None, as a complaint under the Punjab Medical Registration Act, 1916, can legally be lodged without the sanction of Government.

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STRIKE BY THE STUDENTS OF THE GOVERNMENT HIGH SCHOOL,
JAGADHRI.

***2294. Lala Deshbandhu Gupta** : Will the Honourable Minister of Education be pleased to state—

(a) whether it is a fact that in July, 1937, the students of Government High School, Jagadhri, had resorted to strike as a mark of protest against the treatment meted out to them by the Head Master of the school;

(b) if so, whether any inquiry into the matter was held by the Deputy Inspector of Schools, Ambala; and if so, the action taken in the matter as a result of that inquiry?

Parliamentary Secretary (Mrs. J. A. SHAH NAWAZ) : (a) Yes.

(b) Yes. The enquiry showed that the immediate cause of the strike was the punishment administered to a boy of the 10th class for breach of discipline. The strikers also alleged that—

(1) parents were not courteously treated by the Head Master when they visited him;

(2) students were abused by the Head Master when they failed to comply with his orders;

(3) students were not allowed the use of library books; and

(4) people who trespassed through the school compound were maltreated by the Head Master.

These grievances were investigated and found to be frivolous. Immediate steps were taken to inform the parents of the students on strike and, when the Head Master promised that the strikers would not be punished if they returned to school, the strike ended and the incident was closed.

Pandit Shri Ram Sharma : May I know the nature of the punishment meted out to the boy?

Parliamentary Secretary : He was caned.

Pandit Shri Ram Sharma : How many cuts were administered?

Parliamentary Secretary : I think seven.

Pandit Shri Ram Sharma : Is it consistent with the policy of the present Government to mete out such a treatment to school children?

Parliamentary Secretary : In the interests of school children it has got to be done sometimes. The honourable member knows what was the mistake committed by the boys. If he does not, I can inform him.

Pandit Shri Ram Sharma : Does that happen in other civilised countries ?

Parliamentary Secretary : Yes. It may not in some. It is the practice in India.

Diwan Chaman Lall : May I enquire whether the Parliamentary Secretary would consider revising this policy of allowing school masters to cane children ?

Parliamentary Secretary : It goes on practically everywhere in the world, though I am personally against it.

Pandit Shri Ram Sharma : Is it possible that such a punishment is given to girls also ?

Parliamentary Secretary : No.

Pandit Shri Ram Sharma : Does it mean that such treatment should be meted out to boys only.

Parliamentary Secretary : Neither to the boys nor to the girls.

Diwan Chaman Lall : If the honourable member is definitely against this practice, may I know whether the Government intend to take any steps in regard to the prohibition of such practices ?

Parliamentary Secretary : That is a request for action.

Diwan Chaman Lall : No. My question is, has the Government decided to take any steps to review their policy in this respect ?

Diwan Chaman Lall : Is the honourable member aware that apart from the fact that she is against this practice, there is a general feeling against such a practice ?

Parliamentary Secretary : Yes.

Diwan Chaman Lall : Therefore, may I know whether, if that is admitted by her, it is not for the Government to take the necessary steps to prevent this practice ?

Parliamentary Secretary : It will be considered along with the other questions of reform.

Lala Bhim Sen Sachar : Is the honourable member aware that the educational experts are against pupils being caned ?

Premier : Not all of them.

Parliamentary Secretary : German experts are not against it, as the honourable member knows. (Laughter.)

Lala Bhim Sen Sachar : Do I understand then that the Government have the German ideal before themselves in ruling this province ? (Laughter.)

Parliamentary Secretary : Decidedly No.

DAMAGE TO CROPS BY HAILSTORMS.

*2295. **Sardar Tara Singh :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that in village Jaimalwala, ilaqa thana Bagapurana, district Ferozepore, on the morning of 14th

February, a severe hailstorm completely ruined the sarson and fodder crops and considerably damaged the wheat and the gram crops ;

(b) whether it is also a fact that the attention of the Honourable Premier was recently invited to this calamity and a representation was also sent by the inhabitants of the above-named village to the Sub-Divisional Officer, Moga, requesting him to recommend to the higher authorities the remission of land revenue and the abiana for these crops ;

(c) if the answer to parts (a) and (b) be in the affirmative, the action that the Government proposes to take in the matter ?

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

(b) Yes.

(c) Does not arise.

DEPUTY DIRECTORS OF AGRICULTURE.

***2296. Chaudhri Muhammad Hassan :** Will the Honourable Minister of Development be pleased to state—

(a) the number of deputy directors of agriculture in the province ;

(b) the places of their present postings and the period of time that they have been there respectively ;

(c) the travelling allowance drawn by each of the deputy directors of agriculture during the last two years 1935-36 and 1936-37 ?

Parliamentary Secretary (Chaudhri Tika Ram) : A statement containing the information asked for is being laid on the table.

Statement.

(a) There are seven Deputy Directors of Agriculture, including the Professor of Agriculture, Punjab Agricultural College, Lyallpur, who holds charge of one circle in addition to his own duties ;

(b) the places of their present postings and the periods of time they have been there are as follows :—

Serial No.	Place and posting.	Period and time the present Deputy Director of Agriculture has been there up to 10th March, 1938.		
		Y.	M.	D.
1	Rawalpindi	0	8	7
2	Lyallpur	6	4	5
3	Gurdaspur	5	4	1
4	Jullundur City	10	1	26
5	Hansi	5	4	10
6	Montgomery	0	0	7
7	Multan	2	10	10

[Parliamentary Secretary.]

(c) The amount of travelling allowance drawn by each of the Deputy Directors of Agriculture during the last two years 1935-36-37, is as follows :—

Serial No.	Deputy Director of Agriculture.	1935-36.	1936-37.
		Rs.	Rs.
1	Rāwalpindi	1,767	2,121
2	Lyallpur	1,716	1,603
3	Gurdaspur	1,738	1,811
4	Jullundur	2,061	2,398
5	Hansi	2,997	3,128
6	Montgomery	2,033	2,143
7	Multan	2,017	2,178

PROSCRIPTION OF NO. 2 OF VOLUME I OF KIRTI LEHAR.

***2297. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- the grounds on which No. 2 of Volume I of 'Kirti Lehar' printed at and published from Meerut has been proscribed in the Punjab;
- date and time of receipt of a copy of the number by the Government;
- date and time when decision to proscribe was reached;
- objectionable portion of the said newspaper?

Parliamentary Secretary (Mir Maqbool Mahmood) : It is not in the public interest to answer this question.

METALLED ROADS IN MONTGOMERY DISTRICT.

***2298. Mian Sultan Mahmud Hotiana :** Will the Honourable Minister of Public Works be pleased to state—

- the length of the metalled roads under the control of the Public Works Department and also of the District Board, Montgomery, in the Montgomery district;
- whether there is any *ilaqa* under the jurisdiction of any of the police stations in the said district through which a very small portion of a metalled road or non-metalled road passes;
- if so, what steps Government intend to take in the matter?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) The lengths of the metalled roads in the Montgomery district under the control of the Public Works Department and of the District Board, Montgomery, are 249 miles and 57·7 miles, respectively.

(b) 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.

(c) Government does not intend to take any action in the matter.

FATAL EPIDEMIC IN AJNALA TAHSIL.

***2299. Sardar Sohan Singh Josh :** Will the Honourable Minister of Development be pleased to state—

(a) whether he is aware that a large number of cattle have died since January, 1938, in tahsil Ajnala, district Amritsar, on account of a fatal epidemic prevalent amongst the cattle in the *ilaga*;

(b) whether any particular measures have been adopted by the Government to check this epidemic; if not, what steps Government propose to take in the matter?

Parliamentary Secretary (Chaudhri Tika Ram) : (a) Since January 1st, 1938, 216 animals have been attacked by Rinderpest in 14 villages and 95 have died.

(b) Yes. Three thousand, one hundred and fifty-five animals have been immunised against Rinderpest in these villages, excluding Babhirwala and Veneke where vaccination work is in progress. Besides, prophylactic measures have been taken in the villages Khanuwal and Talwandi Nair where 180 and 130 animals have been vaccinated, respectively. There has been no outbreak of the disease in these two villages. As a result of these measures, the disease has been brought under control in the Ajnala tahsil.

COMPLAINTS AGAINST A POLLING OFFICER DURING SHAHABAD MUNICIPAL COMMITTEE ELECTIONS.

***2300. Khawaja Ghulam Samad :** Will the Hon'ble Minister of Public Works be pleased to state—

(a) whether it is a fact that complaints against a polling officer (naib-tahsildar) were made to the presiding officer and the Deputy Commissioner, Karnal, about his marking the ballot papers wrongly, in the recent elections of the Shahabad Municipal Committee;

(b) whether any inquiry was made by the Deputy Commissioner in this matter; if so, the result of that inquiry and the action taken against the naib-tahsildar?

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

(b) After a formal inquiry the papers were filed for the time being by the Deputy Commissioner, Karnal. The same allegations were made in the election petition which is still *sub-judice*.

2301. Cancelled.

CONGRESS MEETING AND SUB-INSPECTOR, POLICE, HAMIRPUR, DISTRICT KANGRA.

***2302. Pandit Bhagat Ram Sharma :** Will the Honourable Premier be pleased to state—

- (a) whether Government is aware that on 6th February, 1938, a meeting of the Congress was held at Tal Mahal in thana Hamirpur, district Kangra;
- (b) whether it is a fact that on that day before the meeting was addressed, the sub-inspector in charge of police station Hamirpur, district Kangra, tried to scare away the public by threatening them and saying that if people enjoying Government pensions would attend the Congress meeting their pensions would be forfeited;
- (c) if answer to (a) and (b) above be in the affirmative, what action does the Government propose to take in the matter?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :

- (a) Yes.
- (b) No.
- (c) Does not arise.

REPRESENTATION AGAINST A ZAILDAR BY RESIDENTS OF VILLAGE KUNG KHURD, DISTRICT JULLUNDUR.

***2303. Pandit Muni Lal Kalia :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether representations by the residents of village Kung Khurd, police station Shahkote, tahsil Nikodar, district Jullundur, against Sardar Mohinder Singh, Zaildar of the *ilaga* were made to the district authorities, and copies of the same sent to him in January last;
- (b) whether it is a fact that the said zaildar is in charge of the village cattle pond;
- (c) whether any inquiries have so far been made; if so, with what result?

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

- (b) No.
- (c) Inquiries are being made.

RETRENCHED EMPLOYEES OF HAVELI PROJECT.

***2304. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that some overseers employed in connection with the Sutlej Valley Project were brought under reduction; if so, whether at the time of recruitment for the Haveli Project these retrenched overseers were given preference; if not, why not;
- (b) the number of those retrenched overseers of the Sutlej Valley Project who were taken in connection with the Haveli Project?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes. Attention was paid to the claims of such men who applied for employment on the Haveli Project.

(b) Three.

UNQUALIFIED PERSONS PRACTISING MEDICINE.

***2305. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Education be pleased to state—

(a) whether it is a fact that a very large number of unqualified persons are practising medicine in this province and Government's attention has been invited to the fact by the Punjab Medical Council;

(b) whether Government intends to take any action in the matter, if so, what, if not, why not?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : (a) Yes.

(b) None, as Government has no statutory power to prevent unqualified persons from practising medicine, provided they do not pretend to be qualified.

DAMAGE TO CROPS BY HAILSTORMS.

***2306. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that the crops of some of the villages in tahsils Nawanshahr and Garhshankar have been severely damaged by hailstorms; if so, the steps the Government proposes to take to give relief to those zamindars who have suffered on account of this calamity?

The Honourable Dr. Sir Sundar Singh Majithia : No such damage has been reported. The question of relief does not arise.

MOTION FOR ADJOURNMENT.

COMMUNAL RIOT AT HISSAR.

Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural) : Sir, I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely the failure of the authorities to prevent and forestall recurrence of communal riot and consequent bloodshed at Hissar on 26th March, 1938.

Mr. Speaker : Leave is sought to move adjournment of the House to discuss the failure of the authorities to prevent and forestall the recurrence of communal riots and consequent bloodshed at Hissar on the 26th March, 1938.

Premier : If my honourable friend had confined his adjournment motion to the first part of the original¹ motion of which he gave notice, namely recrudescence of communal riots at Hissar, perhaps he would have

¹To ask for leave to make a motion for the adjournment of the business of House to discuss a definite matter of urgent public importance, namely, the recrudescence of communal riots at Hissar and consequent bloodshed and failure of the authorities to prevent recurrence and forestall trouble.

[Premier.]

been justified in making that motion, but I do not know, how he is already in possession of information that it is due to the failure of the authorities concerned that the incident at Hissar has happened. I have not been able to get that information and what little information I have got, I am prepared to lay before the House, but I think it is not fair on the part of the honourable member opposite to pillory the authorities without having the facts before him. It is impossible for anybody to get facts about such a riot in a few minutes. We have to make elaborate enquiries and I can assure the House that these enquiries are being made and I have asked the Deputy Inspector-General and the Commissioner to proceed to the spot and at this moment both of them are there. They will make full enquiries and as soon as we get authentic information from these two officers I shall be prepared to discuss this matter on the floor of this House. I have got certain information about the actual happenings there, and if the House wants me to read it out, I shall be glad to do so.

Diwan Chaman Lall : If so, the House should make up its mind after listening to the facts.

Mr. Speaker : On what date does the Honourable Premier expect to get the necessary information?

Premier : Some information I have already got with regard to the actual incident that happened there, but the honourable member has stated in his adjournment motion that it was due to the laxity of the authorities concerned. That will take time to determine. Because I will have to make enquiries and if there is the least suspicion that they were in any way lax, I shall take action. As I have already submitted I have asked the Deputy Inspector-General and the Commissioner to proceed to the spot and they have arrived at the spot and they will make enquiries and then the Government will be able to know whether there is even an iota of suspicion against the authorities with regard to laxity on their part.

Dr. Gopi Chand Bhargava : May I know when the Deputy Inspector-General and the Commissioner were ordered to proceed to Hissar?

Premier : Yesterday, because the first telegram that I received was about midnight before the last and I enquired whether the Commissioner had proceeded to the spot or not. Yesterday I sent orders for him to proceed there. He was at Karnal and I ordered that he should proceed straightaway to Hissar and I also ordered the Deputy Inspector-General who was at Palwal to proceed to Hissar and to-day they are both there.

Dr. Gopi Chand Bhargava : Have you heard about their arrival at Hissar?

Sardar Hari Singh : The motion may then be discussed to-morrow.

Premier : It is not a question of discussing. What little information I have got I can place before the House. It is not proper to discuss this

matter on an adjournment motion which might affect the whole of the investigation there. My honourable friend must remember that we want to get at the root of the thing and if any officer has been lax, we want to punish him and I think it is very unfair to rush into an adjournment motion and make allegations against officers when we have little or no information. I am certain my honourable friends could not have received any information so soon.

Sardar Hari Singh : The honourable Leader of the Opposition was there and he has full information.

Diwan Chaman Lall : I do not know what exactly is happening in this House. An adjournment motion has been read out and put to the House and the House has been asked whether leave be granted. My honourable friend, I take it, is appealing to the House that this matter be not discussed to-day, because he thinks he might satisfy the House by reading out a statement. If my honourable friend thinks he cannot discuss this question, it is a different matter and I do not think we shall allow him to put us off, but if he wants postponement of this discussion until he has received more information that is again a different matter.

Mr. Speaker : That is the reason why I suggested to the Honourable Premier that if he is not in possession of the requisite information, the honourable mover may be asked to move his motion later on.

Premier : That is not my point. I have no objection to the adjournment motion being moved to discuss the recrudescence of communal riots at Hissar. But the honourable member has definitely made allegations that the communal riot is due to the laxity on the part of the officials. I have no information on that point and that information may not be available to all intents and purposes during the next week or ten days or even longer and so far as the complicity or laxity on the part of officials is concerned we cannot proceed on a mere allegation. We have to make sifting enquiries.

Diwan Chaman Lall : The Honourable Premier proceeded on a mere assumption in the case of Fatehwal and I see no reason why the honourable member who moved this motion should prove or disprove the allegations. The Honourable Premier must have seriously considered this point, namely whether the authorities on the spot have been lax or not and the House can vote down this adjournment motion if they do not think so and do not agree with the proposition which the honourable member is moving. But as far as the question is whether the discussion of this motion which is now before us should be held to-day or on a day which is suitable to my honourable friend, we have no objection to postponement, provided he raises no objection as to its urgency.

Premier : If the honourable member has any authentic information he is welcome. I have already told the House that I have no authentic information with regard to the suggestion in the adjournment motion. He may have the leave of the House to-day and the time for discussion can be fixed later on.

Lala Bhim Sen Sachar : Is the motion being opposed ?

Premier : I oppose leave being granted.

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

As more than the requisite number of members rose in their seats the leave was granted. After consulting the wishes of the House Mr. Speaker fixed 5-30 p.m., for the discussion of the motion.

DEMANDS FOR GRANTS.

LAND REVENUE.

Minister for Finance : I beg to move—

That a sum not exceeding Rs. 41,60,900 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Land Revenue.

Mr. Speaker : Motion moved—

That a sum not exceeding Rs. 41,60,900 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Land Revenue.

Lala Duni Chand : I invite your attention to my motion No. 166 in the list of notices of motions to reduce demand for grant for the year 1938-39 relating to major head "Land Revenue."

Mr. Speaker : As the cut motion No. 83 is the widest, I call upon Sardar Hari Singh to move it.

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

That the demand be reduced by Rs. 100.

I do so in order to discuss and criticise the entire policy and administration of the department and to suggest reforms. While moving this cut motion I am not going to make very exhaustive survey of the various problems connected with the administration of the Revenue Department. So many other friends on this side of the House are attacking this department, so I think that I should confine myself to the main question of assessment of land revenue. I would also make brief references to other problems facing my honourable friend the Minister for Revenue sitting opposite. I think that the various problems that are agitating the public mind and that require solution at the hands of the Minister for Revenue and his colleagues are mainly the question of landlord *versus* the tenants, the question of tenancy in the whole of the province, the question of *malba*, question of the reform of the system of establishment of patwaris who are the pivot of the whole administration of the department. There used to be landlords even in the Moghul days, in the Pathan days, and in the Sikh days, but those landlords had certain privileges which were counter-balanced by certain important obligations. They had to supply army in time of need ; they had to serve in war, when the King called upon them to go to the front. But here under the British rule

3 P. M.

big landlords have only privileges, without any corres-

*That the demand be reduced by Re. 1.

REMARKS :—To discuss the land revenue policy of the Government with a view to bring about change in it.

ponding obligation to serve in time of war. They have no obligations : there is no mandatory duty laid down upon them by law to go to the front. They send their poor tenants when the occasion calls for war service as happened during the last war. So the question of parasitic landlordism is the first and foremost question that requires a solution at the hands of the Ministry. *Malba* question has been agitating the peasants of the Punjab for a considerable time. Hundreds and thousands of meetings have been held attended by lakhs of peasants all over the province demanding that *malba* should be abolished altogether. Government has been asked to state its attitude by means of interpellations, and to solve the problem, but we have always got evasive and equivocal answers on the question of *malba*. The peasants of the Punjab are spontaneously agitating for the abolition of the cess which does no good to anybody at all : neither to the Government nor to the village community for whom in the words of the Government it is meant. The Government has not moved its little finger to solve the problem manfully and courageously. We always get the answer that it is for the village community to decide whether to pay this cess or not to pay this cess yet coercive methods are used by Government machinery all over the province to get *malba* along with land revenue. If the Government position is that *malba* is the concern not of the Government but of the villagers themselves, let the Revenue Minister declare it once for all by beat of drum in villages that people may or may not pay *malba*. Government should issue instructions to the tahsildars, revenue officers, lambardars and zaildars to realise *malba* with the consent of the whole village population and not otherwise. Even if there is one dissentient voice *malba* should not be exacted from the people by force, as it is being done at present. Let the Honourable Minister for Revenue make his position quite clear once for all whether he is for *malba* or whether his position is indifferent or neutral. Does he want the people to continue to pay *malba* which is of no use to anybody. *Malba* at present is being used to supply rations to the subordinate officers of Government (Voices : No.) It is spent by lambardars for their own personal use : it is not at all being spent on purposes which do good to the village community. If my friend wishes let him take a plebiscite on this question and he will see that cent. per cent. voters of the Punjab will answer that this does not at all serve any useful purpose and the Government gets it by force out of the people and not with their consent. The patwari who is a pivot of the administration of the department, although the poor fellow, excites our sympathy because he is ill paid and has got very heavy responsibility to discharge, in 99 out of 100 cases he is a corrupt fellow : he deserves our pity, as well as our contempt and hatred. This part of the machinery of the Government, the patwari, requires a radical reform, better training, better education. Strict instructions should be issued by the Government to the patwaris that they should not accept illegal gratifications from the people for doing service to them. Government has fixed certain scales of fees for inspection and copying of records but the patwari gets much more than the fixed fee. If eight annas is the fee per hour for inspection of the patwari's record the patwari will not be willing to accept less than Rs. 5 or so for a shorter interval. That is the general complaint of the voter. Let him go to the Batala constituency and let him ask the voters who gave him votes and sent him to the ministerial *gaddi*. The land

[S. Hari Singh.]

revenue system of the Punjab and for the matter of that of Northern India is the most iniquitous, oppressive and archaic system in the world. These are not the words of an irresponsible agitator or of a person who has axes of his own to grind : these are the very expressions used by a highly placed administrator, a collector, divisional commissioner and an I. C. S. officer. Let my friend be informed of the words used by the Government of India resolution, dated 16th January, 1902.

Minister for Revenue : May I have the number of the resolution ?

Sardar Hari Singh : You will get everything.

Minister for Revenue : I have to take notes.

Sardar Hari Singh : I have given the date.

Minister for Revenue : I have not heard it. Will the honourable member kindly oblige me by giving the number and date ?

Sardar Hari Singh : I will give him everything. The land revenue system of this country particularly of Northern India has been under the fire of criticism not only during the last few years but for the whole of the last century at the hands of responsible administrators. It was in the year 1900 that Mr. R. C. Dutt who was first a collector and then a divisional commissioner wrote a letter to the then Viceroy—Lord Curzon I think—severely criticising the land revenue system ; and again a little later a large number of I. C. S. officers submitted a memorial to the Secretary of State through the Governor-General severely criticising the system and supporting the contention of Mr. Dutt. Then the Government of India sent a circular to the provincial governments inviting suggestions on this letter ; but the bureaucratic provincial governments would not like that the revenue system should be radically changed because that would mean that a big slice from the income would go off. The Government of India shelved that question for the time being. Then there is a second paragraph in the letter which is dated 16th January, 1902. This second paragraph which is full of significance and meaning, says—

Historically it (land revenue) owes its immediate origin to practices inherited from the most decadent period of native rule, and its forms to changes made slowly and not without mistakes by men who were aliens to the country and could only with difficulty and by slow degrees assimilate the requirements or enter into the feelings of the people.

In another paragraph the Government of India said—

It cannot but be their desire that assessment should be equitable in character and moderate in incidence.

That is what we want. Further on, the report says —

These should be left to the proprietor or cultivator of soil.

That is what we want and mark and underline the following words :—

That margin of profit that will enable him to save in ordinary season and to meet the strain of exceptional misfortune.

That is our position and that is our demand that land revenue assessment should be equitable in character and should leave the peasant proprietor enough profits and enough saving to meet the strain of misfortune. That is the history of the criticism of the land revenue assessment prevailing

in this province and in other provinces in India. This question was relegated for the time being to the back ground on account of the war and post-war conditions which induced artificial prosperity. Now this question has come to stay and come to the forefront on account of conditions created by agricultural revolution in scientifically advanced countries. It raises irrepressible and clamant cries for an immediate solution. A solution must be found, unless my honourable friend the Revenue Minister wants that revolution should raise its head in this province. It is not the socialist, but it is my honourable friend opposite and his colleagues who are creating conditions favourable for revolution. It is the big landlords, Nawabs, Tiwānas, and Majithias who are creating revolution in this land by trying to perpetuate the old system.

Minister for Revenue : There are no Majithias here.

Sardar Hari Singh : I mean big landlords.

Minister for Revenue : Then say so.

Sardar Hari Singh : It is not the socialist who is at fault, but it is the big landlord.

As a recognition of the fact that the present system of land revenue assessment is iniquitous and requires change, the Punjab Government has to its credit appointed Land Revenue Enquiry Committee presided over by a senior I. C. S. officer, Mr. Darling. I give him credit for his sincerity. Meanwhile, the Ministers of the Government have gone about the country, telling the people their own opinions on this subject. The Honourable Premier in a public meeting at Posi in the district of Hoshiarpur told the people that it would be better to increase their income rather than that the small peasants should be exempted from land revenue. My honourable friend opposite was present in that meeting and he can support me. I have got the notes of the speech with me. He said that if a peasant was getting Rs. 20 as income, then his land revenue would be Rs. 4, or 5 and what would he gain if Rs. 4 or Rs. 5 were remitted? He would not be gaining anything, so there is no use of remitting the land revenue. That is what the Honourable Premier said at a certain meeting. I have got the report of that meeting with me. My honourable friend opposite may deny it, but I think he cannot. He himself had a talk on the subject with a certain deputation that waited on him at Hoshiarpur. He opined that the system of assessment according to income-tax principle is not workable in the province. If the Government makes a change in the system, then the Government will lose 4 crores of land revenue and would not be able to carry on the work of administration. That is the position of my honourable friend who has appointed the Land Revenue Committee. He is awaiting the report of that committee and in the meanwhile he is going about in the province and telling the people that this system of assessment is unworkable in this province. Let us hope that the Government will change its opinion and let us hope that the report and recommendations of the Land Revenue Committee will be in consonance with justice, equity and needs of the situation in order to forestall the revolution that is coming, due to the faults, not of the socialists, but of big landlords and owners of sugar mills and cement factories and others who would perpetuate the old order of things.

Mr. Speaker : Demand under consideration, motion moved—

That the demand be reduced by Rs. 100.

Syed Mubarik Ali Shah (Jhang Central, Muhammadan, Rural) (Urdu) : Sir, the subject of land revenue is so vast and so important that it is impossible for a member to review the whole of it adequately within the short time at his disposal to-day. I would, therefore, place only a few points before the House and request the Honourable Minister for Revenue to take immediate action on them.

The first thing to which I want to draw your attention is the immediate necessity of appointing a revenue official in every district (instead of in every division, as is the case at present) who should undertake a detailed investigation of the *benami* transactions and rectify them without any undue loss of time. At present five tahsildars are working in this connection—one in each division. Now, as you know, Sir, each division comprises 7 or 8 districts, and I submit that such a big area cannot be adequately covered by a single tahsildar. Anyhow I must add, in fairness to these officers, that they are doing their work very efficiently. However, in order to verify *benami* transactions the Government should appoint a special tahsildar in each and every district of the province. There is no doubt about the fact that if the Government were to translate my proposal into action it would entail a great expenditure as I have said before, still it is just and proper that the Government should pay particular attention to this highly important question of the day. Pending the appointment of said tahsildars in every district, the Government should issue instructions to the present tahsildars that they should be more careful in future, and should submit their reports at once to their higher authorities after instituting inquiries into the *benami* transactions of their respective *ilagas*. The existing staff has to attend to multifarious duties. They have to record and attest mutations and collect revenue of their respective *ilagas*. So, it would be in the fitness of things that the number of existing tahsildars and naib-tahsildars should be increased. At present we find that there is only one tahsildar in each of the 5 divisions of the province, and it is extremely difficult for them to cope with the heavy work of their respective divisions. I have reasons to believe that they do not find sufficient time to attend to each and every *benami* transactions of their division which consists of so many districts. And in most cases the reports submitted by them happen to be misleading. It is a matter of regret that on account of an insufficient number of tahsildars for this work no substantial work has so far been done by them in this respect. I, therefore, respectfully submit that at least one special tahsildar should be appointed in each and every district. I may add that if the Government receives report at the end that there is not much work to be done in this field and if the results of the inquiries now proceeding by the special tahsildars are below our expectation, this should not be interpreted to mean that the work is very little. In reality it would be the vastness of the area under these tahsildars which will be the cause of such little results, as it is humanly impossible for one official to give so much time to each and every *ilaga* of the districts in his division.

The second thing which I would like to point out to the Government is that the usefulness of the work of consolidation of holdings has been admitted on all hands. This step on the part of the Government has much ameliorated the condition of the petty landlords. Facts and figures collected by the Government show that in the districts where the work of consolidation of holdings is in operation at present the zamindars are enjoying the fruitful results of this scheme. I appeal to the Government that it should increase the staff of the Co-operative Department so that the work of consolidation could be started simultaneously in all districts of the province. On account of the increased population of the province the agricultural lands have been divided into insignificant holdings. If the Government is in right earnest to improve the lot of the petty zamindars it should not hesitate in increasing the number of the staff appointed for the work of consolidation of holdings. Otherwise the opposition in this House as well as the public outside will be justified to contend that the Government does not do so much for the poor zamindars as they every day in and out of the Assembly profess to do for them.

There is one thing more which I would like to bring to the notice of the Government. The tahsildars and naib-tahsildars of the Revenue Department have to do a lot of work in connection with their multifarious administrative duties along with mutations and in this connection I may say that there is a general complaint that they cannot devote sufficient time to these highly important transactions. Sometimes these officials summon the parties living in the villages at a distance of even 10 or 20 miles, but when they find it difficult to finish the work in time, they fix another date. In this way the poor people suffer great hardships. Their time is unnecessarily wasted. The Government should take immediate steps to redress this general grievance of the agricultural classes in order to save them the time and trouble. The higher authorities should issue instructions to these tahsildars and naib-tahsildars that they should not summon the parties who live beyond a radius of 5 miles. The Government should see to it that the revenue staff is increased so that it could cope with the increasing number of such transactions.

Again, there is a highly important question which requires particular attention of the Government. Whenever the Government floats public loans it pays only $2\frac{1}{2}$ per cent. interest on the principal. But when it itself lends taqavi loans to poor zamindars it charges interest at the rate of 6 per cent. or even more under certain circumstances. This sort of profiteering on the part of the *zamindara* Government is highly objectionable. The poor agriculturists are being exploited by this *bania*-like practice of the Government. The Government should reduce the rate of interest on taqavi loans to $2\frac{1}{2}$ per cent. per annum, or 3 per cent. per annum at the most. The excess half per cent. may be charged to defray the cost of management, and if the Government does not do this, then, with what face can the Government boast of helping the poor zamindars to save them from the vagaries of the shrewed and crafty *banias*? And how would the Government be justified to bring in measures to check the kind of profiteerings in the province by any individual or class.

Furthermore, Sir, I would like to make a suggestion in respect of the Land Alienation Act. There are innumerable lands which were mortgaged.

[Syed Mubarak Ali Shah.]

by agriculturists to non-agriculturists even before the said Act came into operation, i.e., before 1901. If the Government would not take any action in the matter the term of 60 years would soon lapse and the said lands would permanently remain in possession of the non-agriculturists. It means that even in the presence of the Punjab Alienation of Land Act the agriculturists would lose their lands. It will not be a question of few hundred acres of land of the statutory agriculturists going to the non-agriculturist banias, but very large areas of land of the zamindars will silently pass into the hands of the banias in spite of the Punjab Alienation of Land Act, 1901. So I suggest that the Government should undertake to collect the figures of such lands which were mortgaged by the zamindars to the present banias after the year 1880 and bring in some measures without any further loss of time to save those lands which are on the verge of passing permanently into the hands of the banias in the very near future. I would suggest a kind of Bill by which all the lands which have been with the banias for over 30 years should *ipso facto* be redeemed and returned to their real owners or to the heirs of the deceased owners. There is a great demand to this effect in my constituency and people have asked me to agitate the matter in this House. I also understand that they have sent an application to the Honourable Chaudhri Sir Chhotu Ram whom they look upon as their great benefactor of the age. If no immediate step in this direction is taken to help the zamindars, I may tell the Government frankly that when their lands pass into the hands of the banias, the zamindars will be greatly enraged at this apathy on the part of the Government and this will greatly influence the results of the next general election, which will be very bad for the present zamindara Government, as it poses to be, beside the unpleasant happening which may take place between the bania class as such and the poor zamindar class whose lands are, it is feared, to pass into the hands of these banias. With these words I resume my seat.

Master Kabul Singh (Jullundur East, Sikh, Rural) (*Punjabi*): Sir, the subject regarding land revenue is the most important because it is directly and deeply connected with 2½ crores of the population of the province. I wanted to go into details regarding this subject but on account of the limited time and keeping in view the discipline of my party I refrain from making a lengthy speech. At present the income of the province is 11 crores 70 lakhs. Let me submit for the information of this House that out of 11 crores and 70 lakhs, 9 crores come out of the pockets of the zamindars. What a grand proof of its being a zamindara Government that the sum of money which is being spent on the zamindars is not even half of the sum actually realised from them.

At the time of realising the land revenue money is so pitilessly extorted from the poor zamindars that it would not be an exaggeration if I say that the blood of the zamindars is squeezed at that time, and they are threatened so much by Government officials that they are made to sell their ornaments in order to pay land revenue. Thus the zamindar's money earned by the sweat of his brow is taken so easily by the Government. The Government in spite of harassing and threatening the zamindars for taking thousands and lakhs of rupees in the shape of allowances and salaries from themselves still claim to be their true friends and it is alleged by the

honourable members sitting on the Government benches that the present Government sympathise with the zamindars. This reminds me of an instance which I think aptly applies here. A Muhammadan used to take *sehri* at night, but he did not keep fast at day-time. People asked him why he took *sehri* at night and did not keep fast on the following day he replied "Do you want me to be a real *kafar*"? Similarly is the case with this Government. They do not want to be real and *pacca kafar*. How regrettable it is that at the time of fixing big salaries, it is said by the Government that they are our zamindar brethren and at the time of giving something to the zamindars the Government remain mum as if nothing serious is being discussed on the floor of the House. The zamindars have held meetings at several places in order to demand from the Government that land revenue should be realised on the same principle as income-tax is being realised, but the Government have paid no heed to it. My next submission is that the rate of *abiana* should also be reduced, because the Government have realised Rs. 100 crores while in reality they have spent only Rs. 12 crores on Irrigation.

Raja Ghazanfar Ali Khan : Sir, is the honourable member in order in discussing irrigation dues ?

Master Kabul Singh : Not long ago repeated demands were made on the floor of this House that land revenue should have been reduced and the Government in order to lull the people for the time being appointed the Darling Committee. Full one year has passed and the burden of the salaries of that Committee is being borne by the zamindars. We have come to know that Mr. Darling admits the fact that the zamindars have not got sufficient land to make their both ends meet and further he is of the opinion that the payment of land revenue does not mean any special hardship for the zamindars. I beg to differ and respectfully submit that the truth should not be ignored. We know where the shoe pinches. The zamindars do feel the burden even at the time of paying the smallest sum of money as land revenue. I fail to understand why when Government do not feel it necessary to impose income-tax on Rs. 1,999-15-9, the income of money-lenders, it believes that the zamindars do not feel any burden at the time of paying land revenue. I suggest to the Government if they actually want to do something substantial for the betterment of the zamindars, that they should impose land revenue on the principle of income-tax. In this way if the Government remits land revenue to those people who pay Rs. 5 and the total sum of the remission comes to Rs. 35 or Rs. 40 lakhs, they will do a lot for 17 lakhs of zamindar families at least. I warn the Government that if no heed is paid to the repeated hue and cry of the zamindars they will start demonstrations as the people of the Nili Bar Colony have done. The zamindars of Nili Bar had begun to despair and at long last they started making demonstrations.

Sir, the whole world is acutely suffering from economic depression, therefore the zamindars of the Punjab cannot remain unaffected by it. But the Government have not paid any attention to this. I would further submit that the rates of commodities are falling down and if they are going to continue in this way the hard-earned production of the full 12 months of the zamindars will be sold at a very very low price. *Gur* and *Shakar* will be sold at the rate of Rs. 1 or Rs. 1-8-0 per maund. It is really painful that the Government should make lame excuses every time to the effect

[Master Kabul Singh.]

that the administration of the province would not run smoothly if land revenue is to be remitted. I submit that if the Government is really sympathetic to the zamindars, they should first of all abolish all those extra posts which are mere waste of money and a burden on the poor down-trodden zamindars, such as posts of commissioners, zaildars, sufedposhs, honorary magistrates, chowkidars, etc. By doing so, I am sure, the burden of the zamindars would be lightened to a great extent. For instance, the commissioner gets a big salary of Rs. 4,000 a month. I believe, thousands of rupees would be saved in this way. We are no longer to be satisfied with the appointment of new committees. We wish something substantial and real should be done for the poor zamindars. I would like to request the Unionist Government to look at the neighbouring Congress governments and to do something practical for the zamindars as the Government of the Frontier, Sindh and the United Provinces have done.

Besides, I beg to submit something in connection with the superfluous posts of zaildars and lambardars. I fail to understand what service these zaildars and lambardars do for the villagers. Do they not backbite the villagers before the police? They have got nothing to do but to create misunderstanding between the police and the villagers. What is their responsibility after all? Is it or is it not their responsibility to canvass for the Government at the time of election? I believe a sufficient sum of money could be saved provided these superfluous posts of zaildars and lambardars are abolished. I would like to make it clear by citing an instance in this regard. In a tahsil of my district there are 19 zaildars and 38 sufedposhs and I am sure if these posts are abolished there could be a saving of at least six or seven thousand rupees. I do not see any objection if these people who live at the mercy of the police by serving them with *chekums* of tobacco are removed from the posts.

My third point to which I beg to draw your attention is the imposition of *malba*. You are aware that the whole province is against this tax and every zamindar has disapproved of it. This is one thing in the opposition of which the zamindars of the province are unanimous. The Government reply by saying that *malba* is being realised with the consent of the panchayat of the village and the Government has got nothing to do with it. But the Government should know that the people who realise this tax are generally the self-styled chaudhries and the lambardars of the village who are considered to be honest and trustworthy. What we object is their honesty and trustworthiness. We are dead sure that they have got no sympathy at all for the people of the village and their main object is only to please the police officers by supplying them *murghi unda* and moreover, they consider it *izzat* in feeding the police with the hard-earned money of others. So I request the Government to stop this nuisance of *malba* at once. I would like to draw their attention to the Amritsar district where the people are quite prepared to demonstrate against the *malba* tax. If the people would go on opposing *malba* so vehemently I think, it would be stopped in the natural course.

Sir, I would like to finish my speech by challenging the Unionist Government that it will not be long when we will be occupying the opposite benches and the Government would be here on these benches where we sit to-day

and I assure the present Government that the first thing which we will do would be the remission of *malba*. (Cheers.)

Chaudhri Jalal-ud-Din Ambar (West Central Punjab, Indian Christian) : We have got the Magna Charta of the freedom of speech because whenever any honourable member can express himself on certain subjects in a certain language, he is free to speak in that language and there will be no compulsion with regard to the expression of any honourable member's views in any language. As I have been throwing my glance round me and listening to the speeches of my honourable friends I have been feeling that I can say with Saadi—

جمال هم نشین در من اثر کرد—و گر نه من همان خاکم که هستم

With regard to the subject under discussion, namely, land revenue, or in regard to police or any other subject connected with the administration of the province, I realize and know that many honourable members from the Opposition side and many others from this side and many amongst the public on the advent of the Provincial autonomy said with Hafiz—

بیا تا گل بر باغشالهم و می در ساغر اندازیم
فلک را سقف بشکافیم و طرح نو در اندازیم

I know that they wanted something of the kind. I am neither one of those who would like to rend asunder the heavens or do something untoward, but certainly I am inclined to believe that there should be a *tarhi nau* and in order to achieve this we should try that this *tarhi-i-nau* should not be made possible at the expense of uniformity and continuity. Continuity and uniformity are great blessings and whenever we want reforms whether in land revenue system or any other system of administration we should be careful not to sacrifice continuity and uniformity in matters of administration. All the same we know that our present ministers with their keen insight and great sympathy and industry are tackling the affairs of the administration and not much room is left for us to fear that we would have any hard and fast changes that would discontinue all the good that we have in the old system of administration. With regard to the subject under discussion to-day namely land revenue my honourable friends opposite have brought one point forward and that is about *malba*. I know that this is one of the things that touches every zamindar whether big or small, but as it has been several times brought forward and the question of *malba* has been objected to most seriously, I must submit that it is nowhere levied except with the previous consent of the owners of the villages. (Voices : Question.) It is levied with the consent of the villagers whether obtained at the time of settlement or otherwise and all the zamindars are collected together and before the cess is levied the responsible officer of the department asks them whether they want to have it or not and it is levied only if all of them agree.

Sardar Partab Singh : May I through you ask the honourable member a question ? What does he mean by the words 'all the owners agree' ?

Chaudhri Jalal-ud-Din Ambar : All the owners mean all the owners.

Sardar Partab Singh : Lambardars excepting ?

Chaudhri Jalal-ud-Din Ambar : Of course included. I have been to many tahsils and many districts of the Punjab and I found that in many districts there was no *malba* and when I enquired the reasons, I found that it was because people there did not want to have it. Whenever the people do not want it no one imposes this cess. But when once they have given their consent to its imposition, it cannot be removed unless the time for the next settlement comes and this *malba* has to be collected and realized according to the method laid down. Because the Government wants to facilitate the working of this department, it helps lambardars. Besides I think it is in a very very few villages that people object to this cess. In villages where there are no factions and parties, people readily agree to the levy of this *malba* (*Voices : No.*) They agree to it in the interest of advancement of the village and the good name and welfare of the people. (*Voices : No.*) It is only where the lambardar is a weak man and where there are strifes and parties and factions in the village that *malba* is objected to (*Voices : Question.*) It is my experience wherever I went that *malba* was objected to only in places where there were strifes and parties and factions. It was only at such places that *malba* was made a bone of contention. (*Hear, hear from Official benches.*)

With regard to the other two things that have been put forward as objectionable by my honourable friend, Sardar Hari Singh, namely, corruption among the patwaris and the defects of the prevailing land revenue system, I think these are old and oft-thrashed subjects. Corruption has been talked about practically in connection with all departments of administration whether it is police or any other department and the reasons for and against have been given so often that it is not necessary for me to waste the time of the House in recapitulating them and saying anything further except that corruption cannot be removed until and unless we are prepared to co-operate, unless we are prepared to create a sense and a mentality amongst the people and educate them that corruption in whatever form is detrimental to the advancement of our country and also to the general morale of the people. When people realize that this is the state of affairs it is then and then alone that corruption will be eradicated. My honourable friends should take care to create that sense amongst our people by educating them. Instead of making repeated attacks on the Government, I think more good can be done to the country by acquainting people with the evils of corruption than by merely making speeches here on the floor of this House.

Sardar Sohan Singh Josh : Who is responsible then ?

Chaudhri Jalal-ud-Din Ambar : Responsibility for corruption is not of the Government. Responsibility of the Government comes only in the third place. First responsibility is on the giver and the second on the taker and it is only in the third place that the responsibility comes on the Government who supervise both of them and only if the giver will not give and the taker will not take, there will be no corruption.

Coming to the defects in the established revenue system, in my opinion it will be wasting the time of this house and going behind the issue to dilate upon and discuss the disputed subject already tackled by such great authority as R. C. Dutt and equally competent revenue experts from the other side.

Suffice it to say that the present Government has formed a competent committee under a wise and sympathetic guide of the reputation of Mr. Darling. This subject will be thoroughly gone into by that committee. Honourable members would do well to put their case there instead of advancing immature arguments here. So much for the criticism that has been advanced by my honourable friends. Revenue is a pivotal system, it is the backbone of the administration and if we do not make any constructive suggestions then we have no right to level unnecessary criticism. The present Government and specially the Honourable Minister for Revenue is a zamindar of zamindars, a friend of the poor zamindars and a jaf of jats. I have confidence that any constructive suggestions that we make will be fully taken into consideration and sympathetically considered by him.

With regard to the revenue system, I would respectfully submit before this House that no administration can go on without money. Our friends on the opposite side talk of this reform and that reform. The honourable Diwan Chaman Lal has brought in a Bill proposing that zamindars holding five acres of irrigated land and twelve acres or so of barani land should be exempted from the payment of land revenue. There are other gentlemen who propose other measures for the relief of the zamindars. But they must remember that all the beneficent departments cannot be run and all the other good things that they want to be done for the people cannot be done without money. Whenever they make such proposals, they ought also to make constructive proposals along with that suggestion of theirs that in case of non-realisation of money on that account, so much money should be brought from other sources and they should be prepared to lay before the House other measures and sources from where money can be secured because without money no beneficent department can be run. I think that when we talk about some sort of change in the present system, we should try to save money from the expenses that we are already incurring and try to find ways and means by which money can be saved from the expenditure which is already being incurred. Find out some changed method of administration and bringing in of money from such sources and you will not stand in need of taxing people. If we exempt poor zamindars from payment of land revenue, an amount equivalent to that portion of the land revenue and income of Government must be obtained from somewhere and unless and until that money comes Government will not be in a position to run the beneficent departments. So, with this point in view, I venture to make a suggestion that the revenue patwaris and the canal patwaris should be brought under one supervision. If this is done, it will result in a great saving for the Government. Over and above that it will be a very great measure of benefit and advantage to the zamindars. Now the poor zamindar is serving two masters, i.e., two patwaris. These two patwaris do exactly the same kind of work. If the canal patwari does *girdawri*, the revenue patwari also does the same. Without doing crop inspection and *girdawri* work the canal revenue cannot be assessed and without revenue patwari's *girdawri* the revenue records cannot be completed. These two things are going side by side and double expenditure is being incurred. Besides, after the canal patwari has prepared his *muntakhir* (list of the abiana that is to be realised from the owners), he makes it over to the revenue patwari. The revenue patwari does practically put in the same amount of work on that *muntakhir*

[Cb. Jalal-ud-Din Ambar.]

as the canal patwari. It is to be realised with the help and assistance of the revenue patwari. Therefore, the work which has already been done by the canal patwari has to be redone by the revenue patwari. There is nothing gained by this system except that it gives rise to certain difficulties in the realisation of land revenue. I, therefore, venture to suggest that this reform is overdue. This was experimented on the Jumna Canal some years ago but somehow or other the canal authorities found that it was impracticable, though the public have not been told why it was considered impracticable. All sound-minded zamindars and all experienced revenue officials have always thought that the method was quite workable and I think that if the method is workable and is also good and beneficial for the zamindar, it should be given a trial. I would appeal to the Honourable Minister for Revenue that it is time that we should give serious consideration to this matter so as to save some expenses and also to benefit the zamindar. It is high time that we introduced this reform. There is another thing with regard to land revenue administration that I would like to bring to the notice of this House. The Government should try to centralise the tahsil units more than it has done hitherto. The tendency of the authorities hitherto has been to centralise the district units but it is not in the interest of the zamindar that he should have to go thirty, forty or sixty miles from his village to the district headquarters for the purpose of putting in a written application and then having his grievances redressed. Justice should be brought nearer home to the zamindars. The one great reform that we want in this country is that the zamindar should not be made to go to the headquarters for getting redress for every little thing. Justice should be brought to the homes of the zamindars and I submit that people should forthwith be given that benefit. Their petty quarrels and grievances should be redressed nearer home and in order to do that I would be failing in my duty if I did not bring this to the notice of this House and especially to the notice of the Honourable Minister for Revenue. The tahsildar is an official who has much to do with the zamindar and the villager. He is the sole custodian of the revenue administration. What to say of realisation of revenue, he is responsible for several other things connected with land revenue administration and it is in the interest of the Government as well as the poor peasant that he should be made to feel that he is responsible, that he is self-respecting. His status should be so raised that he is looked up to by the people as their well-wisher. He should also be made to look upon himself as one with responsibility in whose hands lies the amelioration of people and whose duty is to do good to the people. When he feels that he is respected and honoured, it is then and then alone that we would have the reforms that we wish to have. We want corruption to be removed. If this is done then the poor zamindar will be in a position to get benefit out of the system of revenue. There was a time when every trouble of the zamindar and the villager was settled in his own house. In those times, I mean the beginning of British administration, the tahsildar used to be the right hand man while the munsif was the left hand man. The things have now almost changed and have become topsy turvy. In the interest of the public and the zamindars, whose custodians you claim to be, tackle this problem from that point of view. By decreasing the respectability and the status of the tahsildar you shall not be able to improve the lot of the zamindar. He would not be

able to do those duties, under circumstances which will be beneficial to the zamindars.

(At this stage Mr. Speaker left the chair and it was occupied by Divan Chaman Lal of the panel of chairmen.)

The tahsildar gets a yearly increment of Rs. 10 in the time scale while the munsiff, who used to be his left hand man gets
 4 P. M. Rs. 20 or Rs. 30 yearly increment. The munsifs have been raised to the status of sub-judges while the tahsildar remains where he was and is a gazetted officer only in name. You want to take responsible and honourable work from him and you want him to be so good as an angel for the people but at the same time you do not wish that his pay and status should be improved. He is the officer who is most in contact with the people day and night, he goes to the homes of the people, but you do not want that his status and respectability should be increased. It is from the point of view of the good of the zamindars that I lay stress on the point that we should do something to redress the old and legitimate grievance of the tahsildar.

I would also be failing in my duty if I do not bring the case of the poor zamindars, specially the cultivators and the tenants who reside in different villages, to the notice of the House and it is on that score that I propose to make a few suggestions and recommendations with regard to the tenants in general. There is a section of people in every village who though they are not owners of land, and are not statutory agriculturists in some districts, still their profession from times immemorial is to cultivate land. They are the real cultivators and they are the people who do real spade work of cultivation. Their interests should I think be guarded by the administration. One of their interests is this. In the settlement of 1852 and 1865 the village sites were also measured and maps of different houses in the villages were also made and a record was kept that such and such site belonged to such and such a man; but it was discontinued during the later settlements. I think if that work is revived it would give some relief to the inhabitant who does not own land in the village. He will know, wherever he has built his cottage, that it is recorded to be his own home. At the present time there are many cases of strife and quarrels going on amongst zamindars and non-zamindars. Sometimes the zamindar gets angry with his tenants and tells him "very well take your *malba* and go away." If his house site was recorded as belonging to him he would not be ousted like this. Those who are acquainted with the condition of the people know that the poor tenant will be saved from many a trouble and *mugadamas*, if this were done.

In regard to the distribution of land in new colonies. Government has so far been distributing land to those who were either statutory agriculturists or had land before. But the point is that it is in the interests of the administration and the advancement of the economic welfare of the Government if such people are given land whose hereditary profession is agriculture but who do not own land. Government should give land in the new colony to people of hereditary agricultural profession. Some Government *rakhs* are to be distributed and if it is made a condition that these *rakhs* in future will be distributed to those people whose hereditary profession is agriculture but who do not own land, I think it is in the interest of the Government as well as of the poor people: they will be able to develop their profession

[Ch. Jalal-ud-Din Ambar.]

and Governments its sources of income. Also it will be good for those zamindars who already own land : they will endeavour to find subsidiary professions for their maintenance and thereby improve the economic resources of the country. Without meaning anything against any section of the people I would like to bring to the notice of the House that my Christian community is the poorest of all. As you are aware in different villages there is a section of the people who are known as Punjabi Christians and their profession is cultivation of land : they work either as tenants or as agricultural labourers. It is they who do the spade work of cultivation and it is they whose labour is taken advantage of by other sections of the people. It is time that Government should pay due regard to their hereditary profession. In several districts they are gazetted as statutory agriculturists. They have got no other profession but agriculture ; they cultivate land. The agricultural labourer is known as sepi. It is he who does real solid work in the matter of cultivation. It is only just and proper that Government in distributing waste lands should pay due regard to his hereditary profession. With regard to the representation of my community on the services in the Land Revenue Department I would like to point out that the Christian community is getting very little and not at all its due share. There are no Christian patwaris and no Christian kanungos. I know that the present Government and specially the Honourable Revenue Minister is paying due regard and attention to this matter and it is with that confidence that I respectfully submit that the deficiency with regard to the representation of the Christians in the Revenue Department be kindly soon made good especially in the roll of patwaris and kanungos. The interests of minorities does not lie in getting their percentages and averages from the Government which is justly their due. For instance, supposing in the Revenue Department, I want that my community should be given its full quota, viz., 2 per cent. amongst the roll of patwaris. That would mean that 2 per cent. Christian patwaris would be appointed and unless those patwaris died or went away from service, no other man could be taken from amongst the Christians for an indefinite period. I think the minorities would be unwise to insist on that. They should always appeal to the generosity of the majority party. They should always appeal to the generosity and good sense of those in whose hands the administration lies. I do not think that any hunger strike or any other measure on the part of minorities would go to redress this grievance. With regard to our grievances, I would appeal to the generosity of the majority party and to the good sense and justice of our present Ministry and tell them—

سپر دم بتو مایہ خوش را

تو دائی حساب کم و بیش را

I believe that for my own Christian community and for other minority communities as well it is always better to go beyond our due percentages and averages and appeal to the generosity and good will of the government.

Then there is another suggestion that I have to make that every year land is given in colonies on temporary cultivation and sometimes Government waste lands are also sold. In regard to this question, I would not.

like to repeat what I have already said, but I would appeal that in the interest of poor cultivators and those tenants who do not own any land and whose hereditary profession is only cultivation, care should be taken that if possible such tenants should be given land in preference to those who own land. I would appeal to the Honourable Minister to kindly issue instructions to the colonisation officers and district officers that they should give land on temporary cultivation to such tenants who do not own any land but are statutory agriculturists and their hereditary profession is cultivation.

Day in and day out our friends of the Opposition, whether it is land revenue system or police administration, come and say that the police is for the benefit of the Unionist Party and now they will say that it is for the benefit of the Unionist Party that the land revenue is collected and *malba* is collected, so that it may be enjoyed by them when they go out. But, let me tell my honourable friends that such criticisms do not do any good unless, as I have already said, constructive measures are also proposed. Let me tell them once for all that we on these benches are the Unionists as long as we are convinced of the rectitude of the methods, principles and the practice adopted by our present ministers. If we find at any time that we have no confidence in the present Ministry, and its principles, we will be the first to leave these benches. But as long as we know that our ministers are carrying on the duties of administration by looking into the affairs of public with keen insight, great sympathy, interest and industry, we feel justified in supporting them wholeheartedly :—

رکون میں درزے پورے کے ہم نہیں قائل
جو آنکھ ہی سے نہ ٹپکا تو وہ لہو کیا ہے

It is because we find that in practice our guardians, our leaders, our ministers and our Government are playing their part on right lines, that we are following them. Under the circumstances constituted as we are, with due respect and regard to the Opposition members and the measures that they propose and the speeches they make and other things which they do for the benefit of the country, I would respectfully submit that sometimes they cut a very sorry figure.

Chairman (Diwan Chaman Lall) : Order, order. The honourable member should be relevant to the subject in hand.

Chaudhri Jalal-ud-Din Ambar : Very well Sir. I am speaking in connection with the land revenue system. I have said that our honourable friends of the Opposition have been talking about land revenue system or police system. With due regard to what has been said or done for the constructive benefit and advantage of the people as well as of this House, a lot of it has been superfluous and taking the question from that point of view they are cutting a very sorry figure in that capacity.

Sardar Lal Singh : Mr. Chairman, the honourable gentleman who has just resumed his seat has not made his position at all clear. The motion before the House is Sardar Hari Singh's motion. It is a cut motion and I think according to the rules the honourable member must either support it or oppose it. He has been doing both. Will he make it clear whether he is speaking for the motion or against the motion?

Chairman (Diwan Chaman Lal) : That is not a point of order at all. Will the honourable member resume his speech ?

Chaudhri Jalal-ud-Din Ambar : I must thank you for giving me a little more opportunity of saying what I wanted to say. I was referring to the land revenue system which my friend Sardar Hari Singh and the honourable member who spoke before me have been criticising. My point is that theirs is an obstructive and destructive criticism. I am inclined to think that they are cutting a very sorry figure, and for that reason my friends opposite are not in a position to invite us to join them, and in Shakespeare's words we will not be well advised to go—"From the smoke to the smother; From the tyrant duke to the tyrant brother." Before I resume my seat I would appeal to both the sections of the House in the following words of Poet Ghalib :—

ۛ طالب دین تو مزہ اس مہین سوا ملتا ۛ
وہ گدا جس کو نہ ہو خوئے سوال اچھا ۛ

With this kind of co-operation, good will and spirit of give and take we can hope to succeed in reaching our goal.

Chaudhri Muhammad Hassan (Ludhiana, Muhammadan, Rural) : Sir, I had originally no intention of participating in this debate, but I find that the demand with regard to which this cut motion has been moved by my friend Sardar Hari Singh is very exorbitant. I will try to prove that the working of the Revenue Department in the province is ineffective. I shall prove by giving particular instances from my own district. The qualifications of a collector required under the Land Revenue Act are :—

No man can properly represent Government to the people who is lacking in sympathy or in the power of conversing with them easily in their own tongue. But to these qualities must be added patience and promptitude, tact and firmness, accessibility without familiarity, a shrewd appreciation of character with readiness to repose confidence where it is due, a thorough knowledge of the details of all branches of his duty and great capacity for personal exertion, with a willingness to hand over to trustworthy subordinates a large share of the work, while maintaining complete control over the machinery of administration.

I would not repeat the other two words because they have been held by the Honourable the Speaker to be unparliamentary, I mean the words "immoral and corrupt". But to say the least the Collector of my district is inefficient. He has not got all the qualities that are enumerated here that a collector should have. It is on the collector mainly that the administration of the district depends. In my district I find that the collector has altogether neglected the Beit ilaqa.

Sardar Sahib Sardar Ujjal Singh : Is the honourable member in order in attacking the Collector of Ludhiana ?

Chairman (Diwan Chaman Lal) : The honourable member may not make any personal attack, though he is quite at liberty to make any charges he likes consistent with the rules and standing orders regarding the administration.

Chaudhri Muhammad Hassan : I was simply submitting that so far as the revenue administration in my district is concerned, it is most unsatisfactory, and I said that the qualification that is required of a collector under the Land Revenue Act namely that he should keep himself in touch with

the people of his *ilaga* is not possessed by the collector in my district. I do not name him, because my friend Sardar Ujjal Singh seems to be a bit anxious about that. I was submitting that the collector has neglected the Beit *ilaga* altogether during the recent hailstorms. He never inspected the crops, he never inspected the damage done to the crops, and he depends too much upon his assistants. In a question put by me the Revenue Minister remarked that an appreciable damage was not done in Ludhiana district. I have received several complaints from the Beit *ilaga* and I find that damage has been done to such an extent that it is almost impossible for the poor zamindar and the tenants to live on the yield of their fields. The only anxiety that the revenue head of my district shows is about the appointment of zaildars and lambardars, but probably he does not realise that by taking these cases into camp the lawyers have to follow him, they charge fees with the result that the poor zamindars suffer. Even in that matter he is not doing full justice to the zamindars of my *ilaga*.

Furthermore, I find that he does not personally go for the inspection of girdawri which is essential. He only goes to the roadside villages and inspects certain fields and makes certain entries, but he does not do anything which is beneficial to the zamindar and he does not do anything which might be conducive to the welfare of the zamindar community of my district. I find that at the time he accompanied the Honourable Minister for Revenue to the hailstorm stricken villages—I think it was in July 1937—he did not take the Honourable Minister to the villages which had been badly affected and where considerable damage had been done to the fields. I tried to ask a question from the Honourable Revenue Minister as to the object of his visit to Ludhiana, whether it was in the interest of public administration or injurious to the public interest, but he was not pleased to tell me why he was visiting Ludhiana. I thought he had been summoned by the collector and therefore he must have gone there to afford relief to the zamindars of my district.

Minister for Revenue : What a novel thing—that the Ministers should be summoned by the collectors ?

Chaudhri Muhammad Hassan : He was perhaps invited. The Honourable Minister is upset with the word 'summoned.' I shall say, he was invited.

Minister for Revenue : I am not upset. I am amused.

Chaudhri Muhammad Hassan : The Honourable Minister was invited by the collector for affording relief to the poor zamindars of my district. I find that the collector of my district does not take the least interest so far as revenue administration is concerned. What does he do ? He takes interest in other things. For example, he goes from village to village and collects subscriptions in order to construct a swimming bath to be named after him, or he collects subscriptions for naming a road as Nanak Singh Road ; he raises subscriptions in order to hold durbars, and he enjoys himself in bungalows situated on the canal bank.

An honourable member : Are we discussing the Land Revenue grant or the Deputy Commissioner of Ludhiana ?

Chairman (Diwan Cham Lall): The honourable member should confine himself to the Land Revenue demand. If there are any deficiencies in the local administration of this department he is at liberty to discuss them, but beyond that I should ask him to confine himself to the demand itself.

Chaudhri Muhammad Hassan: I suppose I am perfectly within my rights when I say that a particular officer who happens to be the head of the Department of Revenue in a particular district is not properly discharging his duty.

I therefore submit that I am perfectly within my rights when I attack him in his capacity as collector and not in his private capacity, in order to show that the revenue administration in my district is deteriorating and not improving in any way.

Chairman (Diwan Chaman Lall): May I draw the honourable member's attention to the fact that it is unfair to attack an official who is not herein the House to defend himself? But the honourable member can deal with all these grievances in an impersonal manner. It is easy enough to do so.

Chaudhri Muhammad Hassan: I am not dealing with him in his personal character. But I am dealing with him in his official capacity as a collector. You will be pleased to notice that according to section 8 (9) *malba* is defined as sum payable on account of village expenses. How this is to be spent is given on page 2 of Arjun Dass' Book. It is spent on such items:—

As the cost of repairing survey works, the fees due on account of warrants issued for the payment of arrears, the expenditure incurred by the headmen when they go to the tahsil to pay in the revenue, the entertainment of passing strangers who put up in the village rest-houses, and occasionally grants of money to village shrines and holy men.

(*Revenue Minister* : Read the other things also). I am not concerned with the other things. I have received a complaint in regard to the spending of *malba*, that it is spent on the entertainment of the officials including the collector of my district. I have received several reports to the effect that the lambardars were not prepared to show the accounts of expenditure of *malba* and I have forwarded them to the collector with an endorsement that this is a serious matter and that he should look into the allegations made therein and satisfy himself that every landowner who has contributed something towards *malba* is shown the accounts if he asks for them. A year has passed and nothing has been done by the collector in this respect, probably with the object of screening the revenue officer who goes to that village which is close to the canal bungalow, spending out of this *malba* both for himself and for his assistants.

Then I find that people who have been appointed zaildars and lambardars do not come up to the standard laid down in the Land Administration Manual. It is stated there that they must have considerable property. But that rule is not adhered to usually in the appointment of zaildars and sufedposhes. The only consideration that is given so far as the revenue head of my district is concerned, is how much the man has paid towards the construction of the swimming bath or towards the construction of the Nanak Singh road. Apart from these he does not take any other qualification into

consideration when appointing the lambardars and others. He does not take into consideration the usefulness of the man to the zamindar community, his influence among that community and the extent of property that he owns in the zail. So far as my district is concerned, as I submitted at the very outset, the department is not working satisfactorily and by proving that in a particular district the Revenue Department is not working satisfactorily, I prove that the Punjab Government does not know the state of affairs prevailing there. The time at my disposal is short; otherwise I would have given many other instances showing that the Honourable Revenue Minister and his assistants, the Financial Commissioner, the Commissioner and others do not know what is happening in my district. So far as the Revenue Assistant is concerned, I take it that he is a paid propaganda secretary of the Unionist Party. He goes from village to village and preaches to the big zamindars in order to strengthen the power of the Honourable Revenue Minister and his colleagues. So far as the poor tenants are concerned, their grievances are not being cared for and redressed by the Punjab Government. Probably the Punjab Government does not represent the tenants, the small landholders. They are only representatives of the big landholders. With these words I support the cut motion moved by my honourable friend. (*Applause*).

Professor W. Roberts (Parliamentary Private Secretary): Sir, I wish to speak on this motion to draw the attention of the House to a very important matter and that is the danger to the land revenue resources of the Government from the rise of the water table. In the canal colonies, particularly in the Lower Chenab Canal Colony, the water table has risen at a minimum rate of one foot and a maximum of $1\frac{1}{2}$ feet since the canal has been constructed and as far as I know, there has been no authoritative opinion given, stating that this rise will stop. In other words, as far as I know, there is very great danger of very large areas going out of cultivation, and the budget position of the Punjab Government being very seriously affected. I draw attention to the matter particularly, because in this budget there is an item of Rs. 80,000 as interest only on capital charge for drainage. As far as I can see, this drainage work is the only serious attempt being made to tackle this problem of waterlogging and if the interest charges are as high as Rs. 80,000 and the maintenance charges also are extremely heavy, I think that it will be a very useful thing for Government to have the whole policy reviewed and examined by experts. I know our Honourable Minister has inherited this policy and it is therefore I appeal to him to really take the matter in hand, so that the governments of the future may have an authoritative opinion from a body of experts and non-officials if possible, as to the policy to be followed in keeping this great canal colony safe, and in preventing the accumulation of *thur* and the land getting out of cultivation through the rise of the water table.

Sardar Kapoor Singh (Ludhiana East, Sikh, Rural): My honourable friend from Ludhiana has strongly criticised the collector of Ludhiana for his inefficiency. I have not much to differ from him. Let me say something about his assistant. I have heard that the revenue assistant is as inefficient as possibly anybody can be. The Honourable Minister for Revenue might be knowing that this man is quite a new hand having come there a few months back. The previous revenue assistant of that place

[8. Kapoor Singh.]

was quite efficient and so he was transferred for one reason or the other. That is for the simple reason that he was suspected by the present ministry that he was not discharging his duty in preaching against the Congress. (Question). It is a fact, Sir. The result was that the efficient revenue assistant was transferred by the present ministry and in his place the present revenue assistant who is quite a novice and who is quite new is put there, with the result that the revenue administration is getting worse and worse in that district, and I do not know whether I should lay the blame on the collector or on the revenue assistant. Let it be decided by the Revenue Minister himself. It may be laid on both, because they act together at least in one matter and that is in their propaganda against the Congress. As to the question of *malba*, I had no mind to say anything but my friend from that side has tempted me to say something. I must congratulate that gentleman for his extensive knowledge as to the revenue administration of the province, but I must confess that he seems to be ignorant at present with regard to the present position regarding *malba*. He just now said that *malba* can be levied only with the consent of the villagers concerned. That is right. But that point has to be decided at the time of the settlement. It is only a formal consent of the people which is taken and the actual facts are that at present *malba* is really extorted from the people. It is not collected, it is not realized, as it should be realized but it is being extorted from the people, from these villagers and peasants and cultivators. If they do not pay they have to suffer the same penalty as they have to suffer for not paying land revenue. I may give an example. If any cultivator goes to the lambardars to pay land revenue and if he has to pay Rs. 20 as revenue and Rs. 2 as *malba* what the lambardar does is that he puts down Rs. 18 as land revenue and Rs. 2 as *malba*, if the cultivator pays only Rs. 20 and shows Rs. 2 as arrears of land revenue and after some time he asks the tahsildar to issue a process against the cultivator for the arrear of land revenue. That is the present position with regard to *malba*. During the last session a number of questions were asked about *malba* and the Government's position was that it was a common fund and it could be utilised in any way by the people. Again that is not what happens. As a matter of fact in some cases some of the villagers approached the district board that they would like that this *malba* fund should be utilized for engaging sweepers for cleansing and sweeping the rubbish from their streets but when the matter went up to the collector with the recommendation of the medical officer of health, he refused to accept the recommendation of the medical officer of health. The collector was of the opinion that *malba* is a sort of land revenue and it must be paid to the lambardar. After all a tahsildar cannot go against the collection of *malba*. In reality it is the tahsildar and the sub-inspector of police who utilize this *malba*. My honourable friend over there was, I understand himself an officer of the Land Revenue Department and you cannot expect him to speak against *malba*. He might have been a kanungo and as such he might be going to villages and might be staying in the villages and at the same time having some share of the *malba*.

Minister for Revenue : May I ask if that allegation on the floor of the House against an honourable member is correct ?

Chairman (Diwan Chaman Lall) : Has the honourable member made any allegation against any honourable member ?

Sardar Kapoor Singh : Nothing of the sort. If, however, I have said anything I withdraw it, if my honourable friend is keen about it.

Minister for Revenue : It is not a question of my keenness.

Chairman (Diwan Chaman Lall) : May I take it that the honourable member has withdrawn it ?

Sardar Kapoor Singh : Yes, Sir. Another grievance that I have to draw attention to is the assessment of revenue on lands irrigated by wells in the Ludhiana district. There can be some justification for the Government realizing *abiana* from those lands which are irrigated by canals, because after all the Government spends money for their maintenance and has spent so much capital amount for their construction, but I would like to know from the Treasury benches what justification there is for them to realize any *chahi* rate on *barani* lands. A zamindar has to pay annas 8 per *bigha* as land revenue. But after some time if the peasant or the agriculturist makes any improvement in the land by constructing wells for irrigation, the result is that at the next settlement or after some years, the revenue authorities demand a higher rate of land revenue on that land, because as they say in the Land Revenue Department its net assets have increased and the cultivator is now making more out of that land. But I would like to know what the Government has spent on the improvement. The land is *barani*, it belongs to the zamindar and he has spent a lot of money for improvements by way of construction of wells and I can find no justification for the Government to increase the land revenue on that land which is irrigated by wells constructed by the peasant himself. So, I would request the Government through you that the Treasury benches at least should consider this question. At least the district of Ludhiana is severely hit by this system. You will find that although canals run through the district of Ludhiana the water mostly is given to the States and to the district of Ferozepore. A greater portion of canal water goes to the States or the Ferozepore district. What is the result ? The result is that the Government has increased the *chahi* rate ?

Pir Akbar Ali : May I know how the honourable member is in order when he is discussing the land revenue grant, in discussing distribution of water of canals ?

Chairman (Diwan Chaman Lall) : Will the honourable member please explain how he is in order ?

Sardar Kapoor Singh : The honourable member must know that *chahi* rates are not separate rates, they are included in land revenue. In the case of lands irrigated by canals, there is a separate rate, but in the case of those lands which are irrigated by wells, there is no separate rate. If the Government supplied water, then the Government could charge some *abiana*, but when the Government does not construct these wells, and when these wells have been constructed by the peasant and the Government has

[S. Kapoor Singh.]

not spent anything at all in that case there is no justification to increase the land revenue when the land is irrigated by well water.

The result has been that there has been heavy increase in the land revenue rates in the Ludhiana district. The Honourable Minister for Revenue will know that nearly 20 per cent. of the whole cultivated land is under mortgage for this very reason. If he were to see the report for the year 1936 he will find that Ludhiana district is worst hit on account of this very reason. On the one hand he is charging such a heavy rate and on the other if there are some representations from the people, these representations are never cared for. They are never listened to and they are thrown into the waste paper basket. I would like to know from my honourable friend the Minister for Revenue whether it is not a fact that the people from Nilo Kalan have sent at least one hundred representations during the last fifteen years and that they have not been cared for and to which no reply has been given?

Minister for Development : On what?

Sardar Kapoor Singh : On waterlogging. My friend must know that a great portion of cultivated land has been thrown out of cultivation simply for the reason that four to five inches of water is standing in those fields. They have been sending representations and no attention has been paid to those representations. If a patwari happens to enter in his girdawri that such and such a waterlogged land is not cultivated in a certain year, then what is the order of the tahsildar or the naib-tahsildar over that action of the patwari? He comes over and tells the patwari that he should not bother about waterlogging and as long as the land revenue is not remitted, as long as there is no order from the Government, he should continue to regard it as cultivated land. The result is that the poor people pay to the patwari something and he sometimes writes that the land is uncultivated but meanwhile that patwari is transferred which means that the new patwari demands the same amount if the zamindar wants that it should be recorded in the revenue papers that the land is uncultivated. It does not rest at that. When the Minister for Revenue happened to go to Ludhiana district, those people wanted to approach him but the deputy commissioner, the revenue assistant and the tahsildar would not like that those people should approach the Minister for Revenue. When the Minister for Development went over to Ludhiana, he happened to pass that way because that place is just near the canal bridge, and those people tried to approach the Minister for Development but the same fate happened to them and they were not allowed to see him. I would request the Minister for Revenue not to laugh. (*Minister for Revenue :* I am laughing on your remarks.) This complaint has been going on for the last fifteen years. (*Minister for Revenue :* No, Sir.) This complaint is still not redressed. What is done is that the revenue authorities send applications to the Irrigation Department and the Irrigation Department after three or four years sends all those representations to the Revenue Department with certain remarks. This results in those applications moving from this place to that place, from the revenue authorities to the irrigation authorities and nothing is done for those poor people. With these remarks I support this cut motion.

Khan Bahadur Nawab Muzaffar Khan (Attock North, Muhammadan, Rural) : Sir, I had no idea of taking part in this debate but for certain remarks made by my honourable friend Sardar Hari Singh with his usual vehemence. He said that our revenue system was the worst system in the world. I doubt very much if he would have used those words if he had really studied the various revenue systems of the world. (*Sardar Hari Singh* : The words used were 'one of the worst'). Those who know, and particularly those members of this House who were members of the last Legislative Council, are well aware what happened in the year 1929. They know what great things were done by that Council and the Punjab Government. Every zamindar in the province owes a great debt of gratitude for the good work done for him by the previous Council in the shape of the Land Revenue Amendment Act. Before that, as you are aware, Sir, there was no statutory provision on the subject and the money value of the net assets on which land revenue was based in every assessment circle could go up to 50 per cent. This limit was then reduced to 25 per cent. This was a very great reduction and a very great concession indeed that Government granted us and the zamindars all over the country were jubilant over it. Apart from this, the amending act provided that in no assessment circle could the land revenue be increased to more than 25 per cent. over the assessment of the previous settlement. Again, the period of settlement was increased from 20 to 50 years. The honourable member being a zamindar himself knows what a settlement or *bandobust* means to zamindars. When we threaten a person we say *tera bandobust ho jaega*. These frequent settlements were a source of great trouble to the zamindars and the extension of the period to 50 years was a great boon.

Another very bold step taken by His Excellency Sir Herbert Emerson was the introduction of the sliding scale system. It has been said from the Opposition benches that the rates go down and the zamindars suffer a great deal in consequence. In order to meet this contingency His Excellency Sir Herbert Emerson and my predecessor in office, Sir Sikander Hyat-Khan, who was then Revenue Member, devised the excellent scheme by which if the prices of crops go down beyond a certain limit reduction is also made in the land revenue. This is a bold step that has not been taken anywhere else in India.

As regards Sardar Hari Singh's statement that the land revenue is very excessive, he probably does not know what the taxes in other countries are. I went to England in 1931 and I remember there you become liable to pay income tax if you stay more than six months (*interruption*) and I was advised by a friend that if I stopped a day longer in England one-third of my income would be gone in taxes. I had therefore to run away to France in order to avoid the heavy taxation. Still the people there are paying those taxes cheerfully. Another strong phrase used was that we suck the blood of the tenants. My heart like that of my friend goes out to the tenant and some of us have been anxious to improve their lot as far as possible. I was propagating this when I was in service both here and in the North-West Frontier Province. I frankly admit that land owners are responsible for some of the troubles of the tenants. May I tell my friend that when we owe a duty to the tenant they also owe a duty to the country. It is no good talking of revolution and exciting the tenants. Instead of that let us try

[K. B. Bahadur Nawab Muzaffar Khan.]

and improve their condition. It will not lead to revolution. Conditions here are quite different from those of the United Provinces where there are real big landlords. Here most of us are peasant proprietors and others live in the same villages along with their tenants. In spite of certain hardships, there is still some attachment between the landlords and the tenants and it would do no good to incite them. I warn my friends and also his friends outside. I have been watching this movement carefully for some time. Pernicious propaganda is being regularly carried on against landholders. A landholder may be a bad fellow, but he is not such a criminal as you depict him to be. We know our tenants and our tenants have been with us for generations. They have been with us in all our troubles and difficulties, and the bond cannot be broken so easily as some of our friends imagine. At the same time I would appeal to my zamindar friends. I must confess that our relations are not as happy as they used to be. I fear we have become too much Europeanised. I remember the old times when we shared their joys and sorrows, attending their weddings and funerals, but now I see that it is considered below one's dignity to go and take part in these ceremonies. I think it is our duty—not because our friends are threatening us. I do not think that should have any effect—but because it is our duty as men, as human beings, to be kind to our tenants.

My friend has talked a lot about corruption among patwaris. I thought he was going to bring out something new but he has been going round and round the same hedge over and over again. Patwari is a very hard worked official and does a lot for the administration and deserves our sympathy. There is, I admit, some corruption amongst them, but not to the extent it has been represented. We sometimes pay them *faslana*. I do not deny that, but I do not consider that it is corruption at all. Patwaris are strangers to the villages to which they are posted and our hospitality demands that we should help them a little. As regards corruption I think even if my friend were called upon to remove it, then instead of blaming the Government his first duty will be to create healthy public opinion. It is the duty of the people as well as of Government to remove that curse from the land.

(At this stage Mr. Speaker resumed the chair).

A great deal has also been said about water-logging by my honourable friend who has just sat down. Perhaps if I may say so, there is again some gross ignorance on the subject.

He does not know that there is a separate department for water-logging in charge of a superintending engineer and Government has already done a great deal to remove the troubles of the zamindars. Near Chaku Canal escape in the Lyallpur district there was water-logging all round. Government took very prompt action and I was pleasantly surprised when coming down from Lyallpur yesterday to see that a big channel has been dug to drain the water of the *jheel*. I would again draw the attention of my zamindar friends that the enormous channel that the Government is now digging would not do any good unless they join hands and dig subsidiary channels to drain water from their lands. As soon as these subsidiary channels are dug water level will go down and the condition of land will improve. I have not the exact figures but I know that Government have spent millions and are prepared to spend millions of rupees more on it. I would appeal

to my honourable friend that before criticising Government he should study facts rather than make statements which may mislead the public. With these few words I oppose the motion.

Lala Bhagat Ram Choda (Jullundur, General, Rural) (*Urdu*): Sir, my honourable friends whether sitting on this side or on the other side of the House have definitely made it clear that the present Government is not prepared to remove the defects in the existing land revenue system. In this respect the present Government is following in the footsteps of the previous Government, and we are sure that it will not make any digression in the policy chalked out by the latter. For example, take the case of *begar*. The Government officials still take *begar* from the village *kamins* and the members of the scheduled castes. If these poor people refuse to work *gratis* for village *lambardars*, policemen and *tahsildars*, they are penalised by them. They are not even allowed to dig earth for repairing the roofs of their houses. They are not permitted to make their cattle drink water from the village ponds.

Sir, the village common lands should be protected from any encroachment made upon them. They should not be divided among the land-owners of the village. As every villager has equal right in these lands, they should, therefore, be kept intact.

The third thing which I would like to submit is that the question of hereditary and proprietary rights should be settled once for all. It is not desirable that the hereditary tenants should be allowed to remain the same for ever. Although these hereditary tenants have been cultivating lands for the last so many years yet they have not been granted proprietary rights as yet. I appeal to the Government that it should see to it that such rights are granted to the hereditary tenants at least of the Jullundur and Hoshiarpur districts. The condition of such tenants who took to agriculture along with the owners of land is as pitiable and deplorable as that of the village *kamins*. The village owners neither allow such tenants to get earth from their lands nor admit their rights in the common lands.

There is another submission which I like to make in the House. The Government is on the one hand establishing colonies in the province but on the other hand it is allowing arable lands of the Doaba to go to rack and ruin. In this *ilagu* the water level is steadily going down. There is intense scarcity of water supply in that part of the province. Although in the Doaba it is often seen that a well can hardly irrigate land consisting of even two kanals yet these lands have been entered as *chahi* lands in the revenue records. The produce of these lands hardly suffices to pay the land revenue assessed on them. In this *ilagu* by this time a great many wells have dried up. The Government should not lose sight of the fact that the zamindars of the Doaba are constrained to sell their lands in order to pay the land revenue.

Some time back the Government took pity upon the deplorable condition of the zamindars of that *ilagu* and issued orders to the effect that in future the land revenue for the *sawani* crops would be recovered in two instalments. It would have been in the best interest of the zamindars if the collection of the first instalment were commenced at least two months after the *Lohri* festival. But the present practice is that the revenue officials begin to

[L. Bhagat Ram Choda.]

recover the first instalment even two months before the actual time. It is but proper that the Government should in future collect land revenue only once a year instead of recovering it twice at the time of a single crop. Moreover, land revenue should not be collected before the harvest has been gathered. Nowadays the revenue peons come to the villages for the collection of land revenue even many days before the harvest time, and the result is that the zamindars can do nothing but sell their standing crops at low prices. If the Government does not deem it fit to collect land revenue once a year it should issue orders to the effect that the revenue officials should recover land revenue of a crop once instead of twice in a year.

Another submission which I like to make is that *lambardars* often misuse and misappropriate the *mulba* fund. I am reminded of a well known saying—

جیسا کھاتے ان ویسا بنے من

These *lambardars* do not hesitate to appropriate the funds which are raised by the villagers for the benefit of cripples, lepers and invalid people, and this is why they have become muddle headed. The *lambardars* and *zaildars* sympathise with the villagers to this extent that they give false evidence against the villagers as they are taught by the police so that they may remain in the good books of the Government officials. Supposing they are appointed by election, the police would not be able to get patent witnesses.

Next I want to draw your attention to the maltreatment of the *zamin-dars* by *tahsildars* and *naib-tahsildars*. The *zamindars* are very badly treated by them. For instance, the *patwaris* and the *zamindars* of the villages are sent for in a certain village for mutation of land. They keep on sitting all day from morning to evening and at the time of sunset they are told that *tahsildar sahib* is not well enough to talk to them, therefore, they should come again to-morrow morning. This sort of practice must be stopped at once. In this connection I would suggest to the Government that the *tahsildar* should go himself from village to village for mutation of land, and he should not give this trouble of waiting for hours and hours together, to the poor villagers. Another submission of mine is that *zamin-dars* are put to trouble by the *patwaris* as well. Sometimes they have to pay more than the land revenue to the *patwaris* for keeping those petty officials on good terms with them. I am sure, even certain honourable members of this House are fed up with the irregularities of the *patwaris*. So far as my opinion goes the *patwaris* could be well-behaved and honest, provided they are given handsome pay. Nobody can deny this fact that they do lot of work and the nature of the work is such that it keeps them busy from morning till evening. The position of a *patwari* is regarded so important and honourable that, as it is said, "something written by a *patwari* cannot be rejected by Financial Commissioner even." But how regrettable it is that they are given no pension at all! For this reason only they earn money by unfair means in order to make use of it in their old age. The *zamindars* are totally disappointed with the present Government because

nothing has been done for their amelioration, as the following verses indicate :—

چے اسین کہیت نون پانی دیندے چاہی لکھی جاندی اے
اکہان کھولو زمیندار قوم غرق دی جاندی اے
تسین یہالے کلک دال نون سڈسا رکھ نک دا جی
اتون پے گیا ہور معاملہ کلے کلے رکھ دا جی

Let me submit one point more before I finish. If commissioners were very necessary the posts of Financial Commissioners should have been abolished. By doing so the expenditure of one department would have been decreased and this saving would have been utilised in providing employment for many poor people. For instance, the small salaries of these chaprasies who stand here for at least eight hours a day could have been increased. I do not see any reasonable objection in giving allowances to those chaprasies and clerks who work overtime.

Khan Bahadur Raja Muhammad Akram Khan (Jhelum, Muhammadan, Rural) (*Urdu*) : Sir, I would like to give a reply to the speech made in connection with the *malba* tax and dishonesty of the patwaris. I may tell the House that the Government has not levied any *malba* at all. As it was an old custom it remained in the villages as it was. *Malba* was fixed with the consent of the land-owners by those people who were called as *chaudhris* of the village. At the time of settlement the revenue officer collected together the inhabitants of the village and took their opinions in regard to the administration of the village. The people of the village voluntarily took on their shoulders the responsibility of paying *malba*. Government has not compelled them to do so but they did it of their own accord. They levied one or two pice per rupee on every land-owner who paid land revenue to the Government. It is a sum of money realised from the zamindars along with the land revenue by the lambardar of the village. The Government has said many a time before that it has got nothing to do with this sum of money. As far as the land revenue is concerned the Government's orders are that the lambardars of the village should keep the accounts of the land revenue at such a shop where every man of the village may easily come and see the accounts himself if he likes to do so. But, *malba* is quite a different thing. *Malba* was a common fund in which the land-owners whether big or small and the *patidars* of the village had to subscribe according to their positions. But now the word "*malba*" is used in a very bad sense while in reality it is a common fund. If we see somewhere a heap of refuses and sweepings we say there is *malba*. I mean to say that its meaning is quite changed.

The lambardar collects one pice or so per rupee at the time of realising the land revenue so that the urgent and immediate expenditure may be met out of this money. For instance, the lambardar has to go all the way from the village to the tahsil that may be at a distance of 30 or 40 miles and he has to take one extra man with him for his safety and protection. Moreover he has to stay, if necessary, one day or so at the tahsil. Keeping all these facts in view we should realise his important work and service and should not put this extra expenditure on him. How can he spend extra money from his pocket ?

[K. B. Raja Mohd. Akram Khan.]

If he charges one or two pice per rupee in order to meet such immediate requirements, I do not think it is objectionable. But it is very regrettable that it has been said by the honourable members sitting on the opposite benches that this sum of money is appropriated by revenue officers and lambardars. I think you are aware of the fact that the lambardars do not get more money than Rs. 500 as land revenue and in areas depending on rain the total realization per lambardar amounts to Rs. 300. But in some cases it is less than Rs. 300 and in rare cases it amounts to Rs. 400 or Rs. 500 per annum. When the amount of money realised as land revenue is so small, if a few rupees are charged on this small sum of money as *malba*, it looks very strange to say that that insignificant sum realised as *malba* is appropriated by the revenue officers and lambardars, as if they are so mean and ill-bred. It seems most unreasonable. How can we expect this dishonesty from respectable persons who are known as *chaudhris* and *mukadums* of the villages? I should mention by the way that lambardars were called as "*mukhtias*" long ago but gradually this word has changed into lambardars. Do the honourable members who have raised objections against *malba* mean that whenever a revenue officer happens to visit a village the lambardars should go on knocking from door to door for a few seers of flour? But in order to be in a safe position and to avoid this sort of trouble a small sum of money known as *malba* is collected beforehand so that it may be spent on such immediate occasions. I would like to draw your attention to this point also. How can the poor lambardar, who can hardly make Rs. 15 as *pachotra* afford to provide the necessary articles of food for the entertainment of the Government officials? I may further submit for the information of the Opposition that land revenue realization in certain *ilagas* is not more than Rs. 200 or Rs. 150. No doubt in the canal irrigated areas land revenue realization is greater and along with that *malba*, is also sufficiently realised and it is utilised for the same purpose that I have already mentioned.

It does not look reasonable to bring such mean charges against the lambardars who are men of honour and position in the village. A common fund is known as *malba* which is collected from those who pay land revenue because this burden cannot be put on one man's head. Sir, the Government do not realise *malba* from the land-owners and if the land-owners of the village prove to be defaulters the land revenue cannot be realised unless recourse is had to some civil court. I may submit that it is a very simple matter for if the majority of the zamindars express their opinion against the imposition of *malba* at the time when the settlement officer goes to verify '*Sharat-vajubars*': then a reduction is effected in *malba*. In my opinion this is not such a matter which requires any lengthy discussion.

Now I would like to say a word regarding patwaris. It has been stated on the floor of the House that patwaris are corrupt. My submission is that in the beginning patwaris were given a salary of Rs. 10, 12 and 14 a month. After the year 1920 their pay was raised to Rs. 20, Rs. 23 and Rs. 26 a month. Further, if you carefully consider patwari's position you would find that the patwari is the official who has to do a large amount of work single-handed. In fact he has to work day in and day out and he has to tour the whole of the area under his control and has to go from field to field doing this work.

If we happen to see only his registers we would be wonderstruck to find the amount of writing that the poor patwari has to do. All this goes to show that patwaris are in reality overburdened with manifold duties. Besides, the poor fellow has to serve too many masters right from the field kanungo to the Financial Commissioner, and he has to bear responsibility for the whole of his work. I am of the opinion that if any zamindar entertains him at the time of the inspection of crops it matters little. Now because enlightenment has spread among the zamindars therefore complaints about the corruption of patwaris are pouring in. But I can assure my honourable friends on the opposite benches that there is no substantial ground for thinking that patwaris are corrupt.

There is yet another criticism that has been levelled against the Government. That is this, that in spite of the fact that people spend large sums of money on the sinking of wells, they are forced to pay additional land revenue for *chahi* lands. My honourable friends have further stated that if the Government grants any *taqavi* loans, the zamindars have to pay them back within a limited period. But I may submit that according to rules relating to *chahi* lands the zamindars are granted sufficient amount of concessions at the time of sinking of wells; i.e., from 20 to 40 years land revenue is assessed at concession rates and after that period land revenue is assessed in accordance with *chahi* rates. In my opinion there is nothing bad in it. I may further submit that the amount of revenue that is assessed on *chahi* lands is much less than *abiana*.

In view of the above mentioned reasons I think the out motion now before the House is totally unjustified. I, therefore, strongly oppose it.

Sardar Lal Singh (Ludhiana Central, Sikh, Rural): Mr. Speaker, my friends from Ludhiana have been criticising the district officials. I am not going to detract from their statement, but I would have preferred if instead of criticising people who are not here, my friends had asked the Ministry to answer our questions. My view point is that not those officers in the district but the Ministry, the new Government that has entirely failed to bring home to the district officials that a new era has set in and that they must change their angle of vision. Those officials are merely carrying out the orders of these Ministers. It would have been idle to expect from the Honourable Minister for Revenue who has co-operated throughout his life, through thick and thin, in fair and foul weather, who co-operated—

Minister for Revenue: Is my honourable friend quite right in saying "fair and foul"?

Mr. Speaker: Will the honourable member please repeat what he said?

Sardar Lal Singh: I said, would it be fair to expect from the Honourable Minister for Revenue who was co-operating throughout his life through thick and thin and in fair and foul weather—by that I meant to say that to expect from one who had in all questions co-operated all his life with Government was to expect blood out of stones. Still I submit that we had hoped that the appointment of a gentleman like our Honourable Minister would bring about a change; much as I esteem him for his other qualities, I consider that his appointment to the Ministry was *ab initio* wrong as he was not going to do anything for the petty landholders. We had hoped that he would

[S. Lal Singh.]

consummate the new change, but we have now after one year's working found to our great disgust that absolutely nothing has been done for the zamindars under the Department of Revenue. I will simply quote actual facts and figures for which I make myself responsible.

My honourable friend over there (Chaudhri Jalal-ud-Din Amber) who I suppose represents a Christian constituency said that corruption in the department would not be removed unless we were prepared to create a new mentality. But I find from his speech which lasted for about half an hour that he himself was not bold enough to say whether he was supporting the cut motion or whether he was opposing it. In one sentence he supported the Ministry, and in another he ran down the Ministry. He said that our Minister is doing all in his power. If an honourable member of this House has not the courage to talk straight here in this House, how can poor illiterate villagers be expected to be bold to talk straight to corrupt officers? In my constituency the question is not of the failings of the district officers but the fault is that when these specific complaints are brought to the notice of Government officials nothing is done. I am talking about one of the biggest villages in my own constituency. A patwari has been there for fifty years. I am not exaggerating at all. His corruption ran riot so much that a public meeting was called in that village. He was denounced, his acts were denounced, but the Government has not done anything in the matter and it has not even asked for an explanation from that patwari. I submit that if it gets round that complaints, even flagrant complaints like this, are not attended to by Government, there is absolutely no likelihood of corruption being suppressed. The village officers must realise that we are entering a changed state of affairs.

Then about this *malba*, I will quote again a fact. I am quoting a real instance. In village Saya Kalan revenue was remitted because the villagers had suffered from hailstorm. But the lambardars even then went and collected the *malba*. When the matter was brought to the notice of the deputy commissioner and of the Government also, nothing was done. It was stated that they had collected it by mistake. It might be mistake in that village. Could the mistake be repeated in thousands of villages? These small pin-pricks are the causes which make the lives of petty landholders miserable. I submit that even if the Honourable Minister were to initiate a system of receipts for these small sums, a lot of trouble would be saved and a lot of worry would be saved. But nothing has been done. The same thing that was done 40 years ago is being repeated without any change.

I now come to a matter which is just on the border line between this subject and the other. The zaildars of Ludhiana met in a meeting and complained in the form of a resolution that *girdawaris* which are made by canal patwaris are the source of corruption, for they raise two annas per *bigha* from each villager and he who does not submit to their threats has his fields otherwise classified as subject to irrigation revenue.

This fact has been brought to the notice of the district authorities by means of resolutions and nothing has been done. No complaint has been.

redressed. There is another thing. If it is the duty of the Government to realise revenue from the people, it is also equally the duty of the Government to protect the crops of the people. There are many groups of people who have no fixed place of abode and who roam about with their cattle and sheep along the roads at leisure grazing their animals along the fields. Although dozens of questions have been put in this House in regard to this matter, the Government refuses to budge an inch and have not done anything. Is that fair? For these reasons I support the cut motion.

Mr. Speaker : The House will now take up discussion of the motion for adjournment.

MOTION FOR ADJOURNMENT.

COMMUNAL RIOTS AT HISSAR.

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

That the Assembly do now adjourn.

Close on the heels of a riot on the occasion of Id at Hissar, we have recently received news of a similar tragedy culminating in the murder of four innocent people at the same place. I have no doubt all sections of the House will join with me in sympathising with the victims of this deplorable tragedy and in expressing condolence with the parents, with the widows and with the orphans of those who have been killed and murdered. Here I am not to apportion blame between the Hindus and Muhammadans. I am moving this adjournment motion as a patriotic Punjabi, to discuss the terrible tragedy with a view to impress that we should all, irrespective of our party creed, join together to prevent a recurrence of similar tragedies in future and save the fair name of the province. The communal agitator and the communal wire-puller behind the scene who uses his dupes for his own ends is not a friend of either the Hindus or the Muslims or the Sikhs. He is a foe of the Hindu and the Sikh and the Muslim alike, whether he be a Hindu or a Muslim or a Sikh. He is an enemy of the freedom movement. He is an enemy of nationalism. (*Hear, hear*). He is an enemy of the poor man for whose sake we are trying to push through economic programmes. (*Hear, hear*). Therefore we should all join together in condemning the mischief-makers whether they are before our eyes or behind the scenes, who foment mischief and side-track the economic programmes and economic issues which are intended to further the national and the poor man's cause.

Now the facts of the case, as provided to me by the honourable Leader of the Opposition who was present at that place on the occasion and who made sifting enquiries and came to definite conclusions after hearing the various versions are these. I may also inform the House here that it was at the instance of the Leader of the Opposition who saw the Deputy Commissioner at Hissar that a curfew order was promulgated in the town with a view to prevent further incidents on the following days. The facts of the case are these. Four innocent persons have been killed as a result of gun-shot wounds, including Rai Bahadur Chhabil Das, an ex-honorary magistrate. He was a

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friend of the Hindus and Muslims alike. He was thoroughly anti-communalist. He had gone out to appease the mob, asking the people to give up rioting, when he was shot down and killed. On the 24th of this month, two days before this tragedy took place, the house of one Hindu is alleged to have been set on fire by certain Muslims who were bent on mischief. Two days before the tragedy took place, there were signs, clear visible signs, of the coming trouble and yet the local authorities did not pay heed to these signs. Then on the 26th, it is alleged that a Hindu boy went to buy cherries from a Muslim shop. There was some haggling over the price or for the return of the cherries because they were bad. People, Hindus and Muslims, collected and there was a row. That was a signal for the communal trouble that arose later on. There is a Chabutra in the town which has been a bone of contention between the communities since. The 'Chappars' on the 'Chabutra' were set on fire. Hindu shops outside Delhi gate were set on fire. I am not mentioning Hindu and Muslim names in order to show that these are the aggressors and these are not. I am only mentioning them by the way. It is a matter of chance that a certain victim happens to be a Hindu or a certain aggressor happens to be a Muslim. The trouble is the result of the preaching of communalism by mischief makers in the province and the Government not doing anything to suppress the communal mischief maker. Now it is alleged that this Chabutra which was set on fire was only 40 to 50 yards from the police station and the trouble took place under the very nose of the police officers and police men who did not move their little finger to avert the trouble. The shops outside the Delhi gate which are still at a shorter distance were also looted. This was the third day after the trouble had begun and stray assaults continued on innocent people. Lathis were used; knives were used freely. Hindus and Muslims alike were injured. Four were killed by gun shot wounds. In a joint quarter of Hindus and Muslims where the population was equally balanced brick-bats were hurled and that was a signal for riot in that quarter where the four murders took place. A son of the syce of Rai Bahadur Chhabil Das, it is alleged, went out for some business in the street but the boy was killed. Then the Rai Bahadur on hearing the news of this murder of the innocent boy himself went out with the purpose of appeasing the trouble. He asked the rioters to live amicably and to cease the strife but he was killed. It shows that communalism knows no difference between a friend and a foe. The object of this adjournment motion is to show that the local authorities knowing that trouble was coming, failed in the discharge of their elementary duty of protection of life and property of the peaceful and peace-loving citizens. My charge against the local authorities is, firstly, that information that brick-bats had been collected and were being hurled was brought to the notice of the police inspector in charge of kotwali, but he refused to budge an inch from the police station and do the needful in the matter. Later on it is said that two policemen were sent by the inspector to see the place where brick-bats were said to be thrown, but before they reached the place the murder had been committed. Then the district magistrate, the head of the administration in the district, the assistant district magistrate and the superintendent of police in charge of the police of the district, the three responsible officers, officers who are responsible for law and order in the district were

absent probably on a holiday tour or some other business. None of these three high officers were present in the city on that fateful day. The riot took place between 2 and 3 P.M., and these gentlemen did not return till about 8 P.M., although they had forebodings and if they had the intelligence they could have seen the coming trouble on account of the incendiarism in the town on the 24th of this month two days before the riot took place. Then a man is alleged to have been assaulted in the presence of a police constable, but he refused to interfere in the quarrel. My charge against the higher officers and the ministers and the Government is this. It is said that the Deputy Inspector-General visited the place after the last Id riot. Complaints against the Superintendent of Police, Hissar, were brought to his notice and representations were made to the Deputy Inspector-General, but he told the people that he was not going to listen to any representations from the people of Hissar unless they withdrew the allegations against the Superintendent of Police. If no allegations are made against the gentleman then and then alone he was prepared to listen to the representation. Then the Government and the Honourable Minister in charge of law and order is responsible for the occurrence of this trouble to this extent that certain of his friends and staunch supporters brought complaints against the Deputy Commissioner and the Superintendent of Police, Hissar, and against the Inspector of Police in charge of Hissar Thana to his notice.

Premier : Who ?

Sardar Hari Singh : His friends and supporters, and they have left him in the lurch to-day.

Premier : How do you know it ?

Sardar Hari Singh : I am not prepared to disclose the source of my information in public interest (*laughter and cheers*). Then, although complaints were brought against these high officials in charge of the district, our Government suffering, as it does, from incurable deafness, did not listen to the advice of its own supporters and friends and rightly did they retaliate to-day (*hear, hear*). Mr. Speaker, my greatest complaint against Sir Sikander is that he has been crying in season and out of season, since he took office on the 1st of April last, the All fools' day, that he will not stand communal mischief and that communal preaching will no longer be tolerated. But, when we examine the things we find that he has been taking strong action against political workers and political leaders, who are as anti-communal as he himself professes to be whereas no notice has been taken of the activities of communal agitators.

Premier : Not all of them.

Sardar Hari Singh : More than that perhaps. Government has taken no action against the communal mischief-mongers, the preachers of communal ill-will in the province, only because they happen to be his supporters. Has he taken any action against the Press, against vernacular papers of the province who happen to support him ? (*Hear, hear*). Has he taken any action against those who preach rabid communalism in the province ?

Mr. Speaker : The honourable member should not be personal.

Chaudhri Krishna Gopal Dutt : He criticised the Premier. He criticised Sir Sikander as Premier. He is not criticising his personal but his public capacity.

Premier : Go ahead. Criticize my private or public policy as you like.

Sardar Hari Singh : I may assure my honourable friend the Premier that he may rest assured that in all steps he may take in a genuine spirit to eradicate communalism from the province, we shall be with him, but his steps must be genuine and must have no ulterior motives behind them and he must rest assured—

Mr. Speaker : The honourable member is again ascribing motives to a member of this House.

Sardar Hari Singh : He must rest assured that we shall not lag behind in offering our co-operation and help to him in eradicating communalism from the province and prevent the recurrence of these ugly instances which disfigure the fair name of the province.

Mr. Speaker : Motion moved is—

That the Assembly do now adjourn.

Chaudhri Ram Sarup (Rohtak Central, General, Rural) (*Urdu*): Sir, the incident that has just occurred at Hissar is most deplorable, and I think all the honourable members of this House will unanimously condemn it in the strongest possible terms. I came to know of it from the papers which unfortunately gave a wholly one-sided version. Now my honourable friend Sardar Hari Singh has placed indisputable facts before the House. The main fact is that Rai Bahadur Lala Chhabil Das was trying to bring about an amicable settlement between the Hindus and the Muslims when he was fired at in a most dastardly manner and three or four more persons were also shot down. I know only this much and nothing more.

Now, if it is true that the old Rai Bahadur was making a genuine and earnest effort to secure harmony and concord between the two communities it was most inhuman and brutal to shoot him to death. I may say, that the Hindu Shastras and the Islamic Shariat would alike condemn this action and enjoin the severest punishment on the perpetrators of this ghastly deed. We find that these communal riots occur more frequently in towns than in villages. Why is it so? It is because the Government has spoilt the town dwellers by showing them misplaced leniency. Here the Shahidganj agitation—

Mr. Speaker : The honourable member should not refer to Shahidganj.

Chaudhri Ram Sarup : I say that communal riots occur very frequently in Lahore. This is due to the fact that those who instigate the rioters to indulge in blood shed go scot free. They get little or no punishment and hence they carry on their mischievous propaganda undeterred by any thought of receiving condign punishment. Even a slight disturbance in the rural areas brings in its wake the much dreaded police post, whereas the cost of additional police, posted in towns to suppress communal riots, is always met from the provincial revenues. My submission is that it is the absence of deterrent punishments and fines which enables the townsmen to indulge in their nefarious propensities for communal rioting. It is a matter of surprise for me that whenever any communal riot breaks out in any town the poor villagers are made to bear the costs of the punitive police posted there.

This policy of the Government reminds me of a well-known saying—"One slays another pays." The real cause of these riots is the communal attitude of the police officials. If the Government is in right earnest to eradicate communalism from the police department, it should translate my proposal into action. I definitely hope that if it were given effect to, the communal riots would become a thing of the past. I do not take the entire responsibility in the matter upon myself but I assure the Government that so far as I am personally is concerned I would try my level best to maintain peace and order in my constituency. The present police force is communal-minded and it does not discharge its duty properly. It is a fact that the inhabitants of the Rohtak district are not communal-minded persons. If the Government were to get recruits for the police force from among the inhabitants of that district I am sure they would prove more honest, more efficient and impartial than the present police force is.

I would like to make a suggestion that the Government should always take precautionary measures. Wherever and whenever any communal riot is apprehended the Government should at once post a punitive police force there, and its cost should be recovered in advance from the inhabitants of that ilaqa. Sometime back in Sangi village a communal riot broke out and the Muslims of the village migrated to some other villages. The Government posted a punitive police force there. It is said that about Rs. 5,000 were charged from the villages as the cost of the said post. Now the result is that the members of both the communities are living in the village very peacefully and calmly. Recently we requested the Honourable Premier and the Honourable Chaudhri Sir Chhotu Ram for the removal of the said post from the village but they said that the local authorities were not in favour of removing the police from the village.

My honourable friend Sardar Sohan Singh Josh has made a suggestion that the Government should levy special taxes on the leaders who fan the flames of communalism. My submission is that such taxes should be imposed on the members of the Opposition party so that they should in future refrain from obstructing the work of administration in the province.

Sir, our object in supporting the adjournment motion was to bring this matter to the notice of the Government. And as the Honourable Premier has assured us that he would take proper action against those police officials who may be found guilty of dereliction of duty, I feel it incumbent on me to object to the motion now before the House.

Pandit Shri Ram Sharma (Southern Towns, General, Urban) (*Urdu*): Sir, on 26th March, again, a communal riot broke out in Hissar as a result of which 4 innocent people were shot dead and many sustained serious injuries. It is alleged that some miscreants had opened fire at them. It is a matter of regret that about 1½ months ago a similar riot broke out in the same town. These untoward happenings are not only distressing but also disgraceful to us. And it is still more distressing that the Government has miserably failed to stop the recurrence of such incidents. My honourable friends sitting on the Treasury benches want to know as to who is responsible for such riots. My submission is that the persons responsible for such unfortunate incidents are those who boast of their being at the helm of affairs, those who make propaganda work in the

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villages that they are the true rulers of the province to-day. An honourable member has remarked that we should not give communal colouring to these incidents. I endorse every word of the honourable member, but at the same time I feel it my duty to say that the police as well as the Government are alike responsible for such bloodshed in the province. I would say, without fear of contradiction, that the responsibility of the police and the Government involved in such incidents is in the proportion of 75 to 25 per cent. respectively.

A month and a half ago I moved an adjournment motion in the House to the effect that a terrible riot had broken out in my constituency at Hissar, some members of the Unionist Party as well as the parliamentary secretaries visited the affected area. They held both public and private inquiries into the matter and they knew the real facts. But when I put questions in the House about the incident the Government gave an answer which was far from true.

Sir, it is admitted on all hands that the Punjab police is very corrupt. It is not only corrupt but strongly communal-minded without any discrimination of Hindu, Muslim and Sikh. If the police

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officers go to extremes they know how to get out of it. Let me submit it more clearly that whenever a Hindu police officer has been brought to book he approaches the Hindu Minister and says that that ilaqa belongs to the Muhammadans and therefore complaints are being made against him. On the other hand a Muhammadan police officer has the courage to conceal his mal-treatment by approaching a Muhammadan Minister and saying that in his ilaqa the Hindus are in majority and therefore they want to crush him down. This sort of unfair approach for favours have marred the Police Department altogether. Such undue favours are never extended to the Police Department in other places and such shameful incidents never occur in independent countries. When the King of Czechoslovakia was murdered in France the minister of the Government responsible for the department was dismissed merely on account of his final responsibility. But in our province not to say of a Minister even a constable cannot be dismissed.

Syed Amjad Ali Shah : What about Pandit Pant's Ministry?

Pandit Shri Ram Sharma : My honourable friend talks of Pandit Pant's Ministry, with what face? I may submit for his information or for his shame that even the Unionist Government cannot stop these riots in the province. First, the honourable member should see to his own matters that relate to the peace of the province. What has the so-called popular ministry of Sir Sikander done for the safety of the people of Hissar district where the communal riots have taken such a serious shape. With regard to the Congress Ministries I may submit that murderous assaults were made on the Congress Ministers by the communalists with whom the Unionist Party members have common cause in the Muslim League. They are as popular as anything. I think, even the responsible heads of this Government do not deserve to talk of the Congress Ministries, when they miserably fail here in the discharge of their responsibility.

I went to Hissar in connection with the previous riot and some responsible men of the Government side were also with me. We had been told that outside the Delhi Gate the police guard was standing and at that very place the murder of an innocent villager took place. Nobody can deny this because it had been enquired into by me and admitted by the Deputy Commissioner in the presence of the gentry of the Hissar. When the Deputy Commissioner was asked he said the police was shutting the big doors of the Gate when the murder took place outside the Gate. But the Minister when questioned said that police was not present at that time. How funny is it? Whom are we to trust? The Government concealed the facts last time and now again communalism has shown its ugly appearance in the same district. Do you know the reason of these communal riots? I do not want to name those police officers who are responsible for these serious riots. But I must declare on the floor of the House that the responsibility of these communal riots falls on the shoulders of a certain police officer and mostly the conduct of the local police officers is to be blamed for these communal troubles. Certain local police officers of Hissar district are sure that nothing can be done against them because they have got relations with such and such a man who has access to Sir Sikander's Government. The Superintendent of Police of Hissar is said to have declared publicly, that he did not care, for anything, for he was not going to be promoted as Deputy Inspector-General, nor did he stand in danger of being degraded. This is the mentality of the Hissar police.

Sir, I remember the Honourable Premier held out promises on the occasion of the previous riot in Hissar that serious action would be taken to punish the abettors and aggressors as well. But it is most regrettable that the present ministry has again failed to prevent the recurrence of communal riots in Hissar on March 26. One of the members from Hissar belonging to the Unionist Party told the Honourable Premier last year quite plainly that he should take serious action against a certain police officer but perhaps he took the words baseless and he paid no heed to the complaint in this matter. When we went to visit Hissar in connection with the previous riot some Government members were also with us and they were convinced to some extent that our complaints were not wrong and baseless. Now I again submit on the floor of the House that things would not improve in Hissar unless the entire police force and particularly the head is not transferred from there.

Another submission of mine to the House is that almost all the members who have been elected from the rural constituencies of southern districts who are Unionists should emphasise unanimously by supporting the adjournment motion that the Government should do its best to prevent communal troubles in the district of Hissar, otherwise they would no longer support the Government. I think, the Government then may move into this matter most seriously. Moreover, honourable members from Hissar and southern districts who are particularly in close contact with the Government putting aside all party considerations have stood up unanimously to make a bold stand to demand from the Government that drastic measures should be taken to curb these frequent communal troubles. It is undoubtedly a curse for the province. May I further submit that 75 per cent. of the responsibility for such ugly appearance of

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the communal riots is on the police and the remaining 25 per cent. on the Government. It is very sad that the Unionist Government has neglected its duty in taking precautionary measures. The incidents that have recently occurred at Hissar are very deplorable indeed. They are due to indifference and negligence of the Government and communal tension of the masses.

Sir, we have moved this adjournment motion only to warn the Unionist Government to the effect that if again such communal trouble would arise, the whole of the House will stand to support the adjournment motion and it will be only the ministers that would keep sitting on their benches. (Cheers). I am dead sure that there would have been no communal trouble at all if some precautionary measures had been taken in time. Let me tell the Government that the ghosts of the murdered will not allow the ministers an easy sleep. I would further submit in passing that every peaceful moment of their lives will be disturbed and haunted by the spirits of those innocent peace-makers who have been shot dead in the streets of Hissar on March 26. If the Government had exercised its sagacity and farsightedness, these tragic scenes would not have been witnessed in the streets of Hissar. It is most regrettable that communal trouble has arisen from a very ordinary incident that is, a boy went to purchase "*bair*" from a fruit seller and the petty quarrel took a communal colour. When the prominent people of Hissar, and a large number of people are of the opinion that certain police officers are responsible for this trouble, why do the Government not admit its weakness in this respect, and remove the ghost of "prestige" from their mind? In this connection I would like to assure the House that every police officer in Hissar has strong local backing on the communal basis. Therefore they are not afraid of doing any irregularity to the people, because they know that they have got every opportunity of approaching the Unionist Ministry. In the end I would like to warn the Unionist Government once again that the evil of communal tension would not be eradicated from the Punjab by appointing a peace committee and this bloodshed which is being seen in the streets of Hissar would not be stopped at all unless some most serious and drastic measure is taken in this respect by the Government.

Chaudhri Suraj Mal (Hansi, General, Rural): Sir, I come from the district and from the very place where this unfortunate incident has taken place. So, I think I can speak with better authority than my honourable friend, Pandit Shri Ram Sharma or anybody else. We are all very sorry for this incident. The district of Hissar lies in the corner of the province and it is one of the backward districts. So far it has been very peaceful and people of that place have been living like brethren. There was no communal tension, in other districts there has been some trouble, but in the district of Hissar there was nothing like that and the authorities for the last few years thought that the district was peaceful and it did not require any efficient police. Unfortunately the result was that for the last few years the whole police, which had been sent to the district of Hissar, has been taken by their own authorities as the most inefficient police. So far as my honourable friend Pandit Shri Ram Sharma's statement is concerned I quite agree with him that the authorities have been partly

responsible for this incident. (*Hear, hear from the Opposition benches*). But along with that I must say that those people, who have been preaching lawlessness for some time, are also partly responsible for this. (*Hear, hear from the Treasury benches*.) Those persons are responsible who say that law is nothing, that they should not fear imprisonment or this thing or that thing.

The district of Hissar is known for its cattle, and the cow there is respected like a mother. The whole incident has taken place on account of that. There are some Muslims in the rural area who respect the cow like other Hindus. I give you one instance. There is a village Sisa in the tahsil of Hansi. There the inhabitants are predominantly Muslims and they live with Hindus like brethren. They passed a resolution that in future no cow should be sold to any butcher. Even with such conditions, this unfortunate incident took place at Hissar. Why? Because there were some mischief-mongers. Formerly they were fighting with each other but since the last one year they have put their heads together and thought that the peace of the headquarters should be disturbed. The Superintendent of Police, Hissar, who is a very experienced man, could have nipped the whole thing in the bud, which took place on the 11th February, but he did not. Some 6 days before that incident, I informed the police authorities that they should take active steps against those persons who were creating the trouble, but I think the authorities did not pay any heed to my request and they did not take such action as they ought to have taken. (*Hear, hear from the Opposition benches*). On the 26th, there was a similar trouble when there was a Muslim *beopari* who was selling something. Hindus purchase those things from him but some people objected and said that they should not purchase from a Muslim and then the trouble arose. Lala Chhabil Das who belonged to a big family of Hissar and who was one of the biggest men of the district, intervened and wanted to see that that trouble might come to an end. Unfortunately, he was shot and I think every one feels for him. Along with that, 4 more persons were shot and 6 were injured. I have received a letter from a friend of mine and he has informed me all about this affair. He says that unless some action is taken against those persons who are really responsible and even against the officials who are also responsible for this trouble, the situation will continue. So, I would request the authorities that they should take strong action in this matter and should see that nothing happens in future. My honourable friend Pandit Shri Ram Sharma also said that we on these benches have got no faith in the present Ministry or in their actions. It is definitely wrong. We have every faith in Sir Sikander (*Cheers*) and his ministry. The Opposition should not feel that we will in any way go against the present Ministry. We will not be misled by such arguments. We are fully satisfied as the authorities have assured us that they would take proper action in the matter. We are fully satisfied with what they will do and what is being done in this matter.

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General, Urban): Sir, the situation is so delicate and fraught with so serious dangers that realising my sense of responsibility, I would say that we on this side of the House have not the slightest intention of embarrassing the Government unnecessarily. I quite realise that the facts before us are very

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meagre. I can quite understand that, perhaps, even up to this minute, the Honourable Premier is not fully conversant with the real situation in its details. But one fact which emerges out of the whole situation undisputed is that a very serious communal riot took place culminating in the death of 4 innocent persons. Mr. Speaker, I have neither the time nor the health to expatiate on the present policy which is being pursued by the Honourable Premier, in connection with the communal problem which is sometimes responsible for communal friction and bitterness. I and practically every member of the Opposition is fully alive to the efforts made from time to time by the Honourable Premier in the furtherance and promotion of communal amity and concord in the province. (*Hear, hear from the Treasury benches*). I regret to say that whenever there is the slightest remark which goes to a certain extent in favour of the Honourable Premier or in favour of the Government, the benches opposite cry themselves hoarse in shouting, 'hear, hear.' I have not come here to hear 'hear, hear.' I have come here to hear something solid, I have come here to hear something which promotes the welfare and well-being of the people of the province. (*Hear, hear from the Treasury benches*.) I do not know, Mr. Speaker, if the word "parrot" is unparliamentary, but this parrot-like repetition of "hear," "hear," is a nuisance, (*hear hear*), specially when I hear these cries of "hear" "hear," from those persons who are hard of hearing and who are deaf to the cries of the people. (*Hear, hear, from Opposition benches*). Mr. Speaker, in what light-hearted manner the Ministerial benches were taking a terrible communal riot! Hissar is burning and the Unionist Neros are fiddling (*hear, hear, from the Opposition benches*). Mr. Speaker, it is known to every one in this province that our Leader, the Honourable Dr. Gopi Chand offered his fullest co-operation in the Unity Conference to the Honourable the Premier, even at the cost of misunderstandings on the part of some of our friends outside. I do not question the sincerity or the integrity of those of our leaders who did not agree with us. They thought that the Honourable the Premier was not sincere in his efforts. They thought that the Government was not pure-minded, was not sincere in all those efforts, in all its loud talks of Hindu-Muslim unity, in all its loud talks of communal amity in the province. In spite of all that, we incurred the displeasure of our own friends and comrades outside, and offered the fullest possible co-operation with all the sincerity at our command, and therefore we have the right to place our views before the Government not in a spirit of condemnation, for we do not want to exploit the situation. I can assure my honourable friends that we—at least so far as I am personally concerned—are prepared to oust this Government by all fair and legitimate means, but I would not make capital out of communal situation. (*Interruption from the Treasury benches*).

Mr. Speaker : The honourable member need not mind interruption.

Chaudhri Krishna Gopal Dutt : Yes, Sir, The caravan goes on (*laughter*). After having given our fullest co-operation with all the sincerity we could, we have now the right to criticise frankly and sometimes severely so that we may not hide anything, so that we may not conceal our own susceptibilities which are perhaps developing in the remotest part of our heart. Now is the time, now or never. Now there is a communal riot and

now there is an opportunity for us to place our susceptibilities before the Premier, so that he must realise what he is doing, so that he must realise what his comrades are doing, so that he must realise what his subordinates are doing, and if he is a strong Premier he might place his heavy foot upon it.

I am not very much interested in Freud's and Adler's theories of psycho-analysis. They may be wrong or they may be right, but according to some of them some of the big people in this world who lead peoples and who lead communities have got a dual personality in them and I have begun to suspect that the Honourable the Premier has got a dual personality in himself. I am not discussing as to why he has got a dual personality. There is nothing personal in my remark. The fact that Sir Sikander has a dual personality as a leader of the people, as a leader of his community and also as a so-called apostle of Hindu-Muslim unity, denotes that he is not acting in a normal manner, and I do feel that the Honourable the Premier is a fit subject for psycho-analysis. The Honourable the Premier has a dual personality. How, and when and why? Not being a physician practising psycho-analysis I cannot give any diagnosis. Similarly I cannot give any prognosis of what the results of his future career would be or what the consequences of his dual personality would be. But one thing I can repeat and that is that he has a dual personality and that is why he blows hot and cold in the same breath. At one time the Honourable the Premier in a dramatic manner appears before the people—

Raja Ghazanfar Ali Khan : The honourable member has been discussing the Honourable Premier for the last ten minutes.

Chaudhri Krishna Gopal Dutt : Mr. Speaker, I am speaking in my opinion absolutely to the motion, absolutely pertinent to the motion and I do not mind sometimes even impertinent interference of some members. Mr. Speaker, I was developing the point that the Honourable the Premier at one time poses before the people as an apostle of Hindu-Muslim unity and in the same breath he flirts with the enemies of communal concord and amity in this province. He has among his advisers men who not only do not believe in communal peace but who will leave no stone unturned in creating communal discord, in even manufacturing communal riots like the one which has happened in Hissar. On his right side he has such advisers. On his left side he had advisers who genuinely believe in Hindu-Muslim unity, who believe that the political and economic salvation of this province cannot take place without Hindu-Muslim unity, and therefore when the Premier gives his right ear to one group of people and his left ear to another group of people, I believe that Sir Sikander manifests the two sides of his personality. This dual personality, in my humble opinion, is very detrimental to the solution of communal problem in this province.

Sir, in spite of the fact that we are political opponents sitting on these benches, whenever we find that a particular act of the Honourable Premier is conducive to the best interests of the province, we on this side of the House are the first to support Sir Sikander-Hyat Khan in his efforts. There is the instance of the historic and memorable statement which he made on the question of the Shahidganj affair. I was on my way back

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from Bombay to Lahore when I read the statement, and without caring to know as to what the attitude of the Congress was, without bothering to know as to what the attitude of the Sikhs and the Hindus was and what my Leader was thinking about it, without bothering about the feelings, susceptibilities and the reactions of the members of the Opposition, I at once sent him a telegram. And what was that telegram? I never cared to get it published because it was just meant for him to give him some encouragement in the laudable task that he had before him. The telegram read :—

Heartily congratulate you on your courageous statement. Hope you will keep firm and face the mob music courageously.

Premier : I gratefully acknowledged that message then and I do so again.

Chaudhri Krishna Gopal Dutt : I added the last words intentionally and those words had a great significance and I suspect with regret that the Honourable Premier was perhaps placing too much importance on the first part of the telegram and ignoring the second part of it.

Mr. Speaker : The honourable member has got only one minute more.

Chaudhri Krishna Gopal Dutt : I know, Mr. Speaker, that there are quite a number of speakers who want to speak on this motion. All that I have to place before the Premier is that if he sincerely believes in Hindu-Muslim unity, he shall have to be a very very strong Premier. He should give us a pledge to-day that he will no longer flirt with those people who are the enemies of Hindu-Muslim unity, that he will no longer carry favour with those dirty sheets of Lahore which spread communal poison. It is only then that we can believe in his sincerity. On the one hand, he is hob-nobbing with those people, he carries favour with those people who foment and nurse communal hatred and on the other hand he comes before us and condemns the communal riots. I cannot understand it. I would earnestly appeal to the Premier to take up courage in both hands and place his heavy foot on the nefarious activities of his rabid communalist friends. I do not agree with Pandit Shri Ram Sharma that three-fourths of the blame lies upon the Government and one-fourth on the local police. Perhaps he could not make himself expressive. Otherwise I cannot understand how he does not lay the blame on the people, on the communal leaders also who have got a large hand in the matter. I am not one of those who are prepared to lay the whole blame upon the Government. I know Government is to blame to a great extent. Having no more time at my disposal I would conclude by saying that when Pandit Shri Ram Sharma was criticising the Hissar police, the attitude of the members on the other side was most deplorable. All the members on the other side know full well how rotten is the state of affairs in the police and still because they are in charge of this to-day, because they form the Government, they try to defend the Government. The Premier is expected to know all this. I have no time to develop my point but I appeal to him to take a courageous and sensible view of the matter and from to-day not to flirt with the authors of the dirty sheets of Lahore.

Pandit Shri Ram Sharma : On a point of personal explanation. I did not say that three-fourths of the blame lay on the Government and only one-fourth on the police. My point was just the reverse—that is, that three-fourths of the responsibility lay on the police and one-fourth on the Government.

Chaudhri Krishna Gopal Dutt : I regret my remark and accept the explanation.

Khan Bahadur Nawab Muzaffar Khan (Attock North, Muhammadan, Rural) : I am very sorry indeed that I have to differ again in the course of the same sitting from my honourable friend Sardar Hari Singh. The news of this communal riot has come as a terrible shock to me as it must to every true Indian and every true Punjabi. We have to hang down our heads in shame when we hear of such incidents. But may I through you, Sir, appeal to this House that while discussing these terrible happenings we should not make any remarks or criticise adversely any community or anybody without knowing all the facts. One of our misfortunes is that whenever such incidents happen, we begin to take sides without knowing all the facts. If we could only speak in accordance with facts I think all our troubles will be over. I remember, some years ago when serious riots between Hindus and Muslims took place in Calcutta, Mahatma Gandhi had the courage of his conviction, as he always has, and spoke the truth and pointed out that the Hindus and Hindus alone were responsible for those riots. What was the result ? Poor Mahatma Gandhi was condemned throughout the length and breadth of this country. That is one of our greatest misfortunes. I think it would be a great day when Muslim leaders come forward and say that Muslims are to be blamed or the Hindus come forward and say that they and they alone are responsible for certain happenings. As soon as that happens and we learn to speak the truth our troubles will be over. I would appeal to honourable members again not to blame the police without knowing all the facts. I hold no brief for the police, but let us be fair even to the police and let us not condemn them unheard. We do not know all the facts sitting here.

I do not want to make a long speech on the sad subject and would only remind the House of the riots that took place in Lahore some years ago. Those who were then in Lahore know the terrible consequences. I was very much upset by the flaring headlines and inciting articles which the press used to publish—especially the vernacular press about the various incidents. The result of that was that innocent people were murdered in Lahore, people mostly from outside. I was the Director of Information Bureau then. I do not want to mention any names but I remember I sent a gentleman to a Muslim editor of a certain paper appealing to him in the name of religion to desist from writing inciting articles and flaring headlines. The gentleman—a very honest man—came back to me and said “Muzaffar Khan, you are wrong, those papers are being sold like hot cakes. How can you expect any help from a paper whose daily local sale during the riots has gone up to Rs. 500 ? Why should he listen to your advice ?” It was a terrible state of affairs. I would, therefore, appeal to the press and also to the Honourable Premier to take as strong action as possible against the culprits. I find it a little awkward to say a word in praise of the Premier who is my cousin. But I think nobody knows about him more than I do.

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Love of the various communities is not a question of policy with him but of faith. He has been brought up in an atmosphere which was entirely free from communalism (*hear, hear and applause.*) This is nothing but honest truth. I would appeal again to you that we should consider these things very calmly and carefully. (*Applause.*)

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) : Sir, I cannot say whether fortunately or unfortunately, but I was present at Hissar on the 26th March when the riots under question took place. I had gone there on my way to the provincial political conference to see my uncle who was ill and when I was about to leave Hissar I heard that riots had taken place there and it was then that I enquired the reasons of those riots.

Sir, the thing which has always served as the bone of contention is a *chabutra* and the dispute dates back as far as 1897. Compromises have been made, peace has been established, but whenever any person—official or non-official—wants to create communal trouble for his own sake and for his own private gain, the *chabutra* question is always brought forward. Cow-slaughter question which was mentioned by my honourable friend over there was brought forward along with this question of *chabutra* simply because the mischief-mongers, officials or non-officials, wanted to create communal riots for their own benefit. There was incendiarism, shops were looted on both sides of the police post, the *chhappars* were burnt and the Haji shops that are alleged to have been looted are about 40 yards from the police post at the most and on the other side the other shops which were burnt and are alleged to have been looted are not more than 40 yards from the police post and the sub-inspector with his posse of police was standing there watching things but he did nothing to suppress it or to stop the occurrence.

Premier : Who was he ?

Dr. Gopi Chand Bhargava : The sub-inspector of police on duty. It was only after the *chhappars* had been set fire to and the shops had been looted that he came forward and stood in front of the shops and even then he would not move an inch or send his policemen to suppress the fire or to stop looting of the other shops on the other side of the police post. A man came and told the sub-inspector that brickbats were being thrown, that crowds were assembling and there might be riot, in one of the *mohallas* (where 8 people were shot at and four of them died and the rest were in a precarious condition and I do not know whether they are living or dead now.) The sub-inspector said he would not go anywhere and did not care what happened. The man returned and later on two policemen arrived there only after guns had been fired and 8 men had been injured. As soon as I came to know of it I tried to catch the Premier on the phone and I found that he was not in Lahore. I sent a telegram to Patiala where the Premier had gone and I was informed that he had come back on the 27th and that my telegram had been sent to him by post. I tried to see the deputy commissioner and I tried to see the superintendent of police. But I was told that they were on tour. I then tried to see the assistant district magistrate. He was also on tour. The only officer there was the city magistrate who I am told—I am not a lawyer—and I cannot vouchsafe its accuracy—that he was not authorized to proclaim section 144 or issue curfew order.

Premier : That is perfectly correct.

Dr. Gopi Chand Bhargava : No car or lorry was sent to get the deputy commissioner back, only a telegram was sent and he came back by train by 8 o'clock in the night and the occurrence happened at about 8 o'clock. I tried to see the city magistrate and the deputy superintendent of police and I wanted to go to see the dead body of Rai Bahadur Lala Chhabil Das. They said that they were in a hurry and they did not want me to go with them. Then I went to the hospital. What did I find there? Poor innocent people with either bullet wounds, gunshot wounds or with *lathi* blows on their heads and different parts of the body. An old man aged about 70 had four *lathi* blows on his head, three or four inches long cuts and *lathi* wounds on his head. There was a young man—a clerk of the court of wards. He had a fracture of a bone and he had several wounds on his head, his ear was cut and had several other *lathi* marks on his body. I found people coming there crying for their near and dear ones. A man aged about 45 years came crying. He lost his son aged 20. He came crying like an insane man. He struck his head against the walls. But what do we find here? When we raise this point here by way of an adjournment motion, we are told that we do so because we want to break the Unionist Party. I do not care a fig whether anyone votes with me or not. I shall raise such questions even if I am all alone if I think that what I am doing is true and when I know it to be true (*hear, hear*). When we have moved this motion, to say that we have moved it simply to canvass votes is absolutely wrong. What do we care whether we get votes or not? It is our duty to invite the attention of the Government and to condemn the Government (*hear, hear*), when they fail in their duty to keep peace and order. I have no quarrel with the personality of Sir Sikander, but his personality is not in question. I condemn the action of the Government of which Sir Sikander is the head (*hear, hear*). I support this adjournment motion to condemn the action of the Premier because he has failed in his duty and his Government has failed in its duty, in keeping peace in that town. We were told that every step would be taken to uproot communalism. But what do we find? Not a single newspaper has yet been punished for exciting communalism. Political papers have been asked to deposit securities as soon as a declaration is filed but no security has yet been demanded or forfeited of any communalist paper and no man had been tried under section 153-A, because they excite communal feelings through writings or speeches. Although we were asked to support the resolution to empower the Government to take action against communalism, nothing is being done. It is this wrong and weak attitude of the Government and this criminal attitude of the Government (*hear, hear*) which we want to condemn, because it is this attitude which does not keep peace and maintain order. I know that when people get mad, and when they murder innocent people and run at each other's throat, nobody can stop them. Because they are mad. But we must take precautionary measures. When we knew that the feelings in the city had been estranged, when we knew that economic boycott of the community by the other was being preached and carried out in Hissar and a house had been burnt, why did not the police take notice. When the deputy commissioner was informed, why did he not come back from his tour? He came back only at 8 o'clock in the night when everything

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had happened. And then we are told that we are crying only because a Rai Bahadur has died, and it is only because of that that we have moved this motion. It is not only because a Rai Bahadur had died that we tabled this motion. We have tabled this motion because three poor people have also been killed through no fault of theirs (*hear, hear*) and the police has taken no steps to stop these murders, and because people have been injured and have received *lathi* blows. Why? I would go to the extent of saying that the mischief-mongers were encouraged by the officials to carry on the communal mischief and were not punished and were not called upon to explain and were not brought to book. It is this for which we stand to condemn the action of the Government and it is for this reason that we have brought this motion. The personality of Sir Sikander is not in question. As far as his personality is concerned, I may feel ill or well of him, but here it is not his personality that is concerned. My views about his personality would be my personal views. But as long as he is at the helm of affairs and he is the Premier, we shall go on condemning him for such actions. We are not concerned with his personality. Why should he allow himself to be a creature of circumstances and to submit to his environments? If he is strong and is bold enough he should have the courage to take action and as Premier he should stop this communal strife and such murders. Such murders could be stopped if action were taken in time and we see that action was not taken in time. It is said that punitive police should be posted. We knew that. But we ask the Government, why should not the responsible officers be made to bear this expenditure? Why should the public revenues be saddled with this burden? They are responsible for these riots. Why should the public be called upon to pay and why should the innocent people, relatives of those who are murdered and killed, be called upon to pay for the maintenance of the punitive police? It is through the default of the Government and its police that these riots have taken place and it is, therefore, these officials who should be punished. I do not care who he is whether he is a Muslim, Hindu or a Sikh. They become Hindus, Muslims and Sikhs when their own interests are concerned. But when the question of duty arises nobody should be a Sikh, a Hindu or a Muslim. We are all Punjabis and Indians and we want to be governed like Punjabis and Indians and I do not care who that officer is who is responsible for these riots. If the deputy commissioner is responsible he ought to be punished and if the superintendent of police is responsible he ought to be punished and these officers should be called upon to pay for the extra charges of the police. I do not mind who they are. It has been said that this riot is the result of lawlessness preached by the Congress. Those who blame us for preaching lawlessness, do not know what sort of lawlessness we preach and do not understand the principle on which we are working. They should also know that they are here as a result of that preaching of lawlessness which my honourable friend refers to. A man who preaches the breaking of law is the man who is the most law-abiding person because he only breaks that law which he wants to break and which is immoral. (*Hear, hear*) and it is the duty of everyone to break immoral laws when the occasion arises. We are not ashamed of it and I say that we shall, as long as we have got power, preach lawlessness against immoral law if an occasion arises (*loud applause*). These riots are the results of th

lawlessness of those who hold power in their hands and say that they are specimens of good government. They are responsible for these things and not the "lawlessness" which we preach. When we preach non-co-operation, when we preach breaking of laws, we preach co-operation between ourselves. Sir, I claim that there are none except those who are true Congressmen who are more anxious to bring about unity and to remove this communal questions from the country. We are those who are prepared to make sacrifices to remove this communal question. It was Ganesh Shanker Vidyarthi who sacrificed his life to suppress communal riots in Cawnpore. Therefore, we cannot be blamed for that.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : Sir, I said in the morning that very little information was available to us at present and some of the facts which were conveyed by the Leader of the Opposition to the mover of this adjournment motion correspond to some extent to the facts which I have received from official sources except that there are certain differences in matters of minor detail. For instance, at first trouble did not arise over cherries but over *bers*, as was pointed out, and there are other discrepancies. Perhaps I might, for the information of my honourable friends inside the House and the public outside, point out that so far as our official information goes four persons have died of gun-shot wounds and four are lying injured. About eight persons consisting of Hindus and Muslims have been injured with *lathis* as a result of stray assaults. Three persons have been arrested. One of them is reader of tahsildar's court. The other is the younger brother of the overseer there and the third is also related to the reader. These three people have already been arrested. It is alleged that they were responsible for the firing and casualties. That is the information which perhaps I might add to the information already provided by my honourable friends opposite. With regard to the laxity of the officials or their omissions or commissions in this matter, as I said in the morning, I am not in a position to form an opinion because if they did not take precautionary measures in spite of these warnings, as my honourable friend has pointed out, they would certainly deserve to be treated according to their merits. If they failed to take precautionary measures after they had been warned, then you may rest assured that they must be held guilty of serious delinquency in duty and I can assure my honourable friends that if that is proved, we will take all necessary drastic action which would be called for in a case like this. But I am sure that my honourable friends, whether opposite or on this side of the House, would not like me to prejudge the case or to condemn them outright without knowing the facts. Therefore, I have asked the Commissioner to proceed to Hissar. He is there now and the Deputy Inspector-General of Police is also there at present. I shall await their report and if I find that these allegations are true that there is some foundation for the neglect on the part of these officials, then they may rest assured that I will take due and necessary action against them. I do not think it is necessary for me to go into details but I think that before making a few observations with regard to some of the remarks made by my honourable friend the Leader of the Opposition, I think that it is my duty to express on behalf of this House our heartfelt sympathy and condolence to the relations of those unfortunate victims who were killed in those unfortunate incidents (*hear, hear*). I am sure I am voicing the feelings of all of us here.

Lala Duni Chand : It is hardly any consolation.

Premier : No, it may be no consolation to my honourable friend interrupting but if one of his relations had unfortunately been a victim, I am sure it would have been a consolation to know that the whole of the province is in sympathy with him and condemns unequivocally the dastardly outrage which was responsible for the death of Rai Bahadur Lala Chhabil Das, a highly respected old gentleman of Hissar. But, let me now come to some of the aspersions cast against me personally or against my Government. So far as those aspersions are personal I am not so thin-skinned as to be touched by them because when I entered politics I knew that I must take the rough with the smooth, and I must ignore them. But so far as the aspersions against my Government or against my position as head of that Government are concerned, I should like to say a few words with your permission. Two or three of my honourable friends said that we merely tried to convene a unity conference with the object of bringing about communal harmony in the province. I confess that when I convened that conference and when I approached my honourable friends I was almost certain that every reasonable person in the province, every patriotic person, every patriotic Punjabi, would support me because he cannot be a patriotic person unless he lends his support to a measure of this kind and I am glad to say that my honourable friend opposite extended his hand of co-operation to me in spite of the fact that one section of the Congress tried to thwart our efforts and in spite of the fact that the Congress high command desired otherwise that opposition be continued. In spite of that opposition my honourable friend Chaudhri Krishna Gopal Dutt tried more or less to shield the gentleman who was responsible for the opposition by saying that his object was not that he did not want unity but that he more or less suspected my sincerity. I am quite prepared to confess that since I did not know the gentleman he had every right to suspect my sincerity but I must say that if he did so he must be judging us by his own standard. I can assure my honourable friends, as I assured them before, that there is no question of making political capital out of this move. It was merely an earnest attempt to stop once for all these communal bickerings and end these troubles.

Chaudhri Krishna Gopal Dutt : What about your rabid communalist friends ?

Premier : Every one of them whom my honourable friend wants to dub as communal friends on my right—

Chaudhri Krishna Gopal Dutt : Outside.

Premier : Whether in this House or outside, they gave me their whole-hearted support in this move and, as those gentlemen who were present at that conference or sub-committees are aware, they were there because we wanted to hear the point of view of those 'rabid communalists' who are loudest in preaching communalism. It is those people we wanted to convince because unless you convince them and bring them to your point of view there would be trouble. It was for that reason that we invited them deliberately to that Unity Conference and I still hope that eventually, instead of all these obstacles which have been placed in our way and which are still being placed in our way, we will still steer clear of the obstacles and

come out victorious. This is so because I know that the heart of the Punjabi—of the man in the street—is sound. It is only those people who go about preaching communalism for their personal ends or for the ends of the particular section or to keep their hold on a certain section, who are responsible. But I must also respectfully submit that there is another class who pose as nationalists but when you scratch them they are worse than most rabid communists going about. They go about with a very thin layer of nationalism. It is only these people who are the most

dangerous enemies and most dangerous foes of the province and the country, those people who pose as nationalists and yet are communalists, those people who when they go outside profess to be nationalists, and preach nationalism—lip nationalism—but who behind the scene pull the strings and cause trouble. I am sorry I have to say that. I am sure that many of my honourable friends, who know that type of nationalist, will admit that they are even a bigger menace to the province than the open rabid communalists because he fights in the open. We know he is a communalist and can deal with him, but we cannot deal with a pseudo-nationalist who goes about preaching nationalism but is a communalist behind the scene. (*A voice : That is not the point*). That may not be the point but it is a fact. I am not referring to the point. I am referring to the unfortunate fact which we must admit. They adopt nationalism merely to keep their hold on a certain section; but the fact remains that these very people are a menace not only to the province but to the freedom of the country.

Chaudhri Krishna Gopal Dutt : May I suggest that the Honourable Premier is speaking beside the point and is speaking to a point which is not even before the House? (*Interruptions and cries of order, order*) I cannot be threatened by such shouts. I am standing on the floor of the House and shall remain standing so long as the Speaker permits me. My point is this that the Premier is giving irrelevant facts and he has placed certain facts which are not relevant to the issue. In my opinion he is defending certain persons (*interruptions*). Can I raise the point without being disturbed from the other side? What I wanted to know was whether the Premier was speaking to the motion which is before the House? (*Interruptions*). He is evading the answer.

Mr. Speaker : Two honourable members, the Leader of the Opposition and Chaudhri Sahib introduced in their speeches matters which were not strictly relevant to the motion. They introduced certain personal matters in which the Premier was dragged in. So now he wishes to reply to what has been said about him. The other day, when I stopped him, the Premier replied that some irrelevant matters were brought in and unless he replied them he might be misjudged and misunderstood by the public outside. Strictly speaking, this part of the speech is not relevant: the speech of the honourable Leader of the Opposition to a great extent was also irrelevant and now the Premier is answering those matters which were brought in.

Chaudhri Krishna Gopal Dutt : I beg to suggest that you have not understood me. (*Interruptions*.) It is a very good lesson for the development

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of democratic institutions in this province. I beg to suggest that you did not understand, Mr. Speaker, what I meant or perhaps I could not make myself more expressive. What I meant was that some speeches made at the outset were perfectly relevant in this respect. We were discussing the policy of the Government to protect life in the Punjab and promote communal unity.

Mr. Speaker : I may not have understood the honourable member rightly but I think we should allow the Premier to proceed and finish.

Chaudhri Krishna Gopal Dutt : Can we get direct reply from the Premier ? (*Interruptions*).

Lala Duni Chand : On a point of order, according to you irrelevant speeches were being indulged in by this side. When these irrelevant speeches were made why were they not stopped at that time ?

Mr. Speaker : The Honourable Premier may proceed with his speech.

Premier : Perhaps my honourable friends opposite do not wish to hear me or do not wish me to answer the criticisms which they made. If it is unpalatable I am afraid it must be unpalatable because I cannot possibly for their sake gloss over facts and I must tell them the truth, however bitter it may be to some. It was said that we have been taking action against persons, who erred against the law or came within the purview of law merely on political grounds and that we never take any action against communal people. My honourable friend was not correct when he said that. He knows it perfectly well that in answer to a question in this House I stated that several cases under section 153-A had been instituted in the province and two of those cases were being run against people who pose as nationalists. Anyway, Sir, I can assure my honourable friend that I will never miss an opportunity of running in those people under section 153-A. Has my honourable friend ever stopped his friends or his allies who go about preaching not only lawlessness but preaching civil disobedience on communal matters ? And yet they are near and dear to my honourable friend opposite. He embraces them and keeps them near his bosom. Has he ever condemned them ? When he goes outside, has he ever told these people that they should stop their civil disobedience movement or else they should not go and preach the Congress doctrines in the same breath ? He has not done so.

Mr. Speaker : I request the Honourable Premier not to go into details.

Premier : Because he raised this point, it was, therefore, necessary for me to answer it. But I can assure him that, so far as I am concerned, if he ever brings to my notice any case of communal nature where any local officer of Government has not taken action or does not take action, I would be the first to come down upon that officer and see that action is taken against him. But these cases are not brought to my notice. So far as preaching against lawless laws is concerned, my honourable friend is welcome to preach them. But the question is where are those lawless laws ? Those lawless laws are, more or less, put into operation against those people who want to create turmoil and disturb the peace and tranquillity of this province. My honourable friend opposite, who represents that part of the

world, got up and said that all those things were happening under the eyes of the officers of the Government and yet these officers were doing nothing. Well, Sir, those officers did not take any action against my honourable friend, who went from village to village to preach lawless laws against the present Government and against the members of the present Government.

(A voice : The Honourable Premier is making a personal remark.)

Mr. Speaker : I would request the Honourable Premier not to be personal.

Premier : I am not trying to be personal. I am replying to the argument put forward.

Pandit Shri Ram Sharma : On a point of order. The Honourable Premier's statement is absolutely wrong.

Premier : I have not given way. There are several other instances—
(Interruptions).

Mr. Speaker : When the Honourable Premier was told by an honourable member that there were rabid communalists to his right and left, I kept quiet. So, I am obliged to remain quiet even now.

Chaudhri Krishna Gopal Dutt : Will you please ask him to be straight and frank ?

Mr. Speaker : I would request the honourable member not to interrupt the Honourable Premier.

Premier : My honourable friends are welcome to interpret my remarks according to their lights and wishes. But I have to speak to the Chair. I think my honourable friends opposite will agree with me that there have been several instances in this province where it was not only communalism, but something worse and something deeper than communalism that was responsible for this trouble. Nobody can deny that. It has also been proved judicially. If they look up to those cases they will find that it was not purely a spontaneous communal sentiment which led to those things. However, I would not labour that point any longer.

Pandit Shri Ram Sharma : On a point of order, Sir. The duration of a speech has been fixed at 15 minutes. The Honourable Premier's time is up and he should wind up his speech.

Mr. Speaker : May I request the Honourable Premier to wind up his speech ?

Premier : I have not even once sought protection of the Chair, although during the 10 minutes for which I spoke I was interrupted more than half a dozen times.

Mr. Speaker : I have made allowance for those interruptions.

Premier : I am much obliged to you, Sir. There is only one important point for discussion and that is that there has been a genuine condemnation of this unfortunate incident and this cowardly incident, as I see from the speeches of the honourable members of the House and also a repetition of their offer to help me in trying to put these communal riots down. I am grateful for that offer and I hope that that offer will be extended to me when I am in need of it and at that time no flimsy excuses will be put forward to withhold their help and assistance from me. I am sure that that is the

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spirit in which that offer is made by the honourable mover of the motion and that he seems to be genuine in his sentiment and in his offer. I also believe that my honourable friend, in spite of his difficulty, which I realise as well as he does, will continue to give his co-operation in these matters and then eventually we will be able to solve this most unfortunate and difficult problem, not only for the sake of this province but for the sake of our motherland. *(Cheers)*.

Before I sit down let me tell my honourable friends that in future it will deliberately be my policy to put a strong punitive police force in every place where there is communal riot. I have issued instructions to the Inspector-General of Police that he should immediately locate strong additional police wherever these things happen. With regard to Hissar, I have issued instructions this morning that strong additional police should be located in that place. I may inform the honourable members that that additional police will remain there until those people learn a lesson to give up this kind of practice and that additional police will be at the cost of the inhabitants of the town. *(Cheers)*.

Pandit Shri Ram Sharma : On a point of personal explanation, Sir. If the Honourable Premier was referring to me, I may point out that his statement was absolutely wrong and baseless, and I challenge the truth of the statement against me.

Mr. Speaker : That is a hypothetical question.

(Voices from the Treasury benches : The question may now be put).

(At this stage Diwan Chaman Lall wanted to speak and Mr. Speaker said "all right").

Premier : On a point of order, Sir. It is not a question of 'all right'. The question is that several members want that the question may now be put. According to the rules every speech must be limited to 15 minutes. If a member wants to speak for 15 minutes, you cannot under the rules, stop him from doing so and usually he must get his 15 minutes. It is 18 past 7 now. If the honourable member opposite begins his speech now, we shall not be able to put the question to the vote of the House. So I want that the question may now be put.

Diwan Chaman Lall : My honourable friend the Premier need not have any fear about putting the question. The honourable Leader of the Opposition is very anxious and we are all very anxious that this should be voted upon. My honourable friend can take it from me that I shall finish my speech in sufficient time to enable the House to call for a division.

Mr. Speaker : What is the Honourable Premier's objection ?

Premier : My objection is this. I was waiting to see if anybody would stand up to speak from those benches. After the Leader of the Opposition had finished I got up because I thought that it was the time for me to give a reply to the debate. If anybody is allowed to speak now, I would not get an opportunity of rebutting any arguments which may be put forward. Therefore, I submit that you should put the question that the question be now put.

Diwan Chaman Lall : May I draw the attention of the Chair to the fact that the objection raised by the Honourable Premier is neither a point of order nor a point of procedure. I have been called upon by you.

Mr. Speaker : As one party is in an overwhelming majority, while the other party is in minority, and there is time for speaking, what objection can there be to a member of the minority party being allowed to speak ?

Premier : It is all the more reason why other members should not be allowed to speak now because when the honourable mover of the motion exercises his right of reply, the Government should also be given an opportunity to say something in reply to his speech. It is unfair and it is unheard of that a member of the Opposition should have the last say in such a matter. I think it is not only against the constitutional convention, but it is unheard of on an adjournment motion condemning the Government.

Mr. Speaker : A closure motion can be moved in the middle of a speech, but it is for the Chair to put it to the House or not. So, if Diwan Chaman Lall wishes to speak, there can be no objection.

Premier : The question is not whether there is any harm or not. The point is that it is against the Parliamentary practice that a member of the Opposition should be allowed the last word on an adjournment motion.

Mr. Speaker : According to which rule or Parliamentary practice the Government member should be the last speaker on an adjournment motion ? I have not come across any such rule. The question is a question of Parliamentary Practice and Rules. I may read out the rule on this point :—

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.'

Khan Bahadur Nawab Muzaffar Khan : I have been a member of this House for the last fourteen years or so, and it has always been the practice for the Government to have the last say in the matter and there is no reason to depart from that practice now. If Diwan Chaman Lall is allowed to speak Government should in fairness have the right to reply.

Dr. Gopi Chand Bhargava : When you call upon the mover of this motion to reply, are we to understand that the Government shall be given a chance to reply to him ?

Mr. Speaker : If there is time the Government member will be allowed to speak ; but not otherwise.

Diwan Chaman Lall : Mr. Speaker, already ten minutes of my time have been exhausted by unnecessary points of order raised by the Premier. It is now 7-25 p.m. If the honourable members opposite are so anxious, that I should not intervene, I propose that the question be now put.

Premier : If the honourable member wanted to intervene he ought to have intervened before when there was time.

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 adjourn.

The Assembly divided : Ayes 31, Noes, 96.

AYES.

Ajit Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhagat Ram Sharma, Pandit.
Bhim Sen Sachar, Lala.
Chaman Lall, Diwan.
Chanan Singh, Sardar.
Duni Chand, Lala.
Duni Chand, Mrs.
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.
Kishen Singh, Sardar.
Krishna Gopal Dutt, Chaudhri.
Lal Singh, Sardar.
Muhammad Hassan, Chaudhri.
Mula Singh, Sardar.
Partab Singh, Sardar.
Prem Singh, Mahant.
Raghubir Kaur, Shrimati.
Ram Narain Virmani, Seth.
Rur Singh, Sardar.
Sahib Ram, Chaudhri.
Sant Ram Seth, Dr.
Shri Ram Sharma, Pandit.
Sohan Singh Josh, Sardar.

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.
Ahmad Yar Khan, Chaudhri.
Akbar Ali, Pir.
Ali Akbar, Chaudhri.
Amjad Ali Shah, Sayed.
Anant Ram, Chaudhri.
Ashaq Hussain, Captain.
Badar Mohy-ud-Din Qadri, Mian.
Bhagwant Singh, Rai.
Binda Saran, Rai Bahadur.
Chhotu Ram, The Honourable Chaudhri Sir.
Dina Nath, Captain.
Faiz Muhammad Khan, Rai.

Faiz Muhammad, Shaikh.
Faqir Hussain Khan, Chaudhri.
Farman Ali Khan, Subedar Major Raja.
Fateh Khan, Raja.
Fateh Muhammad, Mian.
Fateh Sher Khan, Malik.
Fazal Din, Khan Sahib Chaudhri.
Fazal Karim Bakhsh, Mian.
Few, Mr. E.
Gauba, Mr. K. L.
Ghazanfar Ali Khan, Raja.
Ghulam Mohy-ud-Din, Maulvi.
Ghulam Rasul, Chaudhri.
Gopal Singh (American), Sardar.
Gurbachan Singh, Sardar Sahib Sardar.
Habib Ullah Khan, Malik.
Hans Raj, Bhagat.
Hari Chand, Rai.
Harnam Das, Lala.
Harnam Singh, Captain, Sodhi.
Het Ram, Rai Sahib Chaudhri.

- Indar Singh, Sardar.
 Jagjit Singh Man, Sardar.
 Jagjit Singh Bedi, Tikka.
 Jahangir Khan, Chaudhri.
 Jalal-ud-Din Ambar, Chaudhri.
 Jiginder Singh Man, Sardar.
 Karamat Ali, Shaikh.
 Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.
 Kishen Das, Seth.
 Manohar Lal, The Honourable Mr.
 Maqbool Mahmood; Mir.
 Mubarik Ali Shah, Sayed.
 Muhammad Akram Khan, Khan Bahadur Raja.
 Muhammad Ashraf, Chaudhri.
 Muhammad Azam Khan, Sardar.
 Muhammad Faiyaz Ali Khan, Nawabzada.
 Muhammad Hassan Khan Gur-chani, Khan Bahadur Sardar.
 Muhammad Hayat Khan Noon, Nawab Malik Sir.
 Muhammad Hussain, Sardar.
 Muhammad Jamal Khan Leghari, Nawab Sir.
 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 Jeelani, Makhdumzada Haji Sayed.
 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 Captain Malik.
 Narendra Nath, Diwan Bahadur Raja.
 Nasrullah Khan, Rana.
 Naunihal Singh Mann, Lieutenant Sardar.
 Nawazish Ali Shah, Sayed.
 Nur Ahmad Khan, Khan Sahib Mian.
 Pir Muhammad, Khan Sahib Chaudhri.
 Pritam Singh Siddhu, Sardar.
 Ram Sarup, Chaudhri.
 Riasat Ali, Khan Bhadur Chaudhri.
 Ripudaman Singh, Thakur.
 Roberts, Professor W.
 Sahib Dad Khan, Khan Sahib Chaudhri.
 Shah Nawaz, Mrs. J. A.
 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.
 Sumer Singh, Chaudhri.
 Sundar Singh Majithia, The Honourable Dr. Sir.
 Suraj Mal, Chaudhri.
 Talib Hussain Khan, Khan.
 Tara Singh, Sardar.
 Tika Ram, Chaudhri.
 Ujjal Singh, Sardar Sahib Sardar.

The Assembly then adjourned till 2 P.M. on Tuesday, 29th March, 1938.

1911

1911年1月1日 星期日
1911年1月2日 星期一
1911年1月3日 星期二

1911年1月4日 星期三

1911年1月5日 星期四

1911年1月6日 星期五



1911年1月7日 星期六

1911年1月8日 星期日

1911

PUNJAB LEGISLATIVE ASSEMBLY.

2ND SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Tuesday, 29th March, 1938.

The Assembly met at the Council Chamber, at 2 P.M., of the clock. Mr. Speaker in the chair.

STARRED QUESTIONS AND ANSWERS.

UNEMPLOYMENT AMONG B. A.'s. and M. A.'s.

***2307. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister of Development be pleased to state whether it is a fact that the B.A.'s and M.A.'s. that pass every year from the Punjab University are swelling the ranks of the educated unemployed in the province ; if so, whether and when the Government propose to take steps in the matter ; and if not, why not ?

The Honourable Chaudhri Sir Chhotu Ram : The whole question of unemployment is being carefully examined by the Unemployment Committee.

Lala Duni Chand : Is it true that M.A.s. and M. Sc.'s with first class honours are unable to get even Rs. 40 ? If so, is the Government taking this question into consideration ?

Minister : This question does not seem to me to arise out of my answer.

Lala Bhim Sen Sachar : Is it possible for the Honourable Minister to give the percentage by which the number of these unemployed has gone up since the last year ?

Minister : No, Sir, it is not possible.

Lala Bhim Sen Sachar : Are any figures available of the educated unemployed ?

Minister : Not so far.

Lala Bhim Sen Sachar : Have the Government taken any action for the purpose of collecting figures of the educated unemployed ?

Minister : The Unemployment Committee is doing it.

Lala Duni Chand : Are there any proposals before the Government to solve the question of unemployment among graduates ?

Minister : The whole question is before the Committee.

Chaudhri Muhammad Abdul Rahman Khan : Is it not a pity that the questioner himself cannot know the reply to his own questions ? Either we should be supplied with a copy of the answers a little before the time for answering questions or the answer should be given in Urdu.

DIRECT RECRUITMENT OF EMPLOYEES FOR JAIL DEPARTMENT.

***2308. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Finance be pleased to state—

- (a) whether it is a fact that on February 9th, 1931, the Home Secretary to the Government, Punjab, issued a circular No. 4575-Jails-H., to the Inspector-General of Prisons, Punjab, if so, whether it was stated in that circular that the head warders, the gate-keepers, and the clerks, and the store-keepers can be recruited direct ;
- (b) if the answer to part (a) be in the affirmative, the number of clerks, head warders, store-keepers and gate-keepers, who were recruited direct for the Jails Department after the issuing of the circular and if none was so recruited, the reasons therefor ;
- (c) whether it is a fact that an extra clerical staff is about to be recruited for the Jails in the Punjab ; if so, whether it is intended to make this new recruitment from the existing staff ; if so, why ?

The Honourable Mr. Manohar Lal : (a) Yes. It pertained to the direct recruitment of head warders only. The Inspector-General of Prisons was authorized to fill the next ten vacancies in this grade as an experimental measure. The experiment proved successful and the Inspector-General of Prisons was permitted in 1934 to fill vacancies by the direct recruitment of suitably educated and better class men up to a maximum of 25 per cent. of the vacancies. The head warders so recruited were eligible for promotion to the grades of gate-keepers, clerks and store-keepers only.

(b) Twenty-three head warders have so far been directly recruited. As regards clerks, store-keepers and gate-keepers the question does not arise.

(c) The clerical staff has already been recruited partly from reverted or officiating Assistant Superintendents partly by promotion of the existing clerical staff, and partly by the entertainment of outsiders. The first class (Assistant Superintendents) had a prior claim on these posts, as they already had had years of service in the department with experience of the clerical work.

ILLITERATE DAIS.

***2309. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Education be pleased to state whether it is a fact that the majority of the Indian nurses (*daïs*) in the villages are illiterate and are totally ignorant of the principles of maternity ; if so, the steps the Government proposes to take in the matter ?

The Honourable Mian Abdul Haye : Yes. Efforts are being made to train these *daïs* and such training is now given at 89 welfare centres throughout the province. In order to encourage *daïs* to take the training Government proposes to give scholarships to 300 *daïs* for one year's training in the coming year.

EDUCATION IN SIMLA DISTRICT.

***2310. Lala Duni Chand :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of Government or aided high schools, middle schools and primary schools in the Simla district ;
- (b) the steps, if any, the Government intends to take to extend encouragement to Simla district in the matter of education ?

Parliamentary Secretary (J. A. Shah Nawaz) : (a) Information relating to high and middle schools is contained in the list of recognised secondary schools in the province, a copy of which has already been supplied to the honourable member. The number of the primary schools for both boys and girls in the Simla district was 33 on the 31st March, 1937.

(b) Government is considering the opening of a Government girls high and normal school at Simla.

Lala Duni Chand : Is it true that the rural part of Simla district comprising Simla Hill States does not contain more than one high school ?

Parliamentary Secretary : May be so.

Lala Duni Chand : Is it within the knowledge of the Government that the rural part of Simla district is one of the most backward parts of the Punjab educationally ?

Parliamentary Secretary : As I have already informed the honourable member, there are 33 schools for boys and girls in the Simla district at present.

Lala Duni Chand : Is the Government prepared to increase the number of middle schools and high schools in Simla district ?

Parliamentary Secretary : That is a request for action.

Lala Deshbandhu Gupta : Is the Government aware that Sabathu Hill offers an ideal opportunity for opening a high school ?

Parliamentary Secretary : There is already a school at Sabathu.

Lala Deshbandhu Gupta : I meant a high school. Is the Government prepared to consider the question ?

Parliamentary Secretary : Government is always prepared to consider any feasible scheme that is put up by any district board or municipal committee.

REPRESENTATION REGARDING INCREASE IN NUMBER OF ELECTED
MEMBERS OF SIMLA MUNICIPAL COMMITTEE.

***2311. Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state whether it is a fact that repeated representations have been made by the citizens of Simla to increase the elected elements in Simla Municipality and to decrease the strength of nominated members ; if so, whether the matter has been considered by the Government and with what result ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : The honourable member is referred to the reply given to his question No. *6361.

Lala Duni Chand : Has this matter received the consideration of Government since it was last raised in the Simla session of the Assembly?

Parliamentary Secretary : I replied to that question when I referred the honourable member to the reply to his previous question which shows that further progress has been made in this matter.

Lala Duni Chand : Are there any intentions on the part of Government to increase the elected element in Simla Municipal Committee?

Parliamentary Secretary : It is difficult for me to say whether the Government has any intention or not at this stage.

Lala Duni Chand : Is it not a fact that this question is being pressed upon the attention of the Government for the last five or six years?

Parliamentary Secretary : I am afraid I cannot say anything. There are so many things that the Government has to consider.

Lala Duni Chand : Has the Government made up its mind one way or the other?

Parliamentary Secretary : The Government have not yet made up their mind.

Lala Deshbandhu Gupta : How long will it take for this state of suspense to be removed?

Parliamentary Secretary : It is difficult for me to say.

Lala Bhim Sen Sachar : Will the Government state if any progress has been made since the question was taken up last?

Parliamentary Secretary : The matter is under consideration.

Lala Deshbandhu Gupta : Has the Government considered the question at all?

Parliamentary Secretary : Certainly.

CONSTRUCTION OF A ROAD BETWEEN DASKA AND WADA SHEIKHAN, DISTRICT SIALKOT.

*2312. **Lala Duni Chand :** Will the Honourable Minister for Public Works be pleased to state—

(a) whether a resolution passed at a public meeting held at Wadala Sandhuan, Tahsil Daska, District Sialkot, has been submitted to the Chief Engineer, Public Works Department, Lahore, asking for the construction of a metalled road between Daska and Wada Sheikhan;

(b) whether it is contemplated to take any action in the matter?

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

(b) Yes, the request is being transmitted to the district boards concerned through the Commissioner, Lahore, for such action in the matter as they may find necessary.

REPRESENTATION OF THE INHABITANTS OF VILLAGE KOT BALA,
DISTRICT AMBALA.

***2313. Lala Duni Chand :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether most of the land belonging to the agriculturists of the village Kot Bala, Rupar tahsil, Ambala district, has been washed off by action of Sarsa Nadi ;
- (b) whether due to the above fact the inhabitants of the village have been reduced to a state of extreme poverty and many of them being unable to maintain themselves have left the village ;
- (c) whether on their repeated representations to the Government their petition for grant of land elsewhere was sent to the local authorities for inquiry ; if so, what has been the result of the inquiry ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) and (b) No.

(c) No such representations were sent by Government to the local officers for enquiry, but an application, dated 8th October, 1937, from Bhajan Singh and others of Kot Bala received by the Deputy Commissioner, Ambala, was filed, as no case for any action was made out.

Lala Duni Chand : Do I understand that the land of these villages has not been washed away by the hill torrent ?

Minister : The area of this village stands at 237 as it stood previously.

Lala Duni Chand : Is it true that the area that I have given is the only area that remains safe from submersion ?

Minister : I have given the figures that show that no change has taken place during these two years.

Lala Bhim Sen Sachar : What is the proportion of the submerged area to the remaining area ?

Minister : If he wants any exact figures then I am afraid my honourable friend shall have to give me a fresh notice for that purpose.

Lala Bhim Sen Sachar : Am I correct in understanding that more than fifty per cent. of the land has been washed away ?

Minister : I do not think so.

Lala Bhim Sen Sachar : Did the Government care to obtain information as to the actual area that has been washed away ?

Minister : The figures have been the same as during the last settlement.

Lala Bhim Sen Sachar : Did not the honourable member consider it necessary to ascertain the area washed away ?

Minister : When the figures have been the same as in the last settlement, that question does not arise.

Lala Bhim Sen Sachar : Do I take it that the Government did not consider the figures to be important enough ?

Minister : When I say that the figures are the same as in the last settlement, there is no question of importance.

Lala Bhim Sen Sachar : Am I correct that the Government did not consider that any action was called for ?

Lala Duni Chand : Does the Government deny that the people of this village have been reduced to abject poverty on account of land being submerged ?

LABANA TRIBES OF MULTAN DIVISION.

***2314. Sardar Ajit Singh :** Will the Honourable Minister of Revenue be pleased to state, with reference to my question No. *478,¹ whether any action has been taken so far in the matter of declaring the Labana tribes of the Multan and Montgomery districts as belonging to statutory agricultural tribes ?

The Honourable Dr. Sir Sundar Singh Majithia : Labanas have already been declared an agricultural tribe in the Montgomery and Lyallpur districts. Regarding Multan the matter is under consideration.

APPLICATION OF MR. TAIHAL SINGH OF VILLAGE BHANGALI, DISTRICT LAHORE.

***2315. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state—

- (a) whether he is aware that Mr. Taihal Singh of village Bhangali Police Station Burki, district Lahore, has been interned for one year in his village under the Punjab Criminal Law Amendment Act ;
- (b) whether the above internee made a representation to the Punjab Government on 16th December, 1937, to permit him to go to the Lahore city for the treatment of a chronic stomach trouble ;
- (c) whether the internee further stated that in case his request was not granted, he be granted a fair amount of allowance for the efficient medical treatment of his stomach trouble ;
- (d) the action the Government has taken or is proposing to take in the matter ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a), (b) and (c) Yes.

(d) No action has been taken, nor is any action contemplated.

SCARCITY OF DRINKING WATER IN CERTAIN VILLAGES OF DISTRICT KANGRA.

***2316. Pandit Bhagat Ram Sharma :** Will the Honourable Minister of Education be pleased to state—

- (a) whether it is a fact that there is a scarcity of drinking water in villages Bhatoli, Phakorian and Tipri of Jagir Dada Sibba of tahsil Dehra, district Kangra, and in villages Rehan Chattar, Makroli, Chamboli, Takholi in Fatehpur zail of Nurpur tahsil of the Kangra district ;

(b) if the answer to part (a) above be in the affirmative, the steps the Government propose to take or have taken so far in the matter?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz): (a) Yes.

(b) Two villages named Bahan and Chattar are included in and will be benefited by the Rural Water Supply Scheme of Kangra district which has since been sanctioned by Government. The scheme is to be financed from the Government of India grant and the work will be commenced as soon as the money is allotted. No scheme has so far been submitted by the District Board, Kangra, in respect of the remaining villages, namely Tipri, Makroli, Chamboli and Takholi. Government is, however, prepared to consider all practical schemes which may be submitted to them by the District Board, Kangra, through proper channel. It is for the residents of the villages in question to apply to the District Board for the necessary help.

Pandit Bhagat Ram Sharma: Is the honourable member aware that on the 27th February, 1936, an application was addressed to Deputy Commissioner, Kangra, with respect to the trouble in Bhatoli, etc.?

Parliamentary Secretary: I am not aware of that application but it may be so.

Pandit Bhagat Ram Sharma: Is the honourable member aware that a representation was addressed to the Minister for Public Health also?

Parliamentary Secretary: As I have already said in reply to the honourable member's question, it is for the District Board to send up any practical scheme and the Government is always prepared to give such schemes their full consideration and if the funds permit to take them in hand.

Pandit Bhagat Ram Sharma: Is the honourable member aware that the Commissioner, Rural Reconstruction, visited this village along with the Health Officer and they have seen with their own eyes the trouble due to there being only a dirty pond from which drinking water is obtained?

Parliamentary Secretary: That may be so but as I have already pointed out, it is for the District Board to devise a practical scheme.

Pandit Bhagat Ram Sharma: Has the honourable member gone through the leading article in a local daily newspaper that the Government is working like a machine without appreciating the difficulties of the people?

Parliamentary Secretary: I have seen several articles appearing in the papers.

Pandit Bhagat Ram Sharma: This article was with reference to this particular trouble in the village due to this dirty water.

Parliamentary Secretary: It may be so.

Dr. Gopi Chand Bhargava: Will the honourable member include these villages in the special development scheme?

Parliamentary Secretary: It is difficult to say anything definite at present but as the honourable member knows the question of supplying drinking water to the villages is under the consideration of the Punjab Government and will be taken up in course of time.

PATWARIS ABOVE THE AGE OF 55 YEARS AND 65 YEARS.

***2317. Sardar Lal Singh :** Will the Honourable Minister of Revenue be pleased to state—

(a) the number of patwaris in the province over the age of 55 ;

(b) whether there are any patwaris over 65 years of age anywhere in the province, if so, their number ?

The Honourable Dr. Sir Sundar Singh Majithia : The information is not readily available and Government thinks that its collection will involve labour, time and expense out of all proportion to its value.

Lala Deshbandhu Gupta : What is the age of retirement in the case of a patwari ?

Sardar Hari Singh : And in the case of Ministers ? (*Laughter*).

Minister : It does not arise out of this question.

Lala Deshbandhu Gupta : It does, because the honourable member has just now answered that its collection will involve labour. Does the Honourable Minister for Revenue know the age of retirement fixed for patwaris ?

Minister : Why should I give an answer when the question was as to how many patwaris were there ?

Sardar Lal Singh : Does the Honourable Minister for Revenue deny that there are patwaris above the age of 55 or 60 ?

Minister : That may be so, but I am not aware of it ?

Lala Deshbandhu Gupta : Does the Honourable Minister think it proper to take steps against such patwaris who have exceeded the age limit of 55 ? Would he think it proper to make them retire so that room may be made for fresh people ?

Chaudhri Krishna Gopal Dutt : With honourable exceptions.

APPOINTMENT OF A MANAGER FOR COURT OF WARDS OF DIWAN
GHULAM KUTAB.

***2318. Mian Sultan Mahmud Hotiana :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that the Manager of the court of wards of Diwan Ghulam Qutab, Sajjada Nashin Hazrat Balla Ganjshankar, Pakpattan, has resigned his position ;

(b) whether it is a fact that the local authorities have requested the Government to appoint a new manager for the above-mentioned court of wards ; if so, the reasons for delaying the matter ?

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

(b) *First part.* Yes.

Second part. There has been no delay. Government are as anxious as the local authorities to find quickly a suitable appointee ; but the post is difficult and special care is being taken in the selection.

NON-PAYMENT OF BILLS TO LORRYWALAS BY THE POLICE AT AMRITSAR.

***2319. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether the Superintendent of Police, Amritsar, received a representation, dated 17th September, 1937, from the office of the Punjab Motor Union (Regd.), bringing to his notice that lorries Nos. 1649-B., P. 1868-C., and P. 5980-B., were engaged by the police in the Sikh-Muslim riots in Amritsar but were not paid remuneration on asking for the payment of their bills ;
- (b) whether further it is a fact that only lorry No. P. 1868-C. has so far been paid the hire, and others have not been made any payment ; if so, reasons for the same ;
- (c) whether it is a fact that these lorries were actually engaged by policemen ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : (a) Yes.

(b) Yes. The other two lorries were not engaged by the Police.

(c) No.

Sardar Hari Singh : May I ask the honourable Parliamentary Secretary if he can inform the House whether the representation submitted to the Government by the Motor Union contained the names of any constables who were alleged to have commandeered two lorries for which no payment was made ?

Parliamentary Secretary : Information that has been collected shows that the other two lorries were not engaged by the police.

Sardar Hari Singh : I have not been able to make myself clear. I want to know whether the representation contained an allegation against certain police constables, giving their names and their numbers, that they had commandeered certain lorries for which no payment had been made ?

Parliamentary Secretary : The representation may have contained that but that allegation has not been substantiated.

Lala Deshbandhu Gupta : Has the honourable member read the representation ?

Parliamentary Secretary : It must have been correctly studied by the Government.

Lala Bhim Sen Sachar : Is it a fact that the other two lorries were also at the place where police lorries were at that time ?

Parliamentary Secretary : Will the honourable member repeat his question ?

Lala Bhim Sen Sachar : Is it not a fact that the other two lorries referred to by the honourable Parliamentary Secretary were also with those lorries which were engaged by the police ?

Parliamentary Secretary : Those lorries may have been with those lorries—I cannot say—but it is definite that they were not engaged by the police.

Lala Bhim Sen Sachar : Will the honourable member make inquiries into that fact ?

Parliamentary Secretary : If the honourable member will give notice, I shall certainly enquire.

Sardar Hari Singh : May I enquire whether it has been brought to his notice that two lorries were commandeered by police constables and the higher officials disowned responsibility for the action ?

Parliamentary Secretary : I have already replied that that allegation has not been substantiated. It is incorrect that those two lorries were engaged by the police.

Lala Bhim Sen Sachar : Were the drivers of those two lorries which according to the Parliamentary Secretary were not commandeered, examined ?

Parliamentary Secretary : I cannot definitely say that but if the honourable member were to give notice, I shall make inquiries.

Lala Bhim Sen Sachar : What is then the basis of the honourable member for the statement that full inquiry was made into this question ?

Parliamentary Secretary : The local authorities definitely informed the Government that these two lorries were not engaged by the police.

Lala Bhim Sen Sachar : Do I then take it that the Government has merely accepted the word of lower officials who were themselves implicated in the affair ?

Parliamentary Secretary : Government has satisfied itself and it has to depend upon the report of responsible local authorities.

Lala Bhim Sen Sachar : Do Government approve of the procedure of not enquiring into complaints of persons against officials and accept their word without making any independent enquiry ?

Parliamentary Secretary : Government is fully satisfied that these responsible officers submit their report after making full enquiry.

Lala Deshbandhu Gupta : What is the distinction between a police constable and the police. According to the Parliamentary Secretary the lorries were not engaged by the police while he says they were engaged by the police constable. Is he drawing a distinction ?

Parliamentary Secretary : Not at all. I did not make a distinction.

Lala Deshbandhu Gupta : Was it engaged by the police constable ?

Parliamentary Secretary : It was not engaged by any police officer or constable.

Sardar Hari Singh : May I ask whether he is aware that the complainants in this case who are making allegations were not asked to substantiate the charges ?

Parliamentary Secretary : If the honourable member will give notice I shall certainly make enquiries.

Lala Bhim Sen Sachar : Am I correct in assuming that Government have based their replies on the report of a police official only ?

Parliamentary Secretary : I have already stated that Government base their reply on the report of the local officials.

Lala Bhim Sen Sachar : Is that local official a police official in this particular case ?

Parliamentary Secretary : Yes.

COMPLAINT AGAINST POLICE CONSTABLE SUNDAR LAL OF JULLUNDUR CANTONMENT.

***2320. Sardar Hari Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that head-constable Sundar Lal of Jullundur Cantonment impounded the driving licence of Parkash, son of Lachhman Dass, on the 19th February, 1980 ;
- (b) whether it is a fact that in the chit issued to the driver in lieu of the licence no rule was entered and that the chit was a blank paper containing neither the name of the court in which to appear nor the date of the appearance ;
- (c) whether the District Motor Union of the Jullundur district have recently approached the local authorities with a complaint in the matter, if so, action taken by the authorities in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : The local authorities report that no head-constable of the name of Sundar Lal served in Jullundur district during the year 1980. In case the year has been wrongly stated, I would add for the honourable member's information that they also report that there was no head-constable or constable named Sundar Lal serving in the district on the 19th February, 1988.

SUGGESTIONS AND OBJECTIONS BY PUNJAB MOTOR UNION
REGARDING PUNJAB MOTOR VEHICLE RULES.

***2321. Sardar Hari Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the suggestions or objections received by the Government from the Punjab Motor Union (Regd.) and other unions regarding the draft amendments of the Punjab Motor Vehicles Rules, 1981, as published in the *Punjab Gazette*, dated November 26th, 1986, on page 1601 ;
- (b) whether the Government has given consideration to the said suggestions or objections ; if so, with what result ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The honourable member apparently refers to *Punjab Gazette* notification No. 2654-H.-37/39835, dated the 22nd November, 1937, in which certain draft amendments to the Punjab Motor Vehicles Rules, 1931, were published for the purpose of inviting objections. The date fixed for the receipt of objections was the 1st January, 1938. Two communications, dated the 2nd January were received from the Motor Union, Lyallpur, and the Punjab Motor Union, Amritsar, in which Government were requested to extend the time for the submission of objections. The request was acceded to, and the Unions were informed that they could submit their objections by the 21st February. A letter dated the 20th February was subsequently received from the Punjab Motor Union. A copy of this is laid on the table.

(b) The contents of this letter were taken into consideration before the amendments were finally issued.

Copy of a letter No. F. 1/815, dated the 20th February, 1938, from the Secretary, Punjab Motor Union (Registered), Lahore, to the Home Secretary to Government, Punjab, Lahore.

It is the confirmed view of the Punjab Motor Union that if the object of the amendment of Rules 117 and 137, Punjab Motor Vehicle Rules, 1931, is as it appears on the face of it to restrict the number of passengers for which a heavy motor vehicle should be licensed at 25 at the maximum, unless in those special cases in which the Punjab Government allows a greater number, then we very strongly deprecate the object of the amendment, and protest against it with all our force.

We believe that there can be no justification whatsoever for the above proposal, unless the Government wants to unduly favour the Railway as against the Motor. Why should the Government attempt to restrict the number of passengers to 25 only in a heavy vehicle, when the construction allows a larger number of passengers to be carried?

It should also be noted that heavy motor vehicles of different carrying capacity are even to-day licensed to carry more than 300 maunds of goods. Surely it cannot be the convenience or the comfort of the travelling public, which the Government aims at in drafting the above amendment. It is clear that restricting the number as above the Government would of course benefit the rail as against the road and the future of the motor transport would in fact be doomed, if the unhealthy restrictions like the one under discussion are placed upon this means of transport.

We would very strongly request the Government not to rush on with the amendment of the rules 117 and 137, Punjab Motor Vehicle Rules, 1931, in the above manner.

Sardar Hari Singh : May I ask whether any of the suggestions contained in the representation submitted by the Motor Union, to which reference has been made, were adopted by the Government?

Minister : All the suggestions made by the Motor Union were fully considered.

Sardar Hari Singh : I want to know whether any suggestions were adopted?

Minister : If those suggestions were worth adopting Government would have done the needful.

Sardar Hari Singh : May I take it that no suggestion was adopted?

Minister : No.

**CONSTRUCTION OF A DAM TO INCREASE WATER SUPPLY FOR TURBINES
OF MANDI HYDRO-ELECTRIC SCHEME.**

***2322. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that the water supply to work the turbines at the first stage of the Uhl River Hydro-Electric Scheme to their full capacity is insufficient ;
- (b) whether it is a fact that the Government is considering to construct a dam in the hills above to augment the water supply to these turbines at the first stage ;
- (c) if the answer to (a) and (b) be in the affirmative, the approximate expenditure for constructing a dam ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) If by " full capacity " 100 per cent. load factor is intended the answer is in the affirmative.

(b) and (c) The attention of the honourable member is invited to the reply given to parts (b) and (c) of question No. *1407¹.

JULLUNDUR-KAPURTHALA AND KARTARPUR-KAPURTHALA ROADS.

***2323. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the amount of traffic on the Jullundur-Kapurthala road as compared with the amount of traffic on Kartarpur-Kapurthala road ;
- (b) the reasons which weighed with the Government to select Kartarpur-Kapurthala road to be provincialised instead of the Jullundur-Kapurthala road ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) The amount of traffic on Jullundur-Kapurthala road is about twice that on the Kartarpur-Kapurthala road.

(b) Jullundur-Kapurthala road runs parallel to the North-Western Railway, and has not been provincialised because the railway administration objects to the development of competitive roads from the Central Road Fund. Kartarpur-Kapurthala road is not a competitive road and has, therefore, been provincialised.

Sardar Sahib Sardar Gurbachan Singh : Were the district authorities or the chairman of the district board consulted before the road was selected to be provincialised ?

Parliamentary Secretary : It is difficult for me to reply to this question off hand : if he will give notice I will try to find out how matters stand.

Lala Bhagat Ram Choda : Is it also the policy of the Government not to improve roads in the *ilagas* where there is a likelihood of road and rail competition ?

Parliamentary Secretary : When money is given by the Central Government we have to abide by the wishes of the Central Government.

Lala Bhim Sen Sachar : Do Government know the feeling of the province as a whole against this discrimination against lorry traffic ?

Parliamentary Secretary : I have no information on the point.

Sardar Sahib Sardar Gurbachan Singh : May I know on whose recommendation this road was selected to be provincialised ?

Parliamentary Secretary : I require notice for that.

Sardar Sahib Sardar Gurbachan Singh : Will Government in future consult the district board authorities or the chairman of the district board before provincialising district board roads.

Mr. Speaker : That is a suggestion for action.

TENDERS FOR MATERIAL REQUIRED BY HYDRO-ELECTRIC DEPARTMENT.

***2324. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the authority who invites tenders for the materials required by the Hydro-Electric Department and the name of the officer who accepts these tenders ;
- (b) the procedure adopted for accepting these tenders ;
- (c) what markets, if any, are tried or their prices compared before any tenders are accepted ;
- (d) if no tenders are invited or the prices of different markets compared what action the Government proposes to take in the matter ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) and (b) The attention of the honourable member is invited to the rules in Section E, Chapter 2, to Appendix VII to the Public Works Department Code, and to paragraphs 20·16 and 20·21 of the Punjab Financial Handbook No. 1.

(c) The calling of tenders is itself a test of the market.

(d) Does not arise.

***2325-26. Cancelled.**

APPLICATION OF Mst. NIHALI, WIDOW OF LALA MANGAT RAM, OF PINDI GHEB.

***2327. Lala Bhim Sen Sachar :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that on the 20th and 24th June, 1935, Mst. Nihali, widow of Lala Mangat Ram, resident of Pindi Gheb applied to the Municipal Committee for the copies of (i) application of Gokul Chand, son of Devi Ditta Mal, of Pindi Gheb, dated 10th September, 1938, (ii) report of sanitary inspector with the inspection report of S. Prem Singh and Sardar Muhammad Akbar Khan, municipal commissioners, and

President's orders thereon in September, 1933; if so, whether the copies were supplied; if not, why not;

- (b) whether it is a fact that the Committee passed a resolution No. 9, dated 12th August, 1935, that the copies should not be given according to the report of the secretary;
- (c) whether it is a fact that on 4th February, 1936, Mst. Nihali complained to the Deputy Commissioner, Attock, against the refusal of the Committee to grant her copies asked for; if so, the report of the committee or of its president on Mst. Nihali's application, dated 4th February, 1936, and the Deputy Commissioner's order thereon may kindly be placed on the table;
- (d) whether it is a fact that on 15th December, 1936, Mst. Nihali complained to the Honourable Minister for Public Works against the Deputy Commissioner's orders for refusal of copies; if so, what action was taken on the application;
- (e) whether it is a fact that the documents of which the copies in question were asked for are not available in the Municipal office; if so, what action and against whom it has been taken for the loss of these documents;
- (f) whether it is a fact that on 26th November, 1935 and 17th August, 1936, Mst. Nihali again applied for certain copies and extracts from the Municipal records and that in spite of the orders of the vice-president sanctioning the grant of those copies, the copies were not supplied to her; if so, what action has been taken or is proposed to be taken against the person in fault?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) Yes. Copies were not, however, supplied as the documents mentioned were not traceable;

(b) Yes;

(c) Yes. A copy of the report of the Committee and of the Deputy Commissioner's order are laid on the table;

(d) Yes. The petition was forwarded to Commissioner for report on receipt of which Government decided that no action was called for;

(e) The documents were and are not available in the Municipal office. No action has been taken against any one on account of the loss of these documents as the President of the Committee has no reason to believe that the documents ever existed;

(f) The application of the 26th November, 1935, for copies was rejected by the President. The application of 17th August, 1936, was received in municipal office. On it the Vice-President sanctioned the grant of copies; he seems to have returned the application to Mst. Nihali who then sent it to the Deputy Commissioner by whom it was returned to the President of the Committee. The President disallowed the grant of the copies applied for as the Committee by its resolution, dated the 12th August, 1935, had already resolved that copies should not be given.

Lala Bhim Sen Sachar : If the copies had never been received in the office, where was an opportunity for the committee to pass a resolution to the effect that copies should not be given?

Mr. Speaker : That is an argument.

Lala Bhim Sen Sachar : Was any regular enquiry instituted into the fact that the papers were not in the municipal office?

Parliamentary Secretary : Yes. The President seems to have held an enquiry and reported that the papers did not exist.

*Reference Deputy Commissioner's endorsement No. 428-G., dated
7th February, 1938.*

The applicant Mussamat Nihali, widow of Mangat Ram, has no male issue. She has only one daughter, who is married to Bodh Raj, son of Hera Raj, Lamba of Pindigheb. The house where Mussamat Nihali and Bodh Raj live was fitted with a water pump in 1934. The waste water from that water pump used to come to the street and Bodh Raj had constructed a "Chubacha" in the street for its collection at one place. After some time the "Chubacha" was filled up with earth with the result that all the waste water spread in the street and the inhabitants of the locality were put into great trouble by it. Mehr Singh, son of Karam Singh, submitted an application on 19th November, 1934, to the President, Municipal Committee, Pindigheb, saying that he was feeling much trouble on account of the waste water of Bodh Raj's water pump. The President, Municipal Committee, inspected the locality on 8th December, 1934, and instructed Bodh Raj, to reconstruct the "Chubacha" at its old place, so that the people may not be put to inconvenience. Bodh Raj did not construct it and the matter was put up before the committee. The committee in its resolution No. 9, dated 10th February 1935, resolved that Bodh Raj should be served with a notice under sections 125 and 129 of Punjab Municipal Act to construct a *chubacha* for the reception of the waste water coming from the water pump of his house to the street. Accordingly the notice was served on him, but he did not comply with the notice. A complaint was instituted against him in the Court of Sub-Divisional Officer, Pindigheb, under sections 129/219 of Punjab Municipal Act on 9th March, 1935. The Court fined him Re. 1 and ordered that the *chubacha* should be constructed under the instructions of Municipal Medical Officer of Health and Lala Beli Ram, Municipal Commissioner on Bodh Raj's expense. Bodh Raj admitted in the court that he would construct the *chubacha*. The *chubacha* was constructed in accordance with the instructions of the Municipal Medical Officer of Health, and Lala Beli Ram, Municipal Commissioner. On 20th June, 1935, and 24th June, 1935, Mussamat Nihali submitted two applications to the President, Municipal Committee, to supply her with a few copies of the documents from municipal record, and the matter was put up in the committee and the committee in its resolution No. 9, dated 12th August, 1935 (copy enclosed for reference) decided that copies should not be given. Again she submitted an application on 26th November, 1935, to the President, Municipal Committee for the same purpose and in view of the reasons referred to in the above resolution the President ordered that copies should not be given. All the connected papers are submitted herewith for orders please.

(Sd.) BUDHA KHAN,

Clerk, Municipal Committee, Pindigheb.

No. 524, dated the 15th February, 1936.

Submitted with the above report. Under the rules also when there is danger of dispute copies may not be given except with the permission of Financial Commissioners (in the case of the committee, of the president).

(Sd.) N. M. BUCH,

Sub-Divisional Officer, and President.

14-2-36.

D. C.

Reply that I regret I am unable to take any action in this case.

(Sd.) E. A. R. EUSTACE,

Deputy Commissioner.

13-3-36.

WITHDRAWAL OF RECOGNITION FROM SCHOOLS.

***2328. Lala Bhim Sen Sachar :** Will the Honourable Minister of Education be pleased to state—

- (a) if it is a fact that under regulation 241 of the Punjab Education Code, recognition is liable to be withdrawn from a school if the management or the staff of the school take part in political agitation or the pupils are permitted to attend political meetings ;
- (b) if so, whether the Government propose to take immediate steps for removing the above ban on the political activities ; if not, why not ?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : (a) The attention of the honourable member is drawn to Article 241, Punjab Education Code. The exact wording of which is as follows :—

“Recognition is liable to be withdrawn from a school if the management or the staff of the school take part in agitation directed against the authority of Government or disseminate opinions tending to excite feelings of disloyalty or disaffection against Government or of enmity and hatred between different classes of His Majesty's subjects, or if the pupils are permitted to attend political meetings or to engage in any form of political or communal agitation. Recognition will not be withdrawn under this provision without giving opportunity to the school authority concerned to show cause why recognition should not be withdrawn”.

(b) No ; as it will have an undesirable effect on the efficiency and discipline in schools.

Lala Bhim Sen Sachar : My question merely confines itself to taking part in political agitation. Do I understand that the Government do not propose to amend the provision relating to taking part in political activities?

Parliamentary Secretary : The Government has no intention to remove the restriction laid down in regulation 241. The honourable member must have seen from the wording of the article I have just read out to the House that recognition cannot be withdrawn without giving an opportunity to the authorities of the institution concerned to show cause why it should not be withdrawn.

Lala Bhim Sen Sachar : What is the type of political activity to the joining of which the Government take objection?

Parliamentary Secretary : I am afraid I cannot give a reply to the question as the honourable member has put it because when any such question comes up, it is for the Government to decide whether the political activity under question is one which ought to be objected to or not.

Lala Bhim Sen Sachar : Has the Government issued instructions to the Education Department specifying the nature of political activity which in the opinion of the Government is considered to be undesirable?

Parliamentary Secretary : No such instruction has been issued and there is no need to issue any such instruction.

Lala Duni Chand : Are the political activities of any school in support of the Unionist Government equally banned?

Mr. Speaker : I request the honourable member not to be personal.

Lala Duni Chand : I am putting a question whether there are any particular political activities which are banned?

Parliamentary Secretary : Taking part in any political activities against any Government in power, whether it is the Unionist Government or the Congress Government, is to be objected to in the interest of efficient working of educational institutions.

DECLARATION OF SHRI GURU RIVDAS' BIRTH DAY AS HOLIDAY.

***2329. Lala Harnam Das :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that the birth days of all the religious prophets have been declared as gazetted holidays;

(b) whether he is aware of the fact that the birth day of Shri Guru Rivdas is not a gazetted holiday; if so, whether Government has any intention to gazette that day as a public holiday on the occasion of Magh Shudi Pandras?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) No; by no means all.

(b) Yes, in view of the answer to (a), I trust the honourable member will not press the matter because it is not the policy of Government to increase the number of holidays, which is already considerable.

NOMINATING A MEMBER OF THE SCHEDULED CASTES FOR DISTRICT BOARD, LYALLPUR.

***2330. Lala Harnam Das :** Will the Honourable Minister of Public Works be pleased to state whether it is a fact that no member has been nominated in Lyallpur District Board to represent the scheduled castes in that district; if so, whether Government intends to do so now?

Parliamentary Secretary (Shaikh Faiz Muhammad) : It is true that none of the nominated members of the District Board of Lyallpur belong to the scheduled castes. Their claims will, however, receive sympathetic consideration after the next general election of the Board, or even earlier, should there be a suitable opportunity.

Lala Bhim Sen Sachar : What is the number of the scheduled caste population in the Lyallpur district?

Parliamentary Secretary : I would request the honourable member to consult the census report.

Lala Bhim Sen Sachar : Did the Government take into consideration the large number of scheduled castes while coming to any decision at the time of nomination?

Parliamentary Secretary : Their case might have been considered but I am not in a position to say for a certainty.

Lala Bhim Sen Sachar : May I take it that the Government do not know their own papers and that they are not in a position to say whether they did take into consideration the case of the scheduled castes?

Parliamentary Secretary : I cannot give a reply offhand.

MEMBERS OF SCHEDULED CASTES AS SANITARY INSPECTORS.

***2331. Lala Harnam Das :** Will the Honourable Minister of Education be pleased to state the number of persons belonging to the scheduled castes throughout the province, who have been given training as sanitary inspectors since 1921 and if none has been given this training, the reasons therefor.

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : No record is kept whether an applicant seeking admission to the Sanitary Inspectors' class belongs to a depressed class or otherwise. The Government will have no hesitation in admitting members of the scheduled castes who wish to seek admission to the Sanitary Inspectors' class.

Lala Harnam Das : Has the Government any intention of admitting the scheduled castes in the Sanitary Inspector Institute?

Parliamentary Secretary : I have already answered the question in my reply to the original question that Government will have no hesitation whatsoever in admitting any scheduled caste candidates if they wish to join the Sanitary Inspectors' class.

IMPROVEMENT OF THE ECONOMIC AND SOCIAL CONDITION OF
SCHEDULED CASTES.

***2332. Lala Harnam Das :** Will the Honourable Premier be pleased to state whether the Government has any scheme under consideration to improve the economic and social condition of the scheduled castes, if so, what is that scheme?

Parliamentary Secretary (Mir Maqbool Mahmood) : It is definitely the policy of Government to bring the backward classes, including the scheduled castes, on a level with other advanced communities; and their campaign of reconstruction which is being inaugurated in every district will mainly benefit these classes.

Bhagat Hans Raj : As the educated young men of the scheduled castes are not being given any representation in the various departments of the Government, will it not be advisable for the Government to reserve some vacancies for them on their population basis.

Parliamentary Secretary : Though this is a request for action, yet my honourable friend should know that the matter is receiving the consideration of the Government.

Lala Bhim Sen Sachar : Are the scheduled castes a class or a community?

Parliamentary Secretary : Yes and no.

Sardar Mula Singh : Is there any other scheme except Rural Reconstruction for the betterment of scheduled castes?

Parliamentary Secretary : Yes.

Sardar Mula Singh : What is that scheme?

Parliamentary Secretary : If my honourable friend gives me notice, this question would be discussed in detail and a reply will be given.

Sardar Mula Singh : Is it a fact that the Land Alienation Act is going to be altered? If so, would the scheduled castes be allowed to purchase land?

SPECIAL STIPENDS FOR COLLEGE STUDENTS BELONGING TO
SCHEDULED CASTES.

***2333. Lala Harnam Das :** Will the Honourable Minister of Education be pleased to state whether it is a fact that no sanction of special stipends has been given to the college students belonging to the scheduled castes, even though about a year has passed since the creation of these new castes which are educationally backward?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : College scholarships reserved for the children of the scheduled castes have already been awarded on the results of the Matriculation and Intermediate Examinations, 1937. The case of one scholar is, however, still under consideration because the information supplied by him in the first instance was incomplete.

Sardar Mula Singh : Is the Government aware of the fact that there are many students in the colleges and schools who are not able to pay their fees? May I know why fee concessions have not been granted to them?

Mr. Speaker : The next question.

SUB-INSPECTORS OR ASSISTANT SUB-INSPECTORS OF POLICE
BELONGING TO SCHEDULED CASTES.

***2334. Lala Harnam Das :** Will the Honourable Premier be pleased to state the number of sub-inspectors and assistant sub-inspectors of police in the Punjab who belong to any of the scheduled castes; if the figures disclose that there is no such sub-inspector or assistant sub-inspector of police, the steps that the Government proposes to take to make up that deficiency?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : None, but if suitable qualified candidates come forward their claims will not be ignored.

Sardar Mula Singh : May I know whether it is a fact that this year many scheduled caste candidates have applied for assistant sub-inspectorship?

Parliamentary Secretary : I require notice.

Sardar Mula Singh : Has any one been recruited as assistant sub-inspector?

Parliamentary Secretary : I have already stated that no one has so far been appointed, because no suitable candidate from amongst the depressed classes has come forward.

Sardar Mula Singh : Does Government intend to recruit any member of the scheduled castes as assistant sub-inspector?

Parliamentary Secretary : Government has only recently issued instructions that the scheme of enlisting suitable and fit members of the scheduled classes should be persevered with.

Sardar Mula Singh : What does Government mean by 'suitable' candidates ?

Mr. Speaker : That question need not be answered.

Lala Bhim Sen Sachar : Did the Government adopt any special measures for inducing the members of the scheduled classes to join the police ?

Parliamentary Secretary : What the Government could do, Government has done. Government has issued instructions that efforts should be made to secure suitable and fit candidates from among the scheduled classes.

Pandit Shri Ram Sharma : Is the standard of 'suitability' and 'fitness' the same in the case of scheduled castes as it is in the case of other candidates?

Parliamentary Secretary : Yes, the qualifications are laid down in the rules. If suitable candidates belonging to the scheduled castes come forward, Government will consider their case favourably.

Lala Bhim Sen Sachar : Has Government reserved any appointments for the members of the scheduled classes?

Premier : That is what he has been saying. Government has issued special instructions that candidates of the scheduled classes should receive recruitment provided suitable candidates are available.

An honourable member : Is the Honourable Member aware that these instructions are not being followed?

Premier : I am not aware of any such thing. I do know that six people have already been recruited.

Chaudhri Kartar Singh : Is it a fact that a few days ago the Deputy Commissioner, Hoshiarpur, recommended the names of six candidates for the post of naib-tahsildar? If so, was any scheduled class member among them?

Mr. Speaker : That does not arise out of the question.

Lala Deshbandhu Gupta : Will the Honourable the Premier be pleased to lay on the table of the House a copy of those instructions to which he has referred?

Premier : If he will give notice, I will obtain a copy from the Inspector-General of Police.

Tikka Jagjit Singh Bedi : Is it not a fact that the real objection to the recruitment of the scheduled classes into the police comes from the caste-Hindus ?

Parliamentary Secretary : To some extent it is correct.

Dr. Gopi Chand Bhargava : Does the Government propose to modify the rules for admission into the sub-inspector's grade as far as the scheduled class people are concerned?

Premier : There are only minimum qualifications laid down, but I might inform my honourable friend opposite that so far as the candidates for this post are concerned, we are getting now highly educated candidates. But the minimum qualification is still the F. A. and if any of the scheduled class men satisfy that condition they would be eligible.

Lala Bhim Sen Sachar : Is there anything in writing to show that objection was taken by the caste-Hindus to the appointment of scheduled classes as inspectors and assistant sub-inspectors?

Mr. Speaker : Disallowed. Does not arise.

Pandit Shri Ram Sharma : May I know from what caste Hindus the Government have received complaints with regard to this matter?

Mr. Speaker : Disallowed. The next question.

COMPLAINTS *RE* EXTORTION OF BRIBE AND CORRUPTION TO
DEPUTY COMMISSIONER, ROHTAK.

***2335. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state—

(a) whether the Government is aware of the fact that when complaints regarding bribe, extortion and *begar* (forced labour), etc., against Government officials are made to the Deputy Commissioner, Rohtak, these are returned with the remarks that the complaints should be presented by the complainants in person in his court duly stamped; if so, the grounds and the authority on which this action is taken;

(b) whether it is consistent with the declared policy of the Government?

The Honourable Major Sir Sikander Hyat-Khan : The Deputy Commissioner reports that his practice is as stated in part (a) of the question. Government are disposed to think that petitions of the kind referred to are as a matter of fact required to be stamped by section 6 of the Court-fees Act read with the second part of item 1 (b) in Schedule II to that Act. The matter, now that it has been brought to notice, will be examined.

***2336. Cancelled.**

DEMAND FOR GRANTS.

• LAND REVENUE—(concluded).

Mr. Speaker : The Assembly will now resume discussion on the demand for Land Revenue.

Sardar Sohan Singh Josh : Sir, what about my adjournment motion re the arrest of Mr. A. K. Ghosh?

Mr. Speaker : The honourable member knows, I presume, that adjournment motions are not taken on the last day of the budget.

Sardar Sohan Singh Josh : I might be allowed to ask for leave and the discussion can take place the day after to-morrow.

Raja Ghazanfar Ali Khan (Parliamentary Secretary) : As you will be pleased to observe the number of cut motions given under Revenue Department is nearly 100. It is a matter of great satisfaction to Government that members of this House are taking very genuine interest in a department which vitally concerns the interests of the zamindars. I am sure that there are certain cut motions which have been given notice of on account of lack of information or lack of knowledge of the true state of affairs and the

existing rules, but there are certain questions which the Government have already under their consideration and the Government welcome any constructive suggestions which will be made on the floor of this House by the honourable members.

Yesterday some of the members who spoke on this motion spoke for most of the time about certain matters which to my mind do not concern the public interests so much as they had painted them. One main question to which strong objection was raised by several members was the question of *malba*. I would not like to trouble the House on this question because my honourable friend Raja Muhammad Akram Khan who has a vast experience of this department, gave a very thorough and satisfactory reply. He pointed out to the honourable members that *malba* was a sort of self-imposed tax. It was not inflicted by Government on the people but the villagers themselves thought that they should pay a small nominal amount along with the revenue to cover some necessary expenses of a more or less social character.

Then again another objection was raised that the revenue officers when they go on tour while certifying mutation and partition cases ask the zamindars to collect from an area of fifteen or twenty miles and when these zamindars after travelling a long distance reach there the revenue officer does not himself turn up and this causes a lot of inconvenience to zamindars. I am afraid that there is a gross misunderstanding so far as this question is concerned. There are definite instructions issued by the Financial Commissioners in the standing orders that every revenue officer must visit the halqa of the patwari and decide the mutation and partition cases there. It is further enjoined on the collector that at the time of inspection he should specially note and check whether these cases are decided in the villages to which they relate or decided outside. If there are particular instances where these instructions have not been observed, the remedy is to bring such instances to the notice of the local officers and I have no doubt that they will do their best in the matter. (*Interruption*). My point is that the Government have already laid down certain instructions—and they are also contained in the standing orders—for the guidance of the revenue officers and all the revenue officers are bound to follow these instructions.

Another point about which much was said by the Opposition benches is about the so-called sympathy for the patwari. If we remember rightly even in the last session they talked so much about increasing the salary of the patwari and giving him pension. But I was surprised to-day to find that one of the members from the Opposition said that patwaris should be forced to retire at the age of 55. I cannot see how we can reconcile these two statements. On the one hand they want that the salaries of the patwaris should be increased and the posts made pensionable and on the other hand they are jealous of the patwari continuing after the age of 55 even if he is fit to carry on his duties. I suspect that there are political reasons behind it. The object is merely to enlist the sympathies of these somewhat influential class called the patwaris. (*Hear, hear*). The Government, as announced by the Honourable Premier, at the Simla session, are sympathetic so far as this question is concerned. But so long as the finances do not permit it would be impossible for them to make any substantial addition to the salaries

[Raja Ghazanfar Ali Khan.]

of the patwaris or to make their posts pensionable. But as soon as funds are made available and other urgent requirements are satisfied, the Government will no doubt pay their immediate attention to this question.

Another honourable member was pleased to remark that the Government appointed a revenue committee one year ago but the committee is sitting idle, and has done nothing so far. I may inform the honourable members that this question of change in the revenue policy is a very important one. The finances, the welfare, the administration of this province depend mainly on the revenue system. The Government who represent preponderatingly the zamindar interests—most of the members sitting on these benches are not only themselves zamindars, but they are the representatives of the zamindar classes and any relief given to the zamindar community will not merely mean relief to the members themselves who are sitting here—and I may assure the House that there are very few amongst us here who are landlords in the sense in which that word is used by them and most of them have uneconomic holdings—but it means giving relief to the zamindars as a whole—the relief given by such a Government will be a very real and very genuine one as such. (*Hear, hear*). At the same time a system which is now in force for such a long time and which has so far worked satisfactorily will take some time to change and nobody would expect that such a system could be abolished or materially changed by a stroke of the pen. If the honourable members sitting on the opposite benches would consider the question in a dispassionate spirit, they will observe that the mere fact that the Government have appointed an officer like Mr. Darling as President of this committee shows that the Government wants the interests of the poorer zamindars to be specially looked after, because Mr. Darling's sympathy for the poorer classes among the zamindars is too well-known to require any say from me.

Lala Bhim Sen Sachar : For the matter of that every Britisher has sympathy for the poor people of the country ; that is too well-known.

Raja Ghazanfar Ali Khan : If the remarks of my honourable friend are true and I have no doubt of his sincerity, then I am sure we feel proud of the fact that an Englishman who has got genuine sympathy for the poorer classes has been appointed as chairman of that committee. Now I would like to tell them that the work before this Darling Committee is not a very easy one. The committee was appointed on the 24th June and they have so far visited Montgomery, Multan, Dera Ghazi Khan, Lyallpur, Jhang, Shahpur, Hoshiarpur, Jullundur, Karnal, Rohtak, Amritsar, Rawalpindi, Jhelum, Gurgaon, Gurdaspur and other places. They have examined a very large number of witnesses and they have been in touch with experts so far as this particular subject is concerned. I have no doubt that the committee will not take long to send their report. That will be the time for honourable members of this House to see, in the light of the report of that committee, how far they will be justified to alter the revenue system and to what extent. But to expect the Government to give the House any information on this question during the course of the debate would be very unfair. I have no intention to take more time of the House because I know there are so many honourable members who are anxious to speak. I would only appeal to honourable members sitting on the opposite benches not to take undue

advantage of their present unhappy position. It is unfortunate that at present the difference in numbers so far as the Opposition and Government benches is concerned is very very small.

If the votes were so balanced that the Opposition thought that if they expressed any opinion on any material subject, they may be called upon next day to take charge of the Government to put into practice what they say, I am sure they will feel greater responsibility and their speeches would be more restrained and they would not bring forward a resolution to cut down the revenue by 50 per cent. and they would not suggest such a radical change. In one breath they say spend more money on beneficent departments and on the other they say reduce the income by about 4 or 5 crores. These are two statements which nobody can reconcile. Therefore I would submit that instead of wasting their energy on talking about something which has no reality and which is impossible to put into practice, they should confine their remarks to constructive suggestions which I can assure them once again would receive the best consideration at the hands of the Honourable Minister. He is always keen and anxious to consider every single point raised in the debate and to hold inquiry into any matter which may be brought to his notice and to meet the wishes of honourable member as far as possible (*hear, hear*).

Pandit Bhagat Ram Sharma (Kangra West, General, Rural): I rise to support the motion moved by my honourable friend Sardar Hari Singh. Very important problems are facing the agriculturist of the province. In the first place the low income and the growing unemployment in his ranks are matters which concern every agriculturist. Then there is the high rate of land revenue which is being charged from him. Both these problems are very conveniently shelved by Government by appointing committees to go into these questions. My charge against this Government, the so-called zamindar Government which in season and out of season from the press, and from public platform claim to be zamindar Government and which in so many words say that they are out to do anything for the zamindar is that they have failed in meeting the demands of the zamindars of the province (*hear, hear*). I must point out and I personally believe that this Government has nothing but lip sympathy for the zamindar. I have got my reasons for it. I put it to the Honourable Minister that if he was really particular in helping the zamindars what stood in his way of granting remission of *abiana* to the zamindars? Why did he not do it straightaway?

Minister for Revenue: May I ask if *abiana* is under consideration? It is only land revenue which is under discussion.

Pandit Bhagat Ram Sharma: I am giving it as an argument to show that the present Government has not taken any action and is not at all keen to help the zamindars. The report of the Abiana Committee was before this Government and so many valuable suggestions had been given by Sir Chhotu Ram and other honourable members of the then Assembly. In spite of all these facts he has not done anything for the zamindars of the province. He has not given even a remission of one rupee to the zamindar though remission of one crore was recommended by that committee. My submission is that I have no objection to this problem being solved through a committee. It is all very well for the Government.

[Pandit Bhagat Ram Sharma.]

to appoint a committee for the purpose., but I must assert that there was a very good case for an interim relief to the zamindars. There are as many as 12 very important factors, perhaps more, which go to make a very strong case for interim relief to the zamindar. I will take them one by one. My first point is that the principal misfortunes that can befall a zamindar have at one time or another visited the zamindar during the last ten years. Hail-storms, dust storms, insect pests, floods, ill-timed and extensive rainfall, increase in diseases of cattle, low prices and similar other factors have singly or in combination visited him and brought ruin on him. My second point is that the prices of agricultural commodities have fallen by about one-fourth and in some cases to one-third of the prices during the boom period. My third point is that the zamindar has to pay for the necessities of life and he has also to pay for the requisite labour at prices which have not fallen more than 20 to 30 per cent. He is unable to meet these charges. My fourth point is that he is suffering from hunger. He does not get even one square meal a day and he is invariably starving to pay up the land revenue. Then my fifth point is that thousands of people every year fail to pay land revenue. I would just refer to certain figures in this respect. From 30th September, 1930, to 30th September, 1936, as many as 33,175 writs of demand have been issued to zamindars who failed to pay land revenue and during the same period as many as 89,842 people were called upon by the revenue authorities by means of warrants under section 69 (2) and as many as 45,048 were executed.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Wherefrom have you got these figures ?

Pandit Bhagat Ram Sharma : From the official records prepared by the department. If the honourable member were just to study his own departments he will find these figures. Then, Sir, warrants of arrests were issued in as many as 1,046 cases and 929 people were actually sent to prison for non-payment of land revenue under section 69 (3), Land Revenue Act.

Minister for Revenue : What period do these figures relate to ?

Pandit Bhagat Ram Sharma : I have already given the period. These figures relate to the period 30th September, 1930, to 30th September, 1936. Coercive measures in the form of warrants of attachment of the property of the zamindars have been issued in as many as 49,716 cases.

Chaudhri Jalal-ud-Din Ambar : The present Government is not concerned with what took place before the year 1936.

Pandit Bhagat Ram Sharma : I was submitting that as many as 49,716 warrants for attachment were issued and as many as 29,792 were executed under section 70 of the Land Revenue Act. As many as 5,734 writs of demand were issued under section 68 of the Land Revenue Act. As many as 25,877 warrants were issued under section 69 (2), and 14,326 of them were executed. Three hundred and fifteen warrants were issued under section 69 (3) of the Land Revenue Act and 296 were executed. Seven thousand of these lambardars were proceeded against in the form of attachment of property and 4,514 of the warrants were executed. Then I want to point out that the land revenue of the Government is not being

paid at the proper time. So many coercive measures are adopted to realize the dues.

Minister for Revenue : A good revenue officer.

Pandit Bhagat Ram Sharma : I wish I would give figures relating to insolvency cases which are being every day brought by the agriculturists in the law courts for that is also a factor which goes to show how the poor zamindar stands.

Then again, in the law courts, in murder cases and in other cases, where it is always urgent for a man to defend himself, he has to be defended by the Crown because he cannot afford to spend money even to defend himself. The produce per acre in many cases at present is hardly sufficient to pay up the land revenue. I suppose the present ministry is in the know of all these facts and in spite of the knowledge of these facts they have not brought forward any scheme. Therefore, I am forced to believe that this is not a Government of the people by the people and for the people but it is a Government of the exploiter, by the exploiter and for the exploiter. (*Loud applause*). Then again, I come to Kangra district which is my own constituency. In that district in furtherance of re-afforestation scheme of the Government, certain *malkiat* areas of the people and *shamilat* areas of the people are taken possession of by the Government. On many of these areas trees of spontaneous growth were declared to be the property of the Government. I would now explain how these things come to such a pass. In the years 1910—15 during settlement certain areas were captured by the Government in furtherance of the re-afforestation scheme and in furtherance of the conservancy scheme of the Government. Accordingly, entries were made in revenue papers and mutations sanctioned in favour of Government. But upto this time zamindars remained in possession of these areas and the produce was being utilised by them. Since some time the Government is trying to take possession of the areas and there is a conflict between the zamindars and the Government. Zamindars till lately did not come to know of all these changes in the revenue papers and now they are being prosecuted for no fault of their own. The property is theirs but the Government has taken into its head to trouble them for nothing. Such a lawless law could not stand for a moment in a country where people could understand the principles of equity and justice. Here, I would submit that if the entries had stood against people in revenue papers for so many years, it does not make any difference. If their rights are time-barred, it does not matter because they were not in the know of these entries. To-day the principle of equity, justice and good conscience demands that these properties should be restored to these people. I have to make one submission more. Cattle-tax and *tirni-tax* are rampant there. Zamindars are forced to pay tax on cattle which is decreasing the cattle wealth of the district and is directly affecting the agricultural enterprise of the province. In this connection I must refer to one case. Supposing there is a poor zamindar and he cannot afford a buffalo or a cow and he wishes to have a goat for the purpose of supplying milk to his children. What happens is that the Government demands taxes from him. This is the height of cruelty that can be expected of the Government. I ask my honourable friends, coming from my district and occupying seats over there, whether they will agree with me and march with me to the lobby and record their protest against the lawless laws and

[Pandit Bhagat Ram Sharma.]

put forward a common demand for the remission of this unjust tax. That is all I had to say. (*Loud applause*).

Sardar Muzaffar Ali Khan Qizilbash (Lahore, Muhammadan, Rural) : Mr. Speaker, I have given notice of a cut motion to discuss the policy governing the settlement operations in the Lahore district. The settlement has been going on for the last two years and the report of the settlement officer is nearly ready. The preliminary reports of the Lahore and Kasur tahsils have been published and at the present moment Chunian tahsil is being dealt with. I would like to make one suggestion at the very outset that before Government takes into consideration the final report of the settlement officer they will wait for the Darling Committee's recommendations. It may prove a great injustice to the Lahore district if the Darling Committee's Report is published after Government actually increase the land revenue under the new settlement.

Before I deal with other points and criticise the policy underlying this settlement, I would like to draw the attention of the Government to one point and that is that the position of the Lahore district and Amritsar district is similar. Average holdings in both districts are small and the Government was pleased to give an assurance in the case of Amritsar that for five years they would not increase the land revenue and the same assurance has been given to the Lyallpur district. I do not see why the Government should not do the same as far as Lahore is concerned.

With reference to the present settlement, I might say that I have gone through the report of the settlement officer very carefully and I find that the commutation prices which have been assumed by the settlement officer are on unjust basis. The average which he has worked out is much too high. For instance, he has taken a period of twenty years as a basis for the average whereas in all other districts where settlements have taken place, only five years' average has been worked out. The only exception is Lyallpur. Now, these twenty years include the boom period of abnormal and inflated prices which followed the war. For sixteen years those prices were very high and it is only during the last four years that prices have gone down to the normal limits. I do not understand why a period of twenty years has been taken to work out the average and not five years. There is one other point that in working out this average the year 1932-33 has been omitted from the calculation in the Kasur tahsil. This has been left out on the ground that this year was an extraordinary one and the prices had fallen very low. I cannot understand why when on the one hand prices had been taken when they were very high, the year 1932-33 has been left out in calculating the average, so far as the Kasur tahsil is concerned. Further the yield has been placed much too high by the settlement officer. Taking the average yield in the Lahore district he has worked it out at 11 maunds wheat per acre whereas we zamindars know that the average land in the district does not yield 11 maunds wheat. The average land yields between 7 and 8 maunds. Cotton in the same way has been taken by the settlement officer as 5½ maunds, whereas really it comes to 3 or 4 maunds. Maize has been worked out to be 12½ maunds : really it is 8 or 9 maunds ; so on and so forth. The result is that a very heavy yield has been fixed as the basis of land revenue. The land revenue is going to be enhanced at the maximum of 25 per cent. Does

the Government really feel that the condition of the zamindar is better than what it was at the time of the last settlement? Are the earnings of the zamindar to-day more than what they used to be at that time? The report shows that the condition of the zamindar is much better. I want to know the grounds on which Government assume that the condition of the zamindar is better and, therefore, land revenue can be enhanced. In fact the condition of the zamindar is worse than what it was. I will give you some reasons. To-day the people are much less prosperous. There has been a steep fall in prices and other miscellaneous income of the zamindar.

Settlements always take place after 40 years. Government has deemed it fit to have the Lahore settlement after 15 or 16 years. Zamindars believe that a re-settlement is an excuse to enhance the land revenue. I have been reading the speeches of the Honourable Revenue Minister of the last budget session in which he has said that a re-settlement does not necessarily operate to enhance the revenue, but I have not been able to find any case where land revenue has not been increased at the time of settlement. In certain cases the sliding scale might have helped a few people and there may have been remissions, but as far as aggregate land revenue is concerned it has always gone up after every settlement. We zamindars of the Lahore district are afraid that the taxation is bound to go up after this settlement. The average holding is much smaller than before. The zamindar has been selling and mortgaging his land to meet his expenses. I approached the Revenue Minister about this settlement and I was told that land revenue in Lyallpur was admittedly high and therefore Lahore which was comparatively lightly taxed should have no cause for complaint. I would like to point out that the Lyallpur land is much better than the Lahore land.

Mr. Speaker : Will the honourable member please wind up?

Sardar Muzaffar Ali Khan Qizilbash : Supplies of water are much less than what they used to be. The Irrigation Department bases its calculation on land actually irrigated and thus claims that supplies of water have increased. But the fact is that the zamindar who is given supply for 5 acres is trying to irrigate 15 acres with the same supply. Supplies have therefore not increased, but the zamindar is paying more. (*Minister for Revenue :* Why does he do it?) If he had just irrigated 5 acres he would have got much better yield but he does this hoping to cultivate more of his land than there is water for it. The prices of commodities have fallen and good deal of the land has become 'kallar.' His income from bullock carts has fallen owing to lorry competition.

I would request Government to go into this matter very carefully and give us an assurance that the land revenue is not going to be increased for another 5 years; similar assurance has been given to Amritsar and Lyallpur. As regards farming, though the farm at Raiwind is being run on modern methods the Honourable Minister, if he would look up the records, will find that it is running at a loss. The condition of the zamindar is not better to-day and therefore there exists no shadow of justification for an enhancement of the revenue demand. Being a zamindara Government it is one of our duties to see that we are not unnecessarily burdening the backbone of the Punjab.

[Sardar Muzaffar Ali Khan Qizilbash.]

I now come to the sliding scale. This has its good as well as its bad points. Remission by sliding scale are intended to be according to fall of prices and the condition of the crop. But this is not so. The settlement officer says in his report that the remission will be allowed only when the prices go down by 37 per cent. If the prices go down even by 36 per cent. no remission will be allowed. This is very unjust. (*Minister for Revenue* : Where does the honourable member get this information from ?) If you will look up the report of the settlement officer, you will find it given there. He says that the sliding scale will come into operation when the prices have gone down by 37 per cent. and not before.

Further the prices taken by the settlement officer are the prices in the city ; while we zamindars sell all our crops in villages. We do not bring them down to Lahore and sell them here. Again, he is basing his estimates on prices in Lahore on the 15th July, and not on the prices which prevail in the villages on the 15th June. We dispose of all our crops by the 15th June. It is the shop-keeper who keeps all the crops and sells at a profit on the 15th July in the city. So, as far as the prices are concerned, they should be taken as they are in villages on the 15th June.

Before I sit down I would like to appeal to the Government again to go into this matter—and I am not asking for any special favour from the Government, but I am only asking them to show us the same consideration which has been shown to Lyallpur and Amritsar—and give us an assurance that the new assessment will not be worked to the disadvantage of zamindars and that at least for 5 years if not more we will be left to pay the same land revenue we have been paying in the past.

Lala Duni Chand (Ambala and Simla, General, Rural) : Sir, yesterday I listened to the speech of the honourable Nawab Muzaffar Khan with great interest. He spoke with dignity and with a sense of responsibility. He said that he and other landlords have been dealing with their tenants very fairly and sympathetically. I accept this statement on his part, but he should have known that it is not mere sympathy or mere patronage that the tenants now want. What they want is economic adjustment of relations between tenants and landlords. They want to have much more rights in the land which they have been tilling as mere serfs. They want to get out of the condition of serfdom in which they have been living for a long time. The question is how far the landlords are prepared to give due consideration to the demands of the tenants ? I submit that unless this side of the question is given due consideration by big landlords, the trouble will increase from day to day.

Sir, he made a reference to the case of patwaris and he praised them. I also praise them. They are very valuable and deserving and necessary body of Government servants. I realise their importance and their utility. I want that their position in the matter of salaries should be substantially improved. I do want the Government to take early steps in that direction. But at the same time, the Government should also take notice of the troubles that a large number of people experience at their hands. They take bribes, they harass people, they tamper with revenue papers and they do so many wrong things. So, what I want is that while improving the condition of the

patwaris, at the same time those people who are suffering at their hands should be protected. So much with regard to the speech made by the honourable Nawab Muzaffar Khan.

As regards periodical settlements, I want to say one word. This method of ascertaining income of the agriculturists for the purpose of taxation has been tried over since the advent of the British rule in this country. Perhaps there was some excuse or justification to resort to this method of ascertaining agricultural income for the purpose of taxation, but that holds good no more. It is necessary that this anti-diluvion and this orthodox method of ascertaining agricultural income should be replaced by a method more equitable, more just and more in consonance with the spirit of the times. I am definitely of opinion that so long as the system of periodical settlement does not go, there will be no appreciable improvement in the economic condition of agriculturists. When the Government is going to have its pound of flesh out of every inch of the land that is owned by the zamindars, how is it possible to improve their condition? What is necessary is that the present method should be replaced by some other better method. People know how these periodical settlements add to their troubles and misfortune. Ordinarily the settlement in a district goes on for 2, 3 or 4 years and people suffer in so many ways. They have to do so many things for so many persons belonging to the settlement. I submit that this trouble, to which people are being subjected, must come to an end. All that is necessary, in my opinion, regarding the land revenue system is that every 4 years, revenue records should be revised and alterations should be made in them. That is quite sufficient. This is what I want to say about settlements and settlement operations.

Next, I want to say a word with regard to colonization. This colonization has been going on in the Punjab for the last 30 or 35 years. Up to this time the colonization scheme has been worked with a view to show favour or dispense patronage. Good many people for all kinds of service have been rewarded by the colonization department. People have been playing a game with the Government in order to win their favours and get squares of land. Even now lands are being distributed in Nili Bar and other places in the Punjab. I want that the old policy of favouritism and nepotism should be replaced by the policy of open market and open competition; lands should be sold out by auction to those people who pay the highest price. There is no reason why even now land should be distributed as a matter of patronage. This is what I want to say about colonization.

Sir, a good deal comes to the notice of the Government regarding re-afforestation. Forests are faced with the danger of denudation and erosion. There is probably a certain amount of truth in the statement that forests should be protected, but at the same time those thousands of people who have been adversely and injuriously affected by the new policy of afforestation have also to be equally protected. I have personal experience in my own district and I think the same experience can be had in the case of Hoshiarpur district. The people living near the Shiwalik Hills in my district chiefly depended upon rearing sheep and goats. That was the principal source of income that has been taken away by the Forest Department because those people are not allowed to graze their sheep and

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goats. They belong to a backward tract of my district, but this new policy has reduced them to an extremely pitiable condition. I want to put one test before the Honourable Minister, I made the same request to the Commissioner of the Ambala division. You go both as a matter of pleasure trip and as a matter of business trip to the Shiwalik Hills. Go to the people who are affected by the change of the policy, ask them what their grievances are and you will be convinced of the genuineness of the grievances which are being expressed on the floor of this House, and that the grievances are true.

Regarding the consolidation of holdings I want to say this that a good deal of injustice is being done. There is a widespread complaint all over the places where this consolidation work is being done. So far as consolidation is concerned, it is good, but often those who do not possess sufficient influence are injured. I want Government to take particular care of the way in which the consolidation work is being done.

I wanted to make a few other constructive suggestions about which the Government members are very particular. One can make one thousand and one concrete suggestions if there is really anyone to take those suggestions into consideration.

Tikka Jagjit Singh Bedi (Montgomery East, Sikh, Rural): Sir, I would like to make a few observations about land revenue in our province. First, I would say something about water-logging. It is a great menace to the land and it has created havoc with people who were rich and prosperous yesterday and are poor and destitute to-day. I can say about my own district that a lot of land there has been wasted. I do not blame that the Government is not doing anything in this respect, but I only say that they should take more interest in the matter because it is a thing of very great importance. The very existence of zamindars, and the finances of the province are at stake.

I would say a word about *kharaba*. I am not going to say anything at length about this because the matter is under the consideration of Government, but I would like to point out that there is some inconsistency between the Revenue Department and the Canal Department. In the Revenue Department the practice is that whenever there is any *kharaba*, the patwari makes an entry in the book and the highest officers go and verify.

Sardar Sahib Sardar Gurbachan Singh: On a point of order, Sir. Is *kharaba* under the Land Revenue demand?

Tikka Jagjit Singh Bedi: I am discussing revenue *kharaba* which does come under Land Revenue. The practice in the Revenue Department is that the patwari makes an entry when there is any *kharaba*, and the officer concerned verifies. If the case is genuine *kharaba* is given. But as regards the Canal Department, it does not take any action unless an application is made, but if the person is illiterate and backward it is very difficult for him to come forward and present an application.

(At this stage Mr. Speaker left the chair and Khan Bahadur Chaudhri Riasat Ali of the panel of chairmen occupied it).

Sometimes the cases which are really genuine are not given *kharaba*.

Next, I would say a word about the auditing of expenditure. As regards the expenditure there is very strong audit, but as regards the receipts there is no strong audit. That being so, a patwari can make a lot of mischief. He can do *khasra girdawari* all right but when he is going to make the entries he can omit a lot of crops with the result that the individuals gain and the Government suffers. There is also no check if instead of wheat he puts down gram. That way also the Government suffers. So, there should be some check on the receipt side also. That is very important, because unless there is audit on the receipt side, it is no good having audit on the expenditure side.

Then a word about *barani* and *chahi*. The land which is under canal water comes under the category of *barani*, but when any well is constructed it becomes *chahi* and the revenue is enhanced because it is *chahi*. I am at a loss to understand this. What is the fault of the zamindar that he should be made to pay an enhanced tax? I would request the Government to consider the matter and see whether there can be an amendment to the Act.

I must appreciate the manner in which the administration of the province is being run under the stewardship of the Honourable Minister for Revenue. (A voice: Lip sympathy.) I am reminded of the work which the Honourable Minister did when the remission on account of damage done by hailstorm was given. He went from village to village and from field to field and saw everything with his own eyes. The old practice was absolutely abandoned, of sitting on the table and getting files and passing orders on them. I think this is the first time that a Minister has worked in that manner and I do not find that example even in the Congress provinces. I am sure that the Minister in charge who has got the interests of the zamindars very dear to his heart will try to redress their legitimate grievances in this respect. With these few words I oppose the cut motion.

Mian Abdul Aziz (Outer Lahore, Muhammadan, Urban): Sir, this is one of the most important subjects to which full attention should be paid particularly by the ministerial benches who pose themselves to be sympathisers and benefactors of the zamindars. But unfortunately I find that of all the Ministers only the Honourable Revenue Minister is present here and others are absent, thus this subject is ignored by them. However as it is his subject, we are grateful to the Honourable Revenue Minister that he is here as I want to bring certain important points to his notice. I fully support the remarks made by my honourable friend Nawab Muzaffar Ali Khan in which he has drawn attention to certain facts relating to the settlement operations going on in Lahore. At the same time I regret very much and I consider that the Lahore people are unfortunate in that our Honourable Minister is not fully aware of all the reports which are being distributed by the settlement officer. When my honourable friend said that in sliding scales no remission will be given unless it was more than 37 per cent., the Honourable Minister was pleased to ask where it was stated. I hold in my hand the official report of the settlement officer, on page 5 of which he has said:

دوسرے چکاء ہائے تشخیص میں عوامی اوس عورت میں حق بجانب ہوگی جبکہ نرخ ہائے دواڑی شرح ہائے سبوزہ سے 37 فیصدی گریئے۔

[Mian Abdul Aziz.]

It is very clear from this that according to the sliding scale, no remission will be allowed on less than 37 per cent. produce, and this I am sure the poor zamindars cannot properly understand and so there will be a fraud on the majority of zamindars. (*Hear, hear*). In my opinion such condition ought to be deleted altogether or instead of 37, 5 or at the most ten per cent. be substituted. You know that at present these settlements are oppressive measures. (*Interruption*). I shall reply to any objection which my honourable friend may make. I am subject to any correction.

Minister for Revenue : I would like the honourable member to go to Lyallpur.

Mian Abdul Aziz : I am prepared to go with him provided he considers it not derogatory to take me with him because I happen to be a zamindar. However the most important thing for the zamindar first of all is the question of net income. The Government takes into consideration the ordinary few expenses that are apparent to them. But if a zamindar happens to put his whole family including his wife and children on the work of the farm, that does not count in any way and that goes to the credit of the Government. I may submit one important point at present in connection with Lahore where the settlement is going on. I may remark that it appears that Lahore district is going to be the target of the present ministerial policy. In Lahore the public heavily burdened by the appointment of Municipal Administrator, Improvement Trust, and other schemes undertaken consider that the income should be calculated on the basis of the yield got during the last 20 years, i.e., the average for the period from 1916 to 1936. It is well known that in 1916 the great war was going on and the prices were at the highest pitch and up to 1931 those prices remained. They were reduced to a certain extent after 1930-31. Why does the Government want to play with the zamindars in this manner. From 1916 to 1936, in the first sixteen years of this period the prices were at their highest pitch and now the Government wants to include that period. I cannot understand the policy of the Government, why they ought to do it. Usually up to this time, they used to take the average of the preceding five years. I do not know why they should change it. Is it simply for this reason that they want to show to the zamindars that they are taking the average for a longer period, while as a matter of fact underhand means are being employed, so that higher prices during the period of the first seventeen years might come in and only the low prices of the last three years would be taken into account.

One thing more I beg to submit. This is a vast subject but the time is limited and I cannot take more than 10 minutes. So, all that I would suggest to the Minister is that after this Assembly session is over he might invite two or three zamindars of the district to meet him and I am prepared to convince him of the difficulties of the zamindars. As regards the net yield of the land as per the suggestion made by the settlement officer, however able he may be—he is Abel also by name—but I think he is not in touch with the zamindars and he does not know much about them—the yields which he has taken according to the scale which he has given in his reports, are as follows : Rice 600 seers per acre ; Kapas 180 seers ; American cotton 200 seers ; Wheat 400 seers ; Gram 320 seers and so on. I challenge the correctness of these figures and I would request the Honourable Minister for Revenue, who poses himself as the benefactor of the zamindars to find

out whether these figures are correct. In very exceptional cases these figures may be so high; otherwise they are very low nearly two-thirds and I am prepared to give him the figures which he will find to be correct figures, which should be accepted. You know that the condition of the land is deteriorating. It is a great burden on the poor zamindar. If he could produce anything from the land it is by artificial means, I mean by putting manure, etc., which will cost him much more than the ordinary cultivation. The value of the land—not the price but productive value—is going down and it is being decreased to a great extent. If the Government think that they ought to raise the land revenue it will be a great hardship on the zamindars even in the Lahore district. The fraud of sliding scale, I consider, is simply to pacify those people by telling them that if their sources of income from the produce are lessened, the revenue also would be remitted to a certain extent.

Chairman (Khan Bahadur Chaudhri Riasat Ali): The honourable member's time is practically up; he should now wind up his speech.

Mian Abdul Aziz: The Government has been harping over the matter that they have remitted 32 lakhs during the current year. I agree that they have done so, but if you look at it from the principles of income-tax how does it appear? If a man has not made any income how can you tax him? And if under these circumstances the Government says that it is not going to tax the people is it very very generous of it? As my time is over I resume my seat.

Sardar Partab Singh (Amritsar South, Sikh, Rural) (*Punjabi*): Sir as I have not sufficient time at my disposal to make any introductory remarks about *malba*, I propose to take up the case of *malba* in the Amritsar district straightaway. I am not unaware of the fact that during the past twelve months several hundred agriculturists of that district have made representations to the Honourable Revenue Minister to the effect that this levy should be abolished. But the Revenue Minister has taken a year over this ordinary question. He has not so far taken any action in the matter. It is written in the Settlement Manual that if the whole village unanimously refuse to pay towards the *malba* fund the settlement officers should not levy the same on the inhabitants of that village. Again, it is provided therein that if any difference of opinion arises as to the assessment of *malba* the settlement officer should adopt a lenient and favourable attitude, but may resort to a course which is in accordance with the established usage. But in the Amritsar district whenever any settlement official visits any village, almost all the residents of that village express their unwillingness to pay *malba*, but a lambardar gets up and assures the official that he is prepared to pay the *malba*, and the result is that entries are made in the revenue records to this effect. But it is a pity that nobody cares to listen and record the opinion of the overwhelming majority of the poor villagers as to whether they are prepared to pay the *malba* or not. My honourable friends Chaudhri Jalal-ud-Din and Raja Ghazanfar Ali Khan and other members of the Unionist Party have remarked in the course of their speeches that *malba* was levied only where the zamindars had expressed their willingness to pay it. But what have they to say about the representations made by the agriculturists of the Amritsar district to the Revenue Minister? It is a fact that the latter has not so far issued any instruction in the matter to his

[S. Partab Singh.]

subordinates. I know that there is a proposal under consideration of the Government that in future the *malba* fund should be deposited with the village bania or it should be entrusted to the village panchayat. Let me say that we refuse to agree to the proposals or suggestions of the Government and I assure this House that the agriculturists of Amritsar district will not pay a penny towards the *malba* fund. In face of the appalling poverty they are facing every day, how can you expect them to pay these extra charges when it is known all over that:—

یہ جو ملکہ اگتھا کر دے سارا پیسہ پوئس دا بہر دے

جینوں تھانے ملے نہ روٹی پنڈین کتر کھانودے

For the information of the House I may say that about Rs. 72,000 are annually collected in the form of *malba* cess from the agriculturists of the Amritsar district. But it is no longer a secret that the police and officials of other departments are being fed on this *malba* fund. It is a fact that the proceeds of this cess are often misused and misappropriated by the *lam-bardars* of the villages. Although we are not prepared to pay a single penny in this respect yet this cess is forcibly thrust upon us. We are now determined not to contribute anything towards this fund. It is only a customary cess and not a statutory one, and therefore, we should not be obliged to pay the same. Our forefathers had taken upon themselves the payment of *malba* cess for the benefit of the poor and invalid persons of the village and not with a view that the police and other officials, be fed by it.

Mr. Speaker, the agriculturist population of the Amritsar district which is burdened with Rs. 72,000 in the form of *malba* is very poor and this I wish to prove from the statistics prepared by the Government that the total area of the land under cultivation in the Amritsar district is nearly 698,000 acres and the census report shows that the population of the district is about 11 lakhs. It means that the average area of land per head in the Amritsar district is half an acre. Just imagine as to whether it is possible for any individual to live upon the produce of half an acre of land. This establishes clearly that Amritsar district is poverty-stricken. In order to convince the members sitting on the Government benches, I will try to prove the same thing in another way. I have said that the total area of the land under cultivation is nearly 698,000 acres. The facts and figures collected by the Government show that there are 168,000 persons in the district who actually own arable land. It means that the average area of land per owner comes to 5 acres. Suppose the family of the owner consists of 5 members—he himself, his wife and his 3 children will it be possible for this big family to subsist on the produce of a holding consisting of 5 acres only? This is clear proof of the poverty of the peasants. In order to prove to those honourable members who may not yet be convinced of the poverty of the agriculturists of the Amritsar district, I shall give another illustration. In the Amritsar district, 12,000 acres of land had been mortgaged by the statutory agriculturists, in one year 1935-36 and in the same period about 4,000 *ghumaons* were redeemed. It means that the mortgage of 8,000 acres had been effected for good. If we were to determine the price of one acre at Rs. 300, the total price of these 8,000 acres would amount to 24 lakhs and if we were to compute the price of one acre

at Rs. 200 it would amount to 16 lakhs. In other words the minimum price of the land mortgaged by the agriculturists of the Amritsar district is 16 lakhs of rupees. It means that the condition of the agriculturists of the district is so deplorable that they were constrained to sell their lands in order to pay the land revenue to the Government. The present land revenue of the Amritsar district is about 16 lakhs and the value of the land mortgaged comes to 16 lakhs? Am I not then correct in saying that the agriculturists of the Amritsar district pay their land revenue by mortgaging their land? Can anybody cite any more distressing example of the poverty of the agriculturists than this? Now if these agriculturists were not made to pay the *malba* cess which amounts to Rs. 72,000, they would surely get redeemed another 860 acres of land. The Government should not insist upon charging this customary cess from the poor cultivators. I hope and trust that the honourable members from the Lahore and Amritsar districts would go along with us to the lobby and support the cut under consideration.

Sardar Sahib Sardar Ujjal Singh (Parliamentary Secretary): Within the short time at my disposal I would like to make one or two remarks. First of all I would like to endorse the views of Professor Roberts regarding the dangerous rise in the water-table in the Lower Bari Doab colony. I fully admit that. But the Government also is doing its best to check the onslaught of this menace and it is spending near about 18 lakhs for the construction of drains to reclaim water-logged areas. The land revenue report reveals very alarming figure. Although the area under *sem* has been reduced by about 400 acres, there has been a rise of nearly 7,992 acres in the area under *thur*. The Government must realise that danger and should appoint an expert committee or some officers who should advise the Government for adopting measures which might put a check to the waste of land by waterlogging and *thur*.

Some honourable members attacked the present land revenue system and that attack came mostly from the socialist members. They said that the land revenue system should be revolutionised. They did not propose any definite scheme of land revenue system but they simply said that the present system was an anachronism and in the changed conditions this system required thorough overhauling. My honourable friends know that the system that now prevails is under the Act of 1929 under which 25 per cent. of the net assets determines the assessment of land revenue and not more than 25 per cent. is to be enhanced in any subsequent settlement. My honourable friends also know that in 1925 the Taxation Enquiry Committee was appointed and that committee examined all the revenue systems prevailing in other parts of the world and after examining the very important systems prevailing in Japan, New Zealand and Australia, i.e., assessing on the capital value of land or assessing on the produce, the committee came to the conclusion that under the conditions that prevailed in India the present system was the best. Of course the committee did make certain recommendations and suggested improvements on the present land revenue system. In 1935 the Punjab Government introduced the sliding scale system which my honourable friend Mian Abdul Aziz said was a fraud. I am quite aware of the defects in that system. I have studied that system very carefully, but I must say that if commutation prices are not fixed very high,

[S. S. S. Ujjal Singh.]

then this sliding scale system works to the great advantage of the zamindar. I should like to bring to the notice of my honourable friends that one great advantage of the sliding scale system is that even when general prices rise above the commutation prices, the zamindar can reap full benefit out of it but if the prices fall and are below the commutation prices, the zamindars get a proportionate benefit by remissions. I fully realise if the commutation prices are fixed very high, then advantage is not in the same proportion as the fall in prices. I am quite aware of it but if zamindars are prepared to accept higher assessment, if the prices go beyond commutation prices, then I think it is worth while re-examining the whole system. In that case the commutation prices may be fixed at an average of the last five or six years but I am doubtful whether the zamindars would be prepared to accept a higher assessment in case the prices rise above the commutation prices. Another point made by my honourable friend Nawabzada Muzaffar Ali Khan was that the prices fixed by the settlement officers are *mandi* prices. Sir, this is not the practice. I may invite his attention to the Government Communiqué which says—

"In deciding what prices were current in the year previous to the grant of remissions, Government will ascertain from leading firms the average daily prices actually prevailing in certain *mandis* of the tract under settlement during the following periods of the year : * * *

From the average daily price thus obtained the appropriate amounts in annas per maund will be deducted on account of transport and marketing charges, so that the average price obtained for each crop will finally represent the average current price in the villages."

So, my honourable friend was wrong when he said that the prices fixed by the settlement officers are *mandi* prices. Those prices are determined after deducting cost of transport and other charges. (*Mian Abdul Aziz* : What about various market charges ?) Yes, certainly. The system prevailing in Japan of which some honourable friends seem to be very fond has not resulted in any relief to the zamindar. In Japan the average holding is 2·7 acres and the zamindar is very heavily burdened with taxation. In 1935 the agricultural debt alone in Japan amounted to eight thousand million yen. So, it is not easy to brush aside one system and find out a new one in a day or two. Some honourable friends suggested that the principle of income-tax may be applied to land revenue. I am sure my honourable friends made those remarks without realising the consequences and the results of the system. If that system is applied to the system of land revenue, I am sure that the result would be that hardly thirty or forty lakhs of revenue would be left and the rest would be wiped out. Under income-tax rules an income of Rs. 2,000 is exempted, and similarly if you exempt from land revenue the yield of land up to the extent of five hundred rupees, you will find that hardly two thousand and five hundred land revenue payers would be left and the total amount of land revenue to be realised even under the present system which is considered to be very heavy will not come to more than thirty or forty lakhs of rupees. So, the net result will be that you will wipe out almost the entire amount of land revenue. I am not sure whether any honourable friends have suggested any substitute. They may say, "impose higher income-tax" but the honourable members do not know that the total amount of income-tax realised from the Punjab, amounts to 81 lakhs of rupees and the total amount of super-tax amounts

to nearly 10 lakhs of rupees, i.e., the total amount of income-tax and super-tax realised from this province does not exceed ninety-one lakhs of rupees. How are you going to make good the loss of four crores of rupees if you are going to apply the system of income-tax? I am quite conscious of the desirability and necessity of giving some relief to the small cultivator. I am second to none in my desire that the small cultivator should be given relief. As my honourable friends know, an expert Committee presided over by a very sympathetic officer, Mr. M. L. Darling, is going into that question. Some honourable friends may have some doubts with regard to the findings of that committee but they should have no doubt left in their mind after the announcement made by the Premier on the floor of this House, that whatever findings of that committee may be, the Government is committed to give some relief to the poor cultivator. That being the case, the honourable members who are criticising the Government must wait for the findings of the Darling Committee and I am sure that with my Honourable Leader as the Minister for Revenue, the small cultivator is bound to get some relief. As the honourable members know, only a few days back, the tenants in the Nili Bar Colony made a great hue and cry because they were suffering and the Government lost no time in securing for them very good terms from the lease holders by which Government suffered a loss of nearly 12 lakhs of rupees. There is therefore no truth in the charge that Government is not sympathetic towards the small cultivator or the tenant.

Pir Akbar Ali (Fazilka, Muhammadan, Rural): I have heard most disappointing speeches from the Opposition. The only subject chosen by them for purposes of criticism is malba. Malba is a village cess and includes any cess, contribution or dues which are customarily leviable and is neither a payment for the use of private property or for personal services nor imposed by or under any enactment for the time being in force. It is a common fund to meet all the common expenses e.g., expenses in connection with the visit of an official or for repairs of a place of worship. So, the system of malba cannot be amended unless the law relating to land revenue is amended. You cannot amend this system according to your free will but it is only when the law is amended that this system can be changed. With regard to patwaris it is said that they are corrupt. No doubt some of them or most of them are corrupt and I would agree that they should be made to retire at the age of 55 or after they have served for thirty years and the places vacated by them should in the first instance be offered to their sons. I would also submit that at the present time the patwaris, kanungos, tahsildars and revenue assistants are over-worked. I would suggest that there should be some increment in the pay of the patwaris and there should be something by way of provident fund because they cannot get pension due to their not being considered as Government servants. That much is about the patwaris.

As I submitted already many of the speeches made are very disappointing. I concede that honest criticism is not bad. As has been pointed out by some speakers, no provision has been made for taqavi and for the improvement of the agriculturists. I would submit that nothing has been done for them. Government should provide a large amount for giving taqavi loans. As the time at my disposal is very short I will only point out certain things in connection with the grievances of the zamindars.

[Pir Akbar Ali.]

Every *zaildar* and every *sufedposh* is compulsorily made to attend the *tahsil* headquarters every month. A *sufedposh* gets Rs. 30 a year and when he attends the *tahsil* 12 times a year he spends more than his income. This should not be allowed. I also learn that there is a proposal that the powers to be exercised by the collector under the Debtors Protection Act are going to be delegated to his subordinate officers. That would do harm to the debtors and should not be done. I now come to the most important subject of *benami tahsildars*. One *benami tahsildar* is appointed in each division. That is not sufficient. *Benami* transactions should be finished in one year and after that the land which had come into the possession of a creditor or a person who violated the provisions of the Land Alienation Act should be redeemed and an early legislation for this purpose is necessary. It is very necessary because the honest money-lender is suffering due to dishonest money lender. The dishonest money-lender who can get a *benami* transaction and can get a bond from another person is better off than the person who can get the land only for 20 years : the dishonest money-lender can get a land for 50 years. That is not desirable. I come now to another very important point about acreage. It is an illegal and unjust tax. It is illegal because no law would justify the levy of a cess called acreage. It is unjust because there is no justification to levy this cess. It is only in the interest of a contractor who might be in league with some canal officer. I submit that the amount so far realised by Government on that score is more than 50 lakhs. Now as to the system of land revenue, whether it should be on the income-tax basis or not, it is unjust to criticise it because a committee has been appointed to report whether it should not be on the income-tax basis ; but I would suggest one thing : that when calculating the net assets cost of production should be deducted. Then there is another point about *chahi* rates. There is no reasonable ground when they are making assessment of land, why they should levy higher rates on *chahi* land. I will also mention another point about small holdings. My friend who just preceded me was saying that there was no possibility in any way of having the land revenue remitted until some source was found to make up the shortage in land revenue. I would submit that that is not the duty of the land owner ; it is for the Government to make up the deficiency. It is not the land owner who is in need of the protection of the Government : it is the man living in the town who is in need of the protection of Government. It is not the duty of the person who is not in need of protection to supply money for carrying on Government. It is for the Government to find out the sources of revenue while the *zamindar* is ready to pay his share.

Then I come to another very important thing and it is about grazing lands. When new colony schemes are coming into operation sufficient land should be reserved for grazing purposes and it should not be distributed. Then there is another very important point. The *zamindar* money-lender is worse than the non-agriculturist money-lender. There should be an early legislation to prevent *zamindar* money-lenders from getting the lands of the small holders. Necessary amendment in the Land Alienation Act should be made. There is another point about *mustajiri*. When land is leased out or 20 years the owner of the land should be allowed to redeem it by payment

of proportionate lease money for the remaining period but now the proportionate assessed value of the tenancy is refused. He should be allowed to get redemption even after 3 years if he is ready to pay proportionate share of the lease money. Another suggestion made by my friend was that the houses of the Christian agriculturists should be entered in *jamabandi*. At present it is not possible,

(At this stage Mr. Speaker resumed the Chair.)

because the whole abadi is measured as one number : it is not therefore possible to mark out or give separate number. There is another point. Some abadi lands are being assessed in new colony for making 'dhani', where they keep cattle. Under section 48 of the Land Revenue Act they cannot be assessed to land revenue. There is a complaint on that score. It is undesirable and should not be allowed.

Mr. Speaker : The honourable member's time is up.

Chaudhri Kartar Singh (Hoshiarpur West, General, Rural) (*Urdu*) : Sir, with regard to the assessment of land revenue of the Punjab on the basis of income-tax my honourable friend Sardar Ujjal Singh has remarked that if this principle is accepted, the Government will have to sustain a loss of four crores of rupees. I am perfectly aware of it, but it is also my firm conviction that unless and until the Government completely overhaul this system of assessment, they cannot find out any effective remedy for the ills of the poverty-stricken peasantry of the province. I would like to offer a few suggestions for mitigating their troubles.

Sir, it is a well-known fact that conditions vary from district to district in the Punjab. For instance there is scarcity of water in the districts of Jullundur and Hoshiarpur and in the Ambala division as a whole. The land in the districts of Lahore and Sialkot is getting increasingly water-logged. Again, we find that owing to the short sighted policy adopted by the previous Government we are not getting any financial assistance which we could utilize in removing the poverty of the peasants or improving their miserable lot. However, it is my deep rooted conviction that so long as you do not promote industry along with agriculture, you cannot find any satisfactory solution for the troubles of the peasants. In my opinion the Government can achieve this end in two ways. First, they may spend crores of rupees from the provincial revenues for industrializing the Punjab. Secondly they should bring forward a measure which should require the big land-lords, mill-owners, etc., whose annual income is rupees 25 thousand or more, to surrender half of their net profits to Government. In this way Government would get large sums of money which they can safely utilize for the development of industry in the Punjab.

Besides, I may submit that if you grant remission of land revenue to those peasants who pay Rs. 5 the total remission will amount to Rs. 32 lakhs and the number of peasants receiving this benefit will be 17 lakhs. But this relief will not be sufficient. I would request the Honourable Minister for Revenue to remit land revenue of even those who pay to the extent of Rs. 10. In this way the peasants will receive remission to the extent of Rs. 64 lakhs. The loss of income to the provincial revenues can be made good by levying more taxes on big zamindars. I fully realise the difficulty which the Government will have to face in making a reduction in

[Ch. Kartar Singh.]

the land revenue. But it is their paramount duty and specially it is the duty of Honourable Chaudhri Sir Chhotu Ram who professes to be the greatest friend and truest representative of the zamindars (*hear, hear*) to afford relief to these poor people. I may sound a note of warning to Government, that if they failed to relieve the zamindars' burden, they will have to answer for it before the electorate at the time of the next general elections. I, therefore, submit that the troubles of the peasants can be solved only by making reduction in the land revenue and developing industries in the province. As regards the money required for this purpose, I have already stated the source from which it can be had.

Now, Sir, I would like to make a few observations about the Hoshiarpur district in which about 70 thousand acres of land have been totally damaged on account of chos. There an average peasant possesses $1\frac{1}{2}$ acres of land. Now if he sinks a well at his own expense and thus increases the productivity of his land, the Government declares it to be *chahi* land and enhances the land revenue. This is sheer injustice. I would ask the Government to sink tube wells in areas where canal water is not available and assess land revenue at the same rate at which water rates are levied in those areas which are irrigated by canals.

Now I come to the Forest Department. In this connection I may submit that on account of the enforcement of the *Katar Dhar Act* in the district, forty per cent. of the Gujars residing there have been put out of work. Now they are strictly prohibited from letting their cattle graze in the forests. They are in great trouble and they have no other means of earning their livelihood. If my memory serves me right, the Government enforced this Act to save the cultivable lands from the onslaught of the chos. But my submission is that it is the imperative duty of the Government to assist those persons who have been adversely affected by this Act. In my opinion the solution of their troubles lies in the fact that the Government should grant them squares of land in some colony—say Nili Bar or in the area covered by the Haveli Project. In this connection I am constrained to remark that the previous Government distributed squares of land to those persons who already possessed thousands of acres of land and lakhs of rupees in cash.

The enforcement of section 5 of the *Katar Dhar Act* is causing great hardships to the peasants. According to this section they are not permitted to cut grass from the forest to feed their cattle. I, therefore, request that the said section 5 of the *Katar Dhar Act* may be repealed and the administration of the forests in the district be placed under the panchayats instead of the guards, so that the peasants may be freed from the stringent restrictions imposed by the Forest Department. I may also mention that in this connection I had sent a representation signed by two thousand persons to the Deputy Commissioner, Hoshiarpur.

There is yet another grievance which peasants of the district cherish against the Revenue Department. It is that much of their land remains submerged in water when the river overflows its banks. Now before the submergence of the land the rate of assessment per acre is generally rupee one. When the river water recedes and the land re-appears, it is covered by moss and other shrubs of various kinds, and land revenue is consequently assessed

at the moderate rate of three annas per acre. But after two years when the peasant through hard labour has increased its productive power by removing all undesirable growth and by the addition of manure, etc., the land revenue is assessed at the rate of Rs. 1-11-0 per acre. I would request the Government to change their policy with regard to this matter. After the reappearance of the land when it is rendered more productive, the rate of assessment of land revenue should not be more than rupee one per acre.

It must be said to the credit of the Unionist Government that they have improved the supply of drinking water in the district of Hoshiarpur by making excellent arrangements for sinking tube-wells, and I am particularly grateful to the Government for that. But I cannot help observing at the same time that the scarcity of drinking water in the Karari zail has reduced the inhabitants of the ilaqa to such a pitiable condition as would draw tears even from a most callous person. The residents of this hilly tract have to travel as many as five miles in order to obtain water for quenching their thirst. This miserable plight of the Karari zail reminds me of the vicissitudes that the ilaqa in question has witnessed. In the good old times of the Mughals this zail used to be exempt from the payment of land revenue or any other tax. But it is subjected, in these days, to a very heavy taxation and in spite of that all amenities of life are denied to its inhabitants with the result that no hospital is established there and no metalled road is constructed by the Government in that ilaqa. The greatest misery of the people is the scarcity of water to drink. This painful state of affairs moves me to request the Unionist Government which claims to be a zamindar Government and professes to be in direct touch with the poor peasantry of the province to improve the lot of the Karari zail.

With these words I strongly support the cut now before the House and close my speech.

Captain Dina Nath (Kangra South, General, Rural) : I want to discuss one or two points. One of the points is regarding the cattle tax in the Kangra district. There are two taxes in the district which are imposed on the grazing of sheep and goats. One is called *tirni* which is imposed on the sheep and goats of gaddies which graze in the Kangra district. The second one is called the cattle tax which is imposed on the sheep, goats and buffaloes which the zamindars keep for their own domestic purposes. At present I do not like to discuss the *tirni* tax because Government has appointed a committee which has thoroughly examined this question and their report will come up shortly before the House and that question may be decided at that stage.

I am coming to the question of the cattle tax. This tax was imposed in the district in 1916 when the Great War was going on, and since its imposition people are very much dissatisfied with this tax. I will also submit that not only the people of that district are dissatisfied, even the settlement officer of that time was not in favour of this tax. If you see the final report of the third Revised Land Revenue Settlement of the Palampur, Kangra and Nurpur tahsils of the Kangra district, 1913—19, by Mr. L. Middleton, I.C.S., Settlement Officer, you will find the following :—

“The imposition of the cattle tax has proved far more unpopular than the other measures taken in protecting the forests ; opinions on the subject have been so varied that I hesitate to make any additional comment : there are, however, two points on which my convictions are so strong that I am forced to leave them upon record.

[Capt. Dina Nath.]

In the first place it appears to me that whilst the gaddi flocks are not restricted except by an entirely ineffectual tax (and a tax of one anna per head cannot induce restriction of the flocks of people whose livelihood depends upon them) the attempt to restrict the numbers of sheep and goats kept by residents of the district is equivalent to an attempt to heal the camel by the removal of the last straw: the wholesale spoliation of the scrub jungles of the gaddis, I think, requires far stronger repression than can be attained by taxation. I strongly advocate a gradual restriction in the numbers of their flocks. I would at once prohibit the introduction of any flock belonging to a man without a hereditary grazing run and would restrict the numbers allowed to each man with a hereditary run by at least ten per cent. after every five years until the numbers were reduced to reasonable proportions. All restrictions of grazing must be unpopular. It appears to me that while taxation infallibly provokes discontent but is not necessarily operative, definite restriction of numbers must be operative. It is the gaddis who are the principal enemies of forest conservancy and they are for the most part non-residents exercising their calling at the expense of the people who own and live upon the land. Incidentally if the land-owners do reduce the numbers of their sheep and goats, they will depend more upon the gaddis and foster an increase in the flocks of these picturesque survivals of a period anterior to the development of full private ownership of land".

These are the views of the settlement officer. This tax is unpopular in the Kangra district with those who keep cattle, for the purposes of manure and milk and not for commercial purposes. Therefore I would request that this tax should be abolished. My honourable friend Pandit Bhagat Ram Sharma has challenged us that we the members of the Kangra district sitting on these benches have done nothing in the matter. I would say that only one year has passed when this present Government took over the charge of the province and we have referred this matter already to the Government and it is under consideration of the Government and I am sure that Government will do justice to the people. Therefore we should not take any hurried step in the matter.

Another question which he raised was the forest *shamilat* question. I want to say only this much in connection with that, that last year Government appointed a committee to enquire into the matter. I was a member of the committee. We toured the whole district and thoroughly examined the matter and the report of the committee will come up before the House. It is hoped that the matter will be satisfactorily decided in favour of the zamindars.

One more point I want to bring to your notice and that is regarding the accommodation provided for the patwaris in my district. The accommodation is not at all satisfactory. There are very few patwarkhanas, but even those are not in a good condition, as they are not properly repaired. There are no houses available and the rent of those that are available is prohibitive. As there is very great difficulty in finding suitable houses, it is hoped that Government will build patwarkhanas for the patwaris.

Pandit Bhagat Ram Sharma : The honourable member who has just spoken said that I had challenged that the members of the Kangra district had done nothing in the matter of the cattle-tax. I did not utter a single word to that effect. I only invited them to vote with me on this issue.

Shrimati Raghbir Kaur (Amritsar, Sikh women) (*Punjabi*) : Sir, the demand relating to land revenue is under consideration of this House since yesterday and several honourable members have expressed their views with regard to it. I would also like to say a word or two about the vexed problem.

of land revenue. In this connection I cannot help observing that the woes and miseries of the poverty-stricken agriculturists have multiplied to such an extent that if they were to be committed to writing several big volumes would be required for the purpose. Afflictions have fallen thick over them. It is a thousand pities that whereas the money-lenders and other dwellers of the cities are not taxed by Government unless their income exceeds their expenditure by a considerable sum of money, the poor agriculturists are compelled to pay land revenue even on a two marla of fodder grown for cattle. They are groaning under the heavy burden of taxation. The Government must recover their one-fourth of the agricultural produce whether the cultivators have any saving or not. The terrible result of this is that the poverty-stricken agriculturists have to sell their ornaments, utensils and even the ancestral land in order to be able to pay off the land revenue to Government.

The zamindars do not allow their grace and character to be sullied in any way. They do not hesitate even to sell their lands for replenishing the state exchequer. The poor agriculturists are head over ears in debt. The heavy burden of their indebtedness has broken the back-bone of the agricultural classes of the Punjab. Some honourable members have remarked that there is a great danger to public peace and tranquillity of the province. My submission is that so long as the number of unemployed persons is not reduced the danger cannot be averted. The agriculturists of the Punjab are not only heavily in debt but also poverty-stricken. I feel it my duty to sound a note of warning to the Government that if it would not take any immediate step for the removal of unemployment from the province the unemployed persons would organize jathas and stand against the Government and compel it to find out some solution of the problem of their unemployment.

Our Honourable Ministers should not lose sight of the useful work which is being done in other provinces for the welfare of the unemployed. The Government should know what steps are being taken by the governments of foreign countries for solving the acute problem of unemployment. The ministers of the other provinces have done a lot for affording relief to the unemployed. It is but proper for those who are at present at the helm of affairs of the province to take necessary steps for the amelioration of the condition of the agriculturists of the Punjab. The cruel money-lenders have completely ruined them. The plight of the poor zamindars is so pitiable that they are now constrained to sell milk. They bring the whole quantity of milk available for sale to the cities. If our ministers were to drive their cars early in the morning on the Grand Trunk Road from Lahore to Amritsar they would certainly come across these poor agriculturists carrying big pitchers of milk on their heads and marching towards the nearest town for selling their milk. They do not sell it out of pleasure. The real fact is that the produce of their lands hardly suffices to pay the land revenue assessed on them. Now the only course open to them is to make up the deficiency in the amount of land revenue by selling their milk.

It is often remarked by the honourable members sitting on the Treasury benches that the submissions made by the Opposition are far from true. They always accuse us of creating trouble for the present Government. Their contention is that the condition of the Punjabi agriculturists is quite

[Shrimati Raghubir Kaur.]

satisfactory. I submit on the strength of my personal knowledge that nowadays even big landlords possessing lands consisting of more than 200 ghumaons are not well off. Many of my own relatives are big landlords and they always admit the fact that they pay land revenue simply to keep up their prestige, otherwise, they themselves are face to face with great difficulties in paying it. The honourable members sitting on the opposite benches should take immediate step for the betterment of the condition of these poor people. The Government should see to it that the poor zamindars are relieved of some of the heavy burden of their indebtedness. If this state of affairs is allowed to continue any longer the agricultural debtors would cease to exist. As the time at my disposal is short I do not propose to say any thing more.

Mian Fazal Karim Bakhsh (Muzaffargarh Sadar, Muhammadan, Rural) (Urdu): Sir, I am really very grateful to you for the indulgence you have shown me in affording an opportunity to express my views on the demand under consideration. There is no gainsaying the fact that the inhabitants of the Muzaffargarh district are poverty stricken and I need not waste the time of the House in dwelling upon this self-evident truth. My object in making this speech is to point out to the Government certain important matters in connection with my district. My district lies between the rivers Indus and Chenab-cum-Jhelum and Ravi. Although it is surrounded on all sides by these great rivers yet it is admitted on all hands that there is a great dearth of canal water in my district. Owing to the new remodelling of canal system the size of the outlets of certain canals in my district is being reduced by the orders of the Irrigation Department. The result is that the zamindars are not supplied with sufficient quantity of water. The soil of my ilaqa is affected by salt and potassium nitrate. The only way so far discovered to remove this salty substance from the soil is to sow paddy on a large scale and then irrigate such fields by over flooding them. It is said that if this process were given effect to it would go a long way in removing the salty substance from the soil. Moreover, Muzaffargarh is a hot ilaqa, where hot winds commonly known as dakhn always blows. Rainfall is scarce here. And the result is that humidity of the soil has altogether disappeared. In view of this climatic effect on the soil, our crops badly require water. In our district there are certain inundation canals. The Government should immediately issue orders to the effect that the zamindars of my ilaqa should not be deprived of the full supply of canal water. The authorities concerned should be asked to refrain from reducing the size of the outlets of these canals.

Again, Sir, according to the new rules regarding kharaba the standard of kharaba has been lowered. This step on the part of the Government has proved detrimental to the interest of the zamindars. Nowadays the poor agriculturists are not allowed even legitimate kharaba. I respectfully submit that the old standard should be restored.

In the Muzaffargarh district there is not a single market at present. The agriculturists find a great many difficulties in selling their agricultural products. I request the Government to set up a market in my ilaqa just as it had opened in Okara and Chichawatni.

Although in these days the agricultural prices have fallen to a great extent yet the Government has not made any reduction in land revenue. Owing to the fall in the price of dates the produce of a good many cases in my district hardly suffices to pay the land revenue assessed on them. I, therefore, appeal to the Government that suitable reduction may kindly be made in land revenue. Moreover, in the Muzaffargarh district benami transactions are being effected in considerable numbers. This irregularity is admittedly harmful to the interest of the agricultural classes of my district. I request the Government to take immediate steps for putting this practice to an end.

Again, I would like to make a submission that the condition of the road which links up Muzaffargarh with Rangpur and which goes as far as Ahmadpur and Jhang is far from satisfactory. It is a pity that so far no railway line has been constructed in this ilaqa. During the winter season lorry service provides great facilities to villagers in travelling and transporting corn. But in summer season, due to the rotten condition of the road, the lorry service is stopped. It is, therefore, requested that the road in question should be improved and remodelled so that the zamindars of the ilaqa may be able to transport their agricultural produce to towns for sale. Another submission which I would like to make is that the Thal Project should be taken in hand without any further delay and the Government should see to it that the Muzaffargarh tehsil is not deprived of its benefits. It is requested that some new canals may be constructed in my ilaqa. Such canals, if constructed, would fertilize the soil, and increase the produce of our lands. And it is a fact that the public revenue would surely increase with an increase in the produce of lands. In the end, Sir, I feel it my duty to admit that the present Government is doing its level best to improve the lot of the province. With these words, Sir, I resume my seat.

Sardar Ajit Singh (South-West Punjab, Sikh, Rural) (*Punjabi*): Sir, I rise to place the grievances of the grantees of the Nili Bar and Ganji Bar colonies before the Government. Although these *attiadars* were granted lands in those colonies many years ago yet they have not been able to acquire proprietary rights as yet. In the Nili Bar they are asked to pay Rs. 2,500 per square of land as *nazrana* to the Government. But as the lands in this colony are admittedly barren and there is scarcity of water, a square of land can be purchased for Rs. 2,500 or at the most for Rs. 3,000 in these days. So long as the sum of *nazrana* is not reduced from Rs. 2,500 to Rs. 1,000 these *attiadars* cannot acquire proprietary rights and the betterment in their condition would not be possible at all. Their lot is a hard one. They are living like prisoners behind the bars. If they want to go for some days out of their ilaqa they have to apply for leave and if they proceed without leave their grants are confiscated. If they fail to fulfil the colony conditions of these grants they are sure to be deprived of their lands. If the trees planted around their *ihatas* get dry, whether due to scarcity of water or to inferior quality of land, their grants are no more. If the number of ventilators in their houses is less than the number fixed by the Government they are sure to lose their grants. These poor fellows are always afraid of confiscation. Therefore, it is advisable that Rs. 2,500 as *malkana* should be reduced to Rs. 1,000. In Ganji Bar Rs. 1,000 are fixed as *malkana* but only 5 per cent. of *attiadars* have been able to pay

[S. Ajit Singh.]

malkana to acquire proprietary rights during the last 18 or 19 years. I should also submit, Sir, that the Lyallpur district is highly populated. The land in this ilaqa is superior and water is also sufficient there. In spite of these advantages only three, four or at the most five hundred rupees were realized as malkana. While on the other hand in Ganji Bar, where land is comparatively inferior and the inhabitants are in acute trouble on account of water-supply why is the malkana fixed at Rs. 1,000? In this connection I would like to submit that malkana should be fixed according to the class of land. The Settlement Department has divided the agricultural land of Ganji Bar into classes, viz., first, second and third. Malkana should, therefore, be charged according to the class of the land assessed by the Settlement Department.

During the settlement of Ganji Bar Colony the production of wheat and cotton from one acre was assessed at eight maunds and four maunds respectively by the settlement officers. Kharaba is given provided the wheat production of one acre is less than two maunds and cotton production of one acre is less than one maund. According to this principle if the wheat and cotton production happen to be two maunds and one maund per acre respectively, kharaba is not given. In this case the zamindars get Rs. 4 as the income of wheat and cotton per acre because the rate of wheat is Rs. 2 per maund and the rate of cotton is Rs. 4 per maund. But the zamindar has to pay Rs. 10 as land revenue per acre. In this way the condition of the zamindar is being deteriorated day by day. In the light of the above I request you that the standard of kharaba should be raised high from 1 maund of cotton to 2 maunds and 2 maunds of wheat to 4 maunds.

Besides, ghoripal grants have been given to the zamindars in Ganji Bar colony and the Government has also given such grants to the people of Sargodha district. Much injustice is being done by the Government in the case of Ganji Bar ghoripal grantees. I, therefore, feel it necessary to appeal to the Government to take some serious action in this matter. The ghoripal zamindars in the Sargodha district are instructed by the Government that they should breed the ghorrees very carefully and if they are found to be a bit negligent in doing so they are asked to sell that ghorree and purchase a better one. The zamindars do so, and their squares of land are quite safe from being confiscated. In other words their grants are permanent. So they work hard for the betterment of the land granted to them and they do get sufficient production from it. On the other hand the ghoripal zamindars of the Ganji Bar Colony are not well-treated by the Government. As their grants are always in danger of being confiscated the zamindars of that colony do not take permanent and serious steps in order to raise the standard of the land. They are always afraid of confiscation. My submission to the Government is that the ghoripal grantees of Sargodha and Ganji Bar should be equally well-treated and it can only be done if their grants are made permanent as in Sargodha. In this way the grantees would no longer be afraid of their squares being confiscated and they would try their utmost to fertilize their land to get better yield out of it.

My next submission is about plant breeding grants. I am sorry to say that the Government have not done justice in this matter as well. In 1922, if I do not forget, plant breeding grants were given to the people who had grown old in looking after the plants but the Government has not yet taken charge of those trees in its own hands as was the condition of these grants. Moreover, they have not been given the right of hereditary occupancy. I would like to request the Government that the trees should be taken from their charge and the right of hereditary occupancy should be conferred upon them.

In the Nili Bar Colony, the Government have granted some barren and unfertile squares of land to the people who have spent all they had earned in the early years of their lives, on fertilizing it but they have failed in getting out even a small quantity of grain. These zamindars have tried several times to get these squares of land exchanged for better ones, but the colonization officers have not taken pity on these poor-fellows. It would be very wise on the part of the Government if they would be pleased to instruct the colonization officer concerned that barren and unfertile squares of land which are in possession of the colonists may be exchanged for fertile squares of land if they apply, so that they may be able to make both ends meet. Particularly the condition of the *attiadars* in Duniapur ilaqa is very pitiable. Chak No. 327-W. B. was allotted seven years ago and the people have become poorer and poorer in their hard efforts at colonizing it. The colony officers have exchanged the lands of certain *attiadars* in this chak and the rest remain in the same condition. Their grants are equally bad. The Government should give an opportunity to the other remaining *attiadars* of this chak to exchange their squares of land in some other better chak to earn their livelihood.

Having drawn the attention of the Honourable Minister in charge to these facts I close my speech.

Sardar Sahib Sardar Gurbachan Singh (Jullundur West, Sikh Rural): The problem of subsidence of water level

5 P.M.

in the Jullundur district is becoming very acute and last year I invited the attention of the Government to this fact by moving a cut motion on the land revenue demand. I then fully explained the difficulties that are staring the zamindars in their face and also the evil of the falling water level which is getting beyond their control. A deputation consisting of the members of this House waited upon the Honourable Premier and the Honourable Revenue Minister at Simla and laid before them the grievances of the zamindars of the Doaba. The Honourable Premier was pleased to say that this matter would receive his very serious consideration and that the Honourable Minister for Revenue would tour these districts to study the whole situation.

Minister for Revenue: Did I say that?

Sardar Sahib Sardar Gurbachan Singh: No, the Honourable Premier did say that. A year has lapsed and nothing so far has been done and I am sorry to say that the present budget is as blank as the last year's particularly in this matter. Nobody can deny that the zamindars have invested all they had in sinking wells, putting up persian wheels, buying extra pair of bullocks and they laboured day and night to raise

[S. S. S. Gurbachan Singh.]

water to mature their crops. They have submissively been paying enhanced rate of land revenue. I would ask, is this fair, is this just that these people be allowed to suffer from this evil which is even threatening their very existence, and that the Government should not even raise their little finger to save them? Sir, I would again sound a note of warning that if this Government is going to sit comfortably without taking any immediate steps to combat this evil, they themselves would be inviting trouble by forcing the poor agriculturist to refuse to pay the enhanced rate of land revenue, especially when their wells have gone dry. One of the honourable members yesterday said that the Government is allowing 20 years for new wells to work before it increases land revenue. True! but what next? These people have to pay many times more revenue after 20 years even after their wells have ceased to give water. In the Doaba nowadays no well will last for more than ten years and once a land is entered in the revenue records as *chahi*, the poor fellow is doomed and he has to pay the enhanced rate of revenue whether the well gives water or not.

Minister for Revenue : Wrong.

Sardar Sahib Sardar Gurbachan Singh : That is true in practise, I cannot say what is on paper.

Sardar Partab Singh : Absolutely true.

Minister for Revenue : Absolutely wrong.

Sardar Sahib Sardar Gurbachan Singh : I fully realize the difficulties of this Government which has to meet demands from all sides of this House but that certainly does not absolve them from doing its duty, to afford relief to the needy and I would therefore appeal to it, not to turn a deaf ear to the voice of the poor zamindars of the Doaba but help them generously and without any further delay.

I have only two more requests to make. One is about the village *patwaris*. Leaving aside all issues, I only want to invite the attention of the Government to one point and that is the unauthorized fees that he takes from the zamindars at the time of supplying fards. There is no doubt that a person in need always has to pay more but it is certainly the duty of the Government to check such a practice and if I may be allowed to suggest, the village panchayat should be empowered to hear such complaints. The other request is that there are zamindars who have not even got a *marla* of land on account of division and sub-division of their landed property and I would strongly recommend to the Government that these zamindars should be given at least half a square of land in the new canal colony or in the old canal colonies. This trouble is very acute in the Doaba where small holdings have become uneconomical and even extinct.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : Sir, I do not propose to take a great deal of time of this House. The discussion on this grant has been going on for nearly two days and I thought that I might participate in this debate at this stage merely to point out one or two things—rather important things—which are exercising the minds not only of members in this House but also of people outside. Before I enter on the subject of remission which has been mentioned by several honourable members, I should like to reply to one or two points raised by my honourable

friend Sardar Muzaffar Ali Khan Qizilbash, and other speakers about malba and about the period of assessing the average price. I do not understand why it was alleged that in Lyallpur an average of only five years was taken for purposes of commutation prices while in Lahore it was proposed to take the prices of twenty years for purposes of striking the average. My information is that in Lyallpur also it was twenty years' average and not five years' average. The system at present in vogue is that prices over an extended period are taken into account leaving aside abnormal years. That means that if there is boom in certain abnormal years, then those prices are excluded because the object is to get as accurate an average as possible—as accurate as human ingenuity can possibly find—and it is for that reason that a long period is taken for the purpose and eventually the average is struck and prices are based on that average. With regard to malba, I believe that my honourable friends are aware that there is no legal obligation on the people to pay malba. Malba is levied only in those villages where villagers themselves come forward during the period of settlement and say that they are prepared to pay a certain amount of malba. Malba is meant to defray the expenses of the village community as a whole, for purposes of the people of that village alone. I would have been prepared to accept the position if my honourable friends opposite merely suggested that in some cases malba was not properly utilized. I dare say that there are several cases where this is happening, but that does not in itself mean that the mere fact of realizing malba or creating a malba fund is objectionable. If it is properly collected and if it is properly utilized, I think that it is a very useful institution because after all it is a fund for the common purposes of the village. It is good provided it is operated upon by a person in whom the villagers as a whole have confidence, or by a committee of villagers themselves. That is a suggestion as to the method, but I do not think that one can take objection to the imposition of the malba itself where the villagers themselves agree to the imposition of malba. I do not think that any legislation is necessary. It entirely rests with the villagers. If they do not want malba to be imposed, they have merely to say that they do not want the imposition of it any further.

Sardar Sohan Singh Josh : But nobody listens to them.

Premier : Decision, I believe, is taken after consulting the majority of the villagers. If the majority is in favour then it is imposed, otherwise not. There are several villages in the Punjab and I know that in my own part of the province there is no malba. (*A voice :* It is levied customarily). Yes. (*Sardar Sohan Singh Josh :* Are you prepared to issue instructions regarding that?) (*Sardar Partab Singh :* Is it not a fact that due to the opposition of one or two lambardars malba is being retained in the village?) My honourable friend must have heard the interruption made by the honourable member from Ferozepore that it is levied according to custom in villages. Naturally the presumption is that it should be continued unless there is strong opposition to it by the villagers themselves. My point is that malba in itself is not in any way objectionable. (*Sardar Partab Singh :* It is.) Because you have to collect funds for common purposes of the village. (*Sardar Partab Singh :* But you can collect that money by *dharat*.) You may call it anything you like. If my honourable friend objects to the name malba, he can call it by any other name.

Mr. Speaker : Will the Honourable Premier please proceed with his speech ?

Premier : What I wanted to say was that there is no objection whatsoever to the fund itself provided it is properly spent and properly collected. My honourable friend Chaudhri Akbar Ali made some suggestions with regard to the benami officers recently appointed. I can assure him that the Government want to finish this work as early as possible, but we have to cut our coat according to our cloth, and he knows perfectly well that we are not particularly flush with money at the present moment, and, therefore, we have to content ourselves by appointing five officers. As a matter of fact it is an experimental measure to find out whether the need exists or not and I have not received any report on that matter. Perhaps my honourable colleague here may have seen some reports. I have heard from one or two officers who have been appointed for this purpose that the need exists to an extent much larger than even we believed. He has also suggested that Government should undertake legislation with regard to rectifying these benami transactions. I can assure my honourable friend that Government has already under consideration the necessary measure with a view to amend the law if necessary in order to make it possible to rectify the position. (*Hear, hear.*)

There is one other thing which I may mention and that is with regard to the question of the general poverty of the zamindars. I think it will be unnecessary for me to repeat what has been said in this House year in and year out by several members. We all agree that we must make every possible effort to improve the condition of the zamindars. The difference is only in the method. There is no difference of opinion between my honourable friend Sardar Sohan Singh Josh and myself that it is essential that we should improve the condition of the peasant proprietor in the Punjab. The honourable lady member, Shrimati Raghbir Kaur, said something about *kisans* and about *garza*. It is all very well to talk about *kisans* and about *garza* in this Assembly and in meetings outside in the villages but I must point out to her that so far as the Punjab is concerned, the word *kisan* is very loosely used by the honourable member and many other members in this House. If they use it in the same sense as it is used in the United Provinces, then I beg to submit that they use it erroneously and that word has no real application to the Punjab. *Kisan* means a small peasant proprietor and if that is the meaning then that is correct use of the word. My honourable friends opposite are perhaps not aware that in the Punjab there are sixty to eighty per cent. peasant proprietors—you might call them owners of land but I always call them peasant proprietors—who pay anything up to ten rupees as land revenue. That will give you an indication of the problem. My honourable friends go into the villages and say, Government has done nothing to give relief by remission. They must be aware that I never made any wild promises because I knew the complexity of the problem when I went to my electorate. I knew it definitely that I would be doing them much more harm than good by raising false hopes. It is no use trying to raise false hopes amongst the people. The right thing to do is to go and explain to them what kind of relief is needed in their case, and what kind of relief is practicable. It is no use crying for the moon when you know you cannot get it. My

honourable friends go from village to village and say Government has done nothing to give relief by giving remission in land revenue. Now it is very easy to say such things when you are not responsible for giving that remission. My honourable friends if they calculate will find that if we give 50 per cent. remission it would mean half of the land revenue wiped off out of 4½ crores. Now, what would be the result of this remission? If that remission was going to create any real genuine contentment I might be prepared to consider the sacrifice involved. My honourable friends know it perfectly well, as I think my honourable friend Sardar Hari Singh should know, being a very studious person, I believe he has read books on the subject, and also he might have worked out facts and figures, if he has not done so I might advise him to do so. Let me give one instance. I have already submitted that there are about 60 to 80 per cent. of peasant proprietors who pay Rs. 10 or less than Rs. 10. If I give a remission of 50 per cent. it would mean I will give them a remission of Rs. 5. We are also aware that in the Punjab the average family consists of 5 persons including adults and children. If you split up Rs. 5 you will find that you would be giving a relief of only five pice per head per month. That five pice per head is not going to raise the standard of the zamindar or the peasant proprietor to provide him with small additional necessities. The only reasonable argument in favour of such a remission, as my honourable friend said was that it would create contentment and psychological effect. Of course there would be a temporary psychological effect and after six months, a year or two years, when people will find that 50 per cent. remission given by way of relief to the zamindars is nothing substantial, and that their plight is the same, that psychological effect will have its reaction which would be much worse for everybody concerned. For in the wake for such remission beneficent activity which our rural classes value may have to be reduced. That does not mean that we do not wish to give them any relief. We are awaiting the report of the Darling Committee and we hope they may be able to suggest some practicable means whereby we may give some relief to smaller men, and perhaps it may be necessary to put some burden on the bigger zamindars of whom, however, there are very few in the province. Is any of my honourable friends opposite prepared to say or assert that a relief of five pice is going to do any good to anybody? What I would do is to try to raise their purchasing power and their income and you can do this in several ways. The first is to provide better seeds. My honourable friend will give you figures to show how much we have already added to the wealth of the province. That is not enough. There are several ways in which the income of the peasant proprietor is more or less being pilfered in the way: one is by marketing devices. We should stop dishonest devices. We certainly do not grudge legitimate deductions by marketing people. It is necessary to see that trade does not suffer in any way. But there are certain illegal exactions and we have to devise ways and means to stop these if we can. If we can save two annas per maund it would mean Rs. 10 crores annually. (*Diwan Chaman Lall*: Prices have gone down.) Yes, if prices go down by 4 annas that would mean a difference of 40 crores. My honourable friend does not remember that at one time it went down to Re. 1-4-0 we have to be thankful for small mercies and prices cannot be controlled as is lightly suggested sometimes. If the

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condition of the crop in the rest of the province is as good as I saw in Sheikhpura, we shall have bumper crop this year. My point is that my honourable friends instead of trying to hoodwink poor villagers with the glamour of 50 per cent. remission should have the courage to tell them 'by mentioning 50 per cent. remission we only wanted to encourage you, you may not get any real benefit: we want to rouse hope among you.' If my honourable friend had stated the truth and explained to them that the effect of this 50 per cent. relief would mean a bare 5 pice per head, I am sure the zamindar will agree with him that there is no use giving 50 per cent. remission.

Sardar Hari Singh : Why not have a plebiscite on the question ?

Premier : My honourable friend says we must have plebiscite on the matter. What I was saying is that I want to give them every possible relief: we will give them real and genuine relief and not merely lip sympathy that my honourable friends opposite pretend to do. What I want to do is not only to remit 2 crores by way of relief but I want to see that they get 20 crores (*A voice :* When ?) When ? They are on their way to getting it and they will continue to improve. There are several ways of doing it. Take for instance cottage industry; if there is a saving of two annas per head it would mean saving of several crores. My honourable friends must be honest in these matters and not try to cheat their electorate by putting before them absolutely false and untenable arguments.

Sardar Hari Singh : Is the Honourable Premier parliamentary when he says that honourable members should not cheat their electorate by raising false hopes ?

Premier : No public man should try to cheat the electorate.

Mr. Speaker : The Honourable the Premier said that they should be honest and should not cheat their electorate. I think the words are unparliamentary.

Premier : I withdraw those words. No public worker who has got an iota of honesty in him should try to cheat the public outside. (*A voice :* Who is to judge ?) I am not the judge: people themselves are judges. It may be possible to hoodwink them for a year or six months but truth must prevail in the end and my honourable friends will find that truth will prevail.

Dr. Gopi Chand Bhargava : May I ask whether our Ministers are public men or not ?

Premier : Certainly, very much so and that is why they do not go about and make exaggerated promises which they cannot fulfil.

But Sir, the real difficulty is that most of these so-called friends of zamindars know nothing about zamindars or their conditions. My honourable friend, Lala Bhim Sen Sachar, when he goes out, says that he is a friend of zamindars and that this Government has done nothing or this Ministry which poses to be a zamindar Ministry is not going to do anything to relieve the conditions of zamindars. (*A voice :* What about Mr. Manohar Lal ? He is a *bania*.) My honourable friend says, 'What about Mr. Manohar Lal ?'

Mr. Speaker : Please do not answer that question.

Premier : No Sir, I am going to answer that question. My honourable friend mentioned that the Honourable Finance Minister is not an agriculturist. He is perfectly aware that he is one of the greatest economists now in the country, and as an economist, whether he is an agriculturist or non-agriculturist, he knows what is good for the country. He indicated this in his speech openly and I think that might be enough for the satisfaction of my honourable friend.

Sir, as I was saying, the real difficulty is that those people, who have got nothing in common with zamindars, go about and try to hoodwink them. I would only remind the House of a Punjabi saying which I think will be appreciated by those who pose to be the greatest friends of zamindars. All I can say is—

جان نالون ميچلي ٻهيو کڏي

(Cheers).

Sardar Partab Singh : Sir, with your permission I wish to ask a question from the Honourable Premier. Is he prepared to state on the floor of the House whether if 75 to 90 per cent. of owners of land in the village ask in writing for the abolition of *malba*, the *malba* will be abolished in the village?

(At this stage the Honourable Minister for Revenue was called upon to speak.)

Chaudhri Krishna Gopal Dutt : May I draw your attention to one fact? I have no idea of any complaint but I only want to bring it to your notice so that such a thing may not occur in future. One member on the other side spoke and after him the Honourable Premier spoke and after that now the Honourable Minister for Revenue speaks. The general practice in all Houses of Legislature in the world is—

Mr. Speaker : Order, order. As regards the Ministers they are not to be taken as party-men for being called to speak. If the Premier rises to speak, it is his privilege to be called before every other member of the House provided he is entitled to speak under the rules. As regards non-ministerial members, I have always called one member from one side and one from the other.

Chaudhri Krishna Gopal Dutt : My point is different and it is this, that it is only very rarely when there is something very important that the Premier gets up in other Houses of Legislature to speak on a department which is not under his control. When the Honourable Premier got up to speak, I thought that there would be something very important and something very sensational but he spoke ordinary things all of which could have been said by the Honourable Minister for Revenue. There was nothing special and nothing extraordinary for which there was any justification for the Honourable Premier to get up on his legs and to say certain controversial and provoking things to which we cannot reply now. I draw your attention to the fact that the members on the opposite benches have taken, I think, 1½ hours consecutively. They have made certain allegations against Lala Bhim Sen Sachar and made certain provoking statements to which we have now no time to reply.

Dr. Gopi Chand Bhargava : I want to draw your attention to the fact that when my honourable friend Sardar Sahib Sardar Ujjal Singh finished his speech, Pir Akbar Ali was called upon to speak and not a member of the Opposition.

Mr. Speaker : He was called in my absence from the Chair. I did not call him.

As regards what the Premier said or could have said, I am not a judge of it nor is anybody else. No objection should be taken to such things. If there is any rule on the point in Parliamentary Practice it must be placed in my hands.

Chaudhri Krishna Gopal Dutt : This is the general Parliamentary Practice in all the Houses.

Mr. Speaker : Gentlemen, I have been approached, more than once, by the members of the Unionist Party that in view of their large number, I should not call turn by turn one member from the Opposition and one from their side. But I refused to listen to them. However, I am satisfied to-day that even half the zamindar members, who wanted to speak on the Revenue demand could not be called ; while all members of the Opposition, who wanted to speak, excepting Chaudhri Krishna Gopal Dutt, have spoken.

Dr. Gopi Chand Bhargava : We do not say that we are not grateful to what you have done. And it was under your instructions that we arranged to speak for 10 minutes so that more members may speak.

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia) : Sir, when my honourable friend, Sardar Hari Singh, rose to move his cut motion—

Mr. Speaker : No personal reference should be made.

Minister for Revenue : May I not mention the name of the honourable member at all ?

Mr. Speaker : The honourable member should not be personal.

Minister for Revenue : I was expecting from him some very useful suggestions to improve the department which is under my charge. But my honourable friend rose from his sleep, probably he was dreaming of some of his previous birth. He came upon this House like a torrent from Katardhar, fully armed with his bow and arrows on *assagai* and his shield with which he used to hunt in his olden times to collect scalps as trophies of war. (*A voice : We cannot hear.*) If my honourable friends cannot hear, I am afraid I cannot purchase an instrument which may make them hear better.

Mr. Speaker : If honourable members stop making noise, they shall be able to hear the Minister for Revenue.

Minister for Revenue : But instead of making any suggestions he simply mentioned three things in his speech. First of all, landlords *versus* tenants ; second, *malba* and third, *patwaris*. (*Sardar Hari Singh : And fourth?*) and fourth, the application of income-tax system to land revenue assessment. These are the points on which my honourable friend used his very vigorous eloquence. I would have dealt with them, but some of my friends have already dealt with the subject, particularly the subject of *malba*. I would only make one or two remarks. I have tried to hunt up all the books

in the department in my charge and I have not been able to find out anywhere that the landlords had the obligation of supplying men for the army in lieu of the services rendered in getting land. The tenants or landlords in this province are not the tenants and landlords in the adjoining province, the United Provinces where I happen to have land also. These things are quite different from what they are here. Here we have petty landlords, who cultivate their own land and also take land on lease and cultivate it.

Lala Bhim Sen Sachar : Repetition.

Mr. Speaker : Please avoid.

Minister for Revenue : However this is a question which requires very delicate handling and I am afraid the time at my disposal to deal with it is not sufficient.

Coming to the question of *malba*, I might tell my honourable friends that a system like this is in vogue in Bengal. Our inquiries from that province have shown that there is a system in the form of the Jyotidari tax which is collected by the Bengal Government exactly on the lines of *malba*. (*Interruption.*) I am not going to be interrupted by my friends but I would like to point out that the Jyotidari tax is required to be spent there. (*A voice :* It should be abolished.) When the time comes for abolishing it, then we shall see about it. This Jyotidari tax is collected on voluntary basis like the *malba*. It is spent there on the following objects. There is a committee appointed by the tahsildar to look after this fund and out of this fund they spend money for the payment of establishment required and for expenses to be incurred in connection with the management of the fund ; in making, or improving the condition of the village roads and wells in the district ; on meeting the cost of importing new seeds and distributing the same amongst the cultivators ; in meeting the cost of improvement of village sanitation ; in adding dispensaries and schools, and other public purposes which are approved by the Jyotidari Fund Committee, subject to the sanction of the Deputy Commissioner.

My friends are objecting to this cess. It is a sort of customary cess which has been in existence for ages, not introduced by the present Government, but it is a sort of heir-loom of the previous Governments in this country. As it has already been pointed out, it is collected on voluntary basis. If the object of this tax or cess, if I may say so, is to devote it for useful purposes in the villages, is there any harm in continuing the tax ? We are not anxious at all that it should be continued. We are not putting this amount into the coffers of the province. Government gets nothing out of it and all the fund is devoted to the village expenses. What harm is there in continuing it ?

Sardar Partab Singh said that from Amritsar Rs. 72,000 was collected in the form of *malba* on Rs. 16 lakhs land revenue. He does not know that the land revenue collected from Amritsar was 18,20,000, and the *malba* collected from that district amounted to 27,000. My friend has repeatedly said on the floor of this House that I as Revenue Minister have received thousands and thousands of applications against this *malba*.

Sardar Partab Singh : I said hundreds.

Minister for Revenue : My friends have been going about from place to place getting these applications sent. The probability is that these

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applications have been received by the settlement officer before whom they have put their case. My honourable friend has himself seen the settlement officer several times. It is a matter between him and the settlement officer, and not myself. So far as I am concerned these applications have not come up to me nor even to the Financial Commissioner up till now. Therefore for him to say that I have taken nearly a year on this point to give instructions to the settlement officer that this *malba* should not be taken, is not right. I have not received any application. How then, can my honourable friend say that I have taken over a year on this point?

What is "village cess"? Section 3 (10) of Land Revenue Act, says: "Village cess" includes any cess, contribution or due which is customarily leviable within an estate, and is neither a payment for the use of private property or for personal service, nor imposed by or under any enactment for the time being in force." As I have said before, Government is not interested because the money does not go into the coffers of the province. Therefore, if my honourable friends can convince the Settlement Officer, Amritsar, of these thousands of applications and the validity of these applications, I think the matter will be considered and Government will pass orders when his report is received.

Coming to the remark of Sardar Kapoor Singh, he said that out of Rs. 20, land revenue received in Ludhiana probably Rs. 2 were taken for *malba*. I do not know wherefrom my friend got these figures, because I understand from what I have been told by the Financial Commissioner's Office that probably something like 3 pice is charged per rupee as *malba* cess.

Then Sardar Lal Singh suggested that receipts should be issued to the people who pay this *malba* cess. I presume that my friend accepts the principle that the charging of *malba* is right. The question is whether the accounts are audited or not. I can assure the House that Government will take necessary action to see that the accounts are properly kept and properly audited.

My friend has stated that the land revenue system is unjust. May I ask my friend whether the same system does not apply in the other provinces, nine of which are being governed by the Congress Ministries? Have they made any change in the light of this criticism? They have not and they will not, at any rate for the present. My honourable friends say that we should make a start in this matter and give up land revenue altogether and assess it on the basis of income-tax. My friend, Sardar Hari Singh quoted from what I said in a talk at Hoshiarpur. He said that I told them that this was impracticable. If I may say so, Sir, I may quote, the Honourable Pandit Pant, the Premier of the adjoining province and the words that he used were that this proposition was absurd, and nobody could undertake to do this. That is what he told me in my interview with him in December last. I do not know what his scheme would be, but this is the advice he gave me when I talked to him on the subject. Now what will be the effect of giving up this land revenue system and adopting the income-tax basis of assessment? As my friends on this side had said—probably some of the members on the Opposition benches have also said

it—if we exempt land revenue up to Rs. 5, we lose about 17 lakhs. If we apply the income-tax basis in place of the old land revenue system as prevailing in this and other provinces, it means we shall have to give up 4 crores of rupees and as the proverb goes, if you allow the elephant to pass why not allow the tail also to pass and give up the whole thing. But my friends on the opposite benches, with no sense of responsibility of the administration of a province say that they want to change the system. (*An honourable member* : We can do better.) Better from your point of view, because there is no responsibility on your shoulders. We have to see that the administration of the province is carried on as the Honourable Premier has just now said and they cannot expect that about 450 lakhs of rupees will be given up. If this were done, we will then be left in the lurch. Probably my honourable friends wish that this Government should come to a standstill. They do not want any Government to be carried on in this country.

Diwan Chaman Lall : When was it ever on the move ? (*Laughter.*)

Minister for Revenue : I need not reply to that. Now coming to the question of benami transactions, my honourable friends have said that we have not done enough. My honourable friend, the Premier has dealt with that question and I need not repeat his arguments. (*An honourable member* : What is your opinion ? Have you done anything ?) I am not going to answer it. As regards this question the Premier has said that we have appointed five tahsildars in the five divisions of the province and they are looking into the matter. Their reports have not come to me so far. I am sure that a great deal of relief would be given to the people when the reports of these tahsildars are received and considered. As regards the extension of this, it requires more careful consideration. The question of the appointment of more tahsildars to look after these benami transactions will be fully considered by the Government and orders passed.

With regard to the question of consolidation of holdings, my honourable friends know that some 15 or 16 years ago this work was undertaken by the co-operative societies who have done a good deal of work in this respect and something like 57 villages with a large area have been dealt with by the consolidation officers. Three years back there was a conference presided over by His Excellency the Governor with a view to speed up the work. The Revenue Department was asked to take up this work and since then we have included this item in the grant for land revenue. Otherwise it would not have been included here. We are anxious that where the consolidation of holdings is an absolute necessity it is done. We know that fragmentation of holdings takes place according to customary law. As soon as the old proprietor passes away his children step into his shoes and a holding of ten acres is divided among five children with two acres each. This thing goes on. What was happening in the past was that these children would not agree to take the two acres in one block. They would like to have a partition of each acre into five parts and then have their share. That is the reason why fragmentation has taken place in the province with the result that the holdings have become uneconomic and practically useless for cultivation purposes. People have to

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change. They are gradually changing as time goes on. The need for this reform has been there and I am glad to see that people are seeing the advantages of consolidation of holdings and every endeavour is being made to speed up this work. I wish I had more money and a larger grant given to me for this work. We are providing something like Rs. 50,000 for consolidation work by the Revenue Department from the special development fund which my honourable friend the Finance Minister has created and we hope to carry through this work as quickly as possible.

Now with regard to taqavi loans, some of my honourable friends said that we have not made any provision for taqavi in the budget. Probably my friend, Pir Akbar Ali, has not studied the budget very carefully. Had he done so, he would have found on page 574 of the budget that we have provided something like 5 lakhs for this purpose.

I hope it will satisfy him if I say that we are doing our best under the circumstances to give relief to the people. (A voice: Louder please.) I

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cannot be louder than this. There is another proposition which has been put forward that land mortgaged for a considerable number of years should return to the original proprietor. That proposition has my heartiest sympathy. We will do our best that this proposition is carried out, but in doing so we have to consider the question whether we are not doing injustice to anybody in any way. The case would be duly considered and given full thought and orders would be passed thereon. Let my friends rest assured that this point would not be forgotten. My friend, Sardar Kabul Singh, said that we took about 9 crores from the kisans and we did not give back to them anything. I have got tired of putting forward what we have been able to do in the last year. But perhaps my friends would permit me to give them certain figures of what we have done in the current year (1937-38). I need not give them any detailed figures, but I may only say this in passing that this Government has given relief to the peasants and kisans to the tune of about 77 lakhs. We have done that as our duty.

Chaudhri Krishna Gopal Dutt : After sucking their blood.

Minister for Revenue : My friend says after sucking their blood. In one of his speeches at Simla he said that sliding scale is giving nothing and that it is only a paper transaction. My friends know that in Lyallpur district 29 lakhs were given in one fasal (*hear, hear*), and in the second instalment 15 lakhs were remitted. Is that a paper transaction, I ask my honourable friends (*hear, hear and interruptions*).

Mr. Speaker : No interruptions or remarks please.

Chaudhri Krishna Gopal Dutt : If the Honourable Minister makes incorrect statements remarks must be made.

Khan Bahadur Nawab Muzaffar Khan : Did we interrupt you even once in your speech?

Mr. Speaker : If the Honourable Minister gives way, he may be corrected immediately, otherwise after he finishes his speech.

Minister for Revenue : My friends interrupt me in my speech.

Khan Bahadur Nawab Muzaffar Khan : This is their habit.

Minister for Revenue : I may give him a little more information. In 1937 a total of over 34 lakhs in land revenue, rent and abiana were remitted of which Rs. 23,83,584 was land revenue. My friend said that nothing was remitted from abiana. Mark what I say. Rupees 12,50,491 was remitted out of the abiana in rabi 1937 (*hear, hear*). Rupees 80,590 were remitted in rents on estates. This is in rabi alone. The total comes to Rs. 34,14,665, (*hear, hear*). Coming to kharif, 1937, Rs. 4,14,111 were remitted in land revenue. (*Interruption.*)

Mr. Speaker : I am not going to allow such interruptions. If any honourable member interrupts again, I shall be constrained to use my special powers.

Minister for Revenue : In Kharif, 1937, Rs. 7,02,000 were remitted and the total comes to Rs. 11,16,111.

Master Kabul Singh : May I ask a question through you ?

Mr. Speaker : No, let him finish.

Minister for Revenue : In rabi, 1937, Rs. 1,35,000 were suspended and in kharif, 1937, Rs. 14,66,081 were suspended. That is a total of Rs. 16,01,081. Coming to faqavi loans, under Act XIX of 1883, and Act XXII of 1884, the amount distributed was Rs. 5,69,847. Rupees 2,52,000 were suspended and Rs. 15,080 were remitted and Rs. 2,000 were given in other relief. This is what we have been able to do in the short space of a year and I ask my honourable friends and anybody outside whether similar figures can be produced by any other province (*hear, hear*). I am not mentioning what has been done in the past, because I am giving account of my stewardship of the year alone.

Dr. Gopi Chand Bhargava : You extract more, therefore, you remit more.

Minister for Revenue : My friends know that the Darling Committee is going on with their work. I expect that by the 15th of the next month their report will be in our hands and as soon as that report is received it will receive very careful and very thorough consideration of the Government. I cannot anticipate, as my honourable friends wish me to do, I cannot anticipate the report of the committee. They do not know what is happening. They have been asked to go and give evidence before that committee, but how many of them have gone there to give evidence ?

Premier : How many of them even understand the questionnaire ?

Minister for Revenue : I would not say more than this that if they have the interests of the zamindars in their hearts, they should go and put their case before that committee and suggest what we should do.

Dr. Gopi Chand Bhargava : It is no use putting our case before that committee.

Minister for Revenue : My honourable friend says it is no use putting their case before the committee. Does he feel that he is content to pre-judge in this matter ? If he puts his case before the committee presided over by Mr. Darling and on which sits an income-tax officer, they will consider his proposals and would be expected to do the needful.

Dr. Gopi Chand Bhargava : We know their past actions.

Minister for Revenue : I know what Mr. Darling is doing. I have a great sympathy with that officer and for the hard work he is doing (*hear, hear*) in collecting necessary material for his report. It should certainly be an interesting report. Some of my friends said that we have not done anything for the zamindars. I may inform them that something like 4½ crores have been put into the pockets of the zamindars by seed and other methods. (*Question.*) You can question anything you like, but when the facts come before you, you will know what we have done and what has been done by the Agriculture Department of the Punjab.

Diwan Chaman Lall : May I ask the Honourable Minister whether it is not a fact that a sum of nearly 20 crores have been taken out of the pockets of the zamindars by lower prices ?

Minister for Revenue : My honourable friend has mentioned lower prices. Marketting Bill is coming for that purpose.

Diwan Chaman Lall : It will lower the prices still further.

Minister for Revenue : My honourable friend does not understand that the sliding scale is meant to deal with lower prices. (*Hear, hear.*) So much has been said by the Opposition in regard to the sliding scale. (*Interruptions.*) I am not going to be interrupted by my honourable friends opposite.

I have explained what has been the effect. If my honourable friend Mian Abdul Aziz will kindly go and take the trouble of asking zamindars of Lyallpur what they have received in remissions then he will be convinced, but the probability is that my friend meets them in another way ; (*hear, hear*), i.e., he lightens their pockets a little bit and puts the money into his own pocket ! That is the service that he has done to the zamindars ? I will be very short because the time at my disposal is rather short but several of my honourable friends have said something as regards the Nili Bar tenants and their grievances and I should reply to them. I think they have only to refer to the statement that I made on the floor of this House as to what we have done. Some honourable friends opposite have been going about and fanning the flame. (*A voice : This is their habit.*) This is the sort of sympathy that they have been showing to the zamindars. I have received four deputations—two deputations of the tenants and two deputations of the lease-holders. The Financial Commissioner, Development, and I gave them a patient hearing and the whole matter was discussed in the Cabinet and decisions arrived at which have been communicated to them and they were well received but for the kind attention paid by certain sections of the people.

I come now to the question of the subsidence of water level in Jullundur Doaba of which my relation and honourable friend, Sardar Sahib Sardar Gurbachan Singh, said so much. I may tell him that the special officer appointed for the purpose has completed his report and that report is going to be considered by the Government and necessary action would be taken. (*Interruption.*) Let him not be very impatient in this matter. He should wait for the results. I have got the interest of the people of those two districts as dear to my heart (*interruptions*) as they could be to anybody else. A good deal of money has been spent for the purpose of

checking waterlogging. In five years' programme something like 39 lakhs of rupees have been spent and in the coming two years we are going to spend 32 lakhs more to meet the waterlogging situation. (*Hear, hear.*) I may also tell my honourable friends that we are not resting on this device only of digging drains and sub-drains to drain the area. We are considering the question whether it is not possible to line our canals so as to stop the evil of waterlogging. (*Loud applause.*) The expenditure will be colossal and I hesitate to say that I will take up this work at once. (*Loud applause.*)

Mr. Speaker : The question is—

That the demand be reduced by Rs. 100.

The Assembly divided : Ayes 25 : Noes 82.

AYES.

Ajit Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhagat Ram Sharma, Pandit.
Bhim Sen Sachar, Lala.
Chaman Lall, Diwan.
Duni Chand, Lala.
Duni Chand, Mrs.
Gopi Chand Bhargava, Dr.
Hari Singh, Sardar.
Kabul Singh, Master.
Kartar Singh, Chaudhri.
Kartar Singh, Sardar.
Kishan Singh, Sardar.

Krishna Gopal Dutt, Chaudhri.
Lal Singh, Sardar.
Muhammad Iftikhar-ud-Din, Mian.
Mula Singh, Sardar.
Partab Singh, Sardar.
Prem Singh, Mahant.
Raghubir Kaur, Shrimati.
Rur Singh, Sardar.
Sahib Ram, Chaudhri.
Sant Ram Seth, Dr.
Shri Ram Sharma, Pandit.
Sohan Singh, Josh Sardar.

NOES.

Abdul Hamid Khan, Sufi.
Abdul Haye, The Honourable Mian.
Abdul Rab, Mian.
Abdul Rahim, Chaudhri (Gurgaon).
Afzaalali Hansie, Sayed.
Ahmad Yar Khan Daulatana, Khan Bahadur Mian.
Ahmad Yar Khan, Chaudhri.
Akbar Ali, Pir.
Amjad Ali Shah, Sayed.
Anant Ram, Chaudhri.
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.
Dina Nath, Captain.

Faiz Muhammad Khan, Rai.
Faiz Muhammad, Shaikh.
Faqir Hussain Khan, Chaudhri.
Fateh Jang Singh, 2nd-Lieut. Bhai.
Fateh Muhammad, Mian.
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 Singh (American), Sardar.
Gurbachan Singh, Sardar Sahib, Sardar.
Haibat Khan Daba, Khan.
Hans Raj, Bhagat.
Hari Chand, Rai.
Harnam Das, Lala.
Harnam Singh, Captain Sodhi.

Het Ram, Rai Sahib Chaudhri.
 Jagjit Singh Man, Sardar.
 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 Akram Khan, Khan Bahadur Raja.
 Muhammad Azam Khan, Sardar.
 Muhammad Faiyaz Ali Khan, Nawabzada.
 Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar.
 Muhammad Hassan, Khan Bahadur Makhdom Sayed.
 Muhammad Hayat Khan Noon, Nawab Malik Sir.
 Muhammad Hussain, Sardar.
 Muhammad Hussain, Chaudhri.
 Muhammad Nurullah, Mian.
 Muhammad Shafi Ali Khan, Khan Sahib Chaudhri.
 Mukand Lal Puri, Rai Bahadur Mr.
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
 Muzaffar Khan, Khan Bahadur Captain Malik.

Muzaffar Khan, Khan Bahadur Nawab.
 Narendra Nath, Diwan Bahadur Raja.
 Nasir-ud-Din, Chaudhri.
 Nawazish Ali Shah, Sayed.
 Nur Ahmad Khan, Khan Sahib Mian.
 Pir Muhammad, Khan Sahib Chaudhri.
 Prem Singh, Chaudhri.
 Pritam Singh, Siddhu, Sardar.
 Ram Sarup, Chaudhri.
 Ripudaman Singh, Thakur.
 Roberts, Professor W.
 Santokh Singh, Sardar Sahib Sardar.
 Shah Nawaz, Mrs. J. A.
 Shah Nawaz Khan, Nawab Khan.
 Sham Lal, Rai Bahadur Chaudhri.
 Sikander Hyat-Khan, The Honourable Major Sir.
 Singha, Mr. S. P.
 Sita Ram, Lala.
 Sumer Singh, Chaudhri.
 Sundar Singh Majithia, The Honourable Dr. Sir.
 Suraj Mal, Chaudhri.
 Tara Singh, Sardar.
 Tikka Ram, Chaudhri.
 Ujjal Singh, Sardar Sahib Sardar.

OTHER GRANTS.

The following demands were then put from the Chair and adopted :—

- That a sum not exceeding Rs. 41,60,900 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Land Revenue.
- That a sum not exceeding Rs. 11,53,900 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Provincial Excise.
- That a sum not exceeding Rs. 50,100 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st of March, 1939, in respect of Stamps.
- That a sum not exceeding Rs. 18,54,700 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Forests.
- That a sum not exceeding Rs. 72,600 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Registration.
- That a sum not exceeding Rs. 1,54,600 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of charges on Account of Motor Vehicles Taxation and Other Taxes and Duties.

- That a sum not exceeding Rs. 78,11,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Irrigation.
- That a sum not exceeding Rs. 98,56,100 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Irrigation—Establishment.
- That a sum not exceeding Rs. 1,52,34,300 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Irrigation (Capital).
- That a sum not exceeding Rs. 38,26,200 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Administration of Justice.
- That a sum not exceeding Rs. 29,41,100 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Jails and Convict Settlements.
- That a sum not exceeding Rs. 1,80,500 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Scientific and Miscellaneous Departments.
- That a sum not exceeding Rs. 6,25,900 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Education (European and Anglo-Indian Education).
- That a sum not exceeding Rs. 1,55,14,700 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Education (excluding European and Anglo-Indian Education).
- That a sum not exceeding Rs. 45,19,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Medical.
- That a sum not exceeding Rs. 38,28,900 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Agriculture.
- That a sum not exceeding Rs. 16,69,200 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Veterinary.
- That a sum not exceeding Rs. 15,08,900 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Co-operation.
- That a sum not exceeding Rs. 3,400 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Industrial Capital Expenditure.
- That a sum not exceeding Rs. 1,12,20,100 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Civil Works.
- That a sum not exceeding Rs. 16,03,500 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Public Works Department, Buildings and Roads Establishment.
- That a sum not exceeding Rs. 23,47,300 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Hydro-Electric Schemes—Working Expenses.
- That a sum not exceeding Rs. 10,98,200 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Public Works Department—Hydro-Electric Establishment.
- That a sum not exceeding Rs. 11,06,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Civil Works (Capital).
- That a sum not exceeding Rs. 32,45,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Hydro-Electric Schemes—Capital Expenditure.
- That a sum not exceeding Rs. 1,44,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Famine.

That a sum not exceeding Rs. 50,28,300 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Superannuation Allowances and Pensions.

That a sum not exceeding Rs. 4,40,500 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Commuted Value of Pensions.

That a sum not exceeding Rs. 10,44,100 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Stationery and Printing.

That a sum not exceeding Rs. 27,25,500 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Miscellaneous.

That a sum not exceeding Rs. 4,84,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Advances not bearing Interest.

That a sum not exceeding Rs. 39,67,200 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Loans and Advances bearing Interest.

The Assembly then adjourned till 2 p.m., on Thursday, 31st March, 1938.

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PUNJAB LEGISLATIVE ASSEMBLY.

2ND SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Thursday, 31st March, 1938.

The Assembly met in the Council Chamber at 2 P.M. of the clock. Mr. Speaker in the chair.

OATH OF OFFICE.

✓ Rai Sahib Lala Sohan Lal was sworn in.

STARRED QUESTIONS AND ANSWERS.

GAZETTING OF THE ELECTIONS TO MUNICIPAL COMMITTEE, AMRITSAR.

***2337. Lala Bhagat Ram Choda :** Will the Honourable Minister of Public Works be pleased to state—

- (a) when the elections to the Amritsar Municipal Committee were held;
- (b) whether it is a fact that the result of these elections has not been gazetted so far; if so, the reasons, if any, for the inordinate delay in the publication of the result of the municipal elections at Amritsar in the Gazette?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) In January, 1938.

(b) Yes. The question of appointment of members on the Municipal Committee of Amritsar is under the consideration of Government and as soon as a decision is made the result of the elections will be notified along with the notification regarding the appointed members.

EXTENSION OF THE LIMITS OF MUNICIPAL COMMITTEE, RAWALPINDI.

***2338. Sardar Hari Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that the Government has recently turned down the request of the Rawalpindi Municipal Committee contained in a resolution adopted by the Committee disapproving of the extension of the limits of the Municipal Committee;
- (b) if answer to (a) above be in the affirmative, grounds for the same?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) The matter is still under consideration.

(b) Does not arise.

**REPRESENTATION AGAINST EXACTION OF BEGAR FROM THE ACHHUTS
OF VILLAGE JHUTLANA.**

***2339. Sardar Mula Singh :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that one Buta Ram Chumar of village Jhutlana, district Karnal, sent a representation to the Deputy Commissioner of Karnal complaining that *begar* was exacted from the Achhuts of that place by the zamindars of the village and the zamindars of the said village took away their manure ; if so, the action taken on that representation ;

(b) whether it is a fact that the sweepers of village Jhutlana are allowed to sell their manure while the Chamars are not allowed to do so by the zamindars of the village ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes. The representation did not contain any allegation regarding removal of manure. An enquiry was made and it was found that the dispute related to an obligation to render service dependent on custom and sanctioned by the *wajib-ul-arz* and there was no ground on which the Deputy Commissioner could properly intervene.

(b) Government has no information.

Lala Deshbandhu Gupta : Has the Honourable Minister seen the representation himself ? Was there no allegation of *begar* whatsoever made therein ?

Minister : Only a representation, there was no allegation about manure.

Lala Deshbandhu Gupta : What I am asking is whether any allegation of *begar* was made in that representation and what was the result of the enquiry ?

Minister : The last portion of my answer contains that reply.

Lala Deshbandhu Gupta : What is the answer ?

Minister : It is there.

Lala Deshbandhu Gupta : Do the Government condone that custom ?

Minister : Government does not interfere with the customs of the people, which have been in vogue for a very long time.

Lala Deshbandhu Gupta : Should I understand that the Honourable Minister thinks that this state of affairs is scandalous and needs a change ?

Minister : It is a matter of opinion.

Lala Deshbandhu Gupta : What is the opinion of the Honourable Minister ?

Mr. Speaker : No question asking for opinion should be asked.

ADMISSION OF ACHHUTS IN PATWAR SCHOOL IN HOSHIARPUR DISTRICT.

***2340. Sardar Mula Singh :** Will the Honourable Minister of Revenue be pleased to state when the patwar school was opened in district Hoshiarpur and how many Achhuts have been admitted into that school ; if none has so far been admitted, whether Government proposes to take any step in the matter, if not, why not ?

The Honourable Dr. Sir Sundar Singh Majithia : No patwar school has been opened in Hoshiarpur.

Sardar Mula Singh : Is the Government prepared to open a patwar school for Achhuts in future ?

Minister : No patwar school has been opened in Hoshiarpur and there are no proposals yet before the Government on the subject.

ADMISSION OF ACHHUTS IN PATWAR SCHOOL IN JULLUNDUR DISTRICT.

***2341. Sardar Mula Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) when the Patwar School was opened in district Jullundur and how many Achhuts have been admitted into that school ;
- (b) the number of those students who have passed the Patwar examination from this school and have secured appointments ;
- (c) whether the Government would employ the remaining qualified students ; if so, when ;
- (d) whether at the time of recruitment Government would give preference to the qualified Achhut candidates ; if not, why not ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) A patwar school was opened in 1934 and 11 depressed class students were admitted into it.

(b) Seven passed the Patwari examination and two of them have been accepted as patwari candidates.

(c) and (d) In view of the general policy of Government regarding questions which savour of communalism on the floor of the House, I regret I must decline to answer these parts of the question.

NORMAL SCHOOL, JULLUNDUR, AND ACHHUTS.

***2342. Sardar Mula Singh :** Will the Honourable Minister of Education be pleased to state—

- (a) when the Normal School was opened in district Jullundur and how many students have passed the examination and got employment in Government schools ;
- (b) when the Government would employ the remaining qualified students and whether at the time of recruitment it would give preference to the qualified Achhut candidates ?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz): (a) 1886.

The time and labour required for collecting the information asked for in the second part will not be commensurate with the benefit derived from it.

(b) Students trained at Normal School, Jullundur, are mainly employed by local bodies and aided schools. Government is, however, prepared to give sympathetic consideration to Achhut S. V. candidates for vacancies in Government service when they occur.

Lala Deshbandhu Gupta: Are there any standing instructions on the point to give preference to the qualified Achhut candidates?

Parliamentary Secretary: I think the Honourable Premier told the House the other day that instructions have been issued to all the departments to take into consideration the question of appointment of suitable scheduled caste candidates.

SARDAR RATTAN SINGH, BABAR AKALI.

*2343. **Sardar Mula Singh**: Will the Honourable Premier be pleased to state—

(a) how, when and where Sardar Rattan Singh, Babar Akali, was killed and who gave a clue to his whereabouts;

(b) when and whose securities were forfeited on the death of Sardar Rattan Singh?

Parliamentary Secretary (Mir Maqbool Mahmood): Information sought by the honourable member is being collected and it is regretted that the answer is not yet ready, but before agreeing to answer this part of the question as to who gave a clue to Rattan Singh, Babar Akali's whereabouts, the Government would like to be informed of the object of the honourable member in putting this part of the question.

Lala Deshbandhu Gupta: Is it necessary for honourable members to state the object of asking a particular question?

Parliamentary Secretary: In view of the fact that the disclosure of names of persons who gave a clue to certain Babar Akali's whereabouts would involve the informers to risk, Government is not prepared to refuse or agree to give the information unless they are convinced of the reason for putting this question.

Lala Deshbandhu Gupta: Reason is to seek information. Is the Government denying that?

Parliamentary Secretary: The Government is not in the habit of denying any information unless it feels that it cannot be given in public interest.

Sardar Partab Singh: The primary object is that due reward must be given to that person. Has it been given?

Parliamentary Secretary: Is the honourable member who gives the reason speaking for himself or on behalf of the honourable member who has put the question?

Diwan Chaman Lall : On a point of order, Sir. Is it fair for the honourable member, when answering a supplementary question, to put a question himself to the opposite benches?

Mr. Speaker : The honourable member is answering the question and not asking it.

Diwan Chaman Lall : He said 'Is the honourable member speaking for himself or for somebody else.' That is not answering a question. That is putting a question.

Parliamentary Secretary : The reply which the Government gave was that the honourable member who put this question should explain to the Government his object for putting this question. At that stage on the spur of the moment another honourable member got up to reply and I enquired whether he was speaking for himself or on behalf of the honourable member who put the original question.

Diwan Chaman Lall : If the honourable member wishes to address the Chair, he is within his rights to do so and ask for a ruling. But he was not addressing the Chair. It is pure—what shall I say—camouflage on the part of the honourable member to say that he was. He actually put a question to these benches. He asked for no ruling from the Chair.

Mr. Speaker : I hope the honourable member will follow the ordinary procedure.

Sardar Mula Singh : What I want to ask is whether the reward was given to the real person and not only to the police official?

Parliamentary Secretary : That does not arise.

Diwan Chaman Lall : It is for the Chair to say whether the question arises or not. It is not for the honourable member to take upon himself to state that it does not arise. The honourable member ought to ask the Chair specifically.

Mr. Speaker : Probably he is inviting my attention.

Mian Abdul Rab : Is it a fact that the person who gave a clue can seek protection under the provisions of the Indian Evidence Act?

Parliamentary Secretary : Probably I did not make myself clear. What I meant was that such persons are under protection against legal proceedings but not against the illegal activities of lawless persons. In this case the informers ran the risk at the hands of lawless persons and the Government wanted to know the reason why this question was put before they could decide to answer or refuse to answer it.

CONSTRUCTION OF A ROAD TO CONNECT BARRIAN KALAN AND KHURD WITH THE HOSHIARPUR-GARHSANKAR ROAD.

***2344. Sardar Mula Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) the total population of the Barrian Kalan and Khurd, a town in the Hoshiarpur district;

[S. Mula Singh.]

- (b) whether this town is the commercial centre of the surrounding areas ; if so, whether any road connects it with the main road which goes from Hoshiarpur to Garhshankar ;
- (c) whether the Government proposes to construct a road from village Bahawal to connect Barrian Kalan and Khurd with the main road ; if not, why not ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) The total population of Barrian Kalan and Khurd is 2,826.

(b) Barrian Kalan and Khurd are only big villages and as there are a number of shops in Barrian Kalan there is a fair amount of business also. No road connects these villages with the main road.

(c) The construction of village roads and connecting them, where necessary, with the main roads is under consideration of Government and a scheme is likely to mature in the near future.

ACHHUT GIRLS ABDUCTED DURING 1920—37.

***2345. Sardar Mula Singh :** Will the Honourable Finance Minister be pleased to state—

- (a) the number of Achhut girls abducted during the years 1920 to 1937 in the province ;
- (b) the number of cases filed in the courts in this connexion and the number of those girls among them who were restored to their parents ?

The Honourable Mr. Manohar Lal : The required information can not be collected without an expenditure of time and labour which would be incommensurate with the results which could possibly be achieved.

ACHHUT CANDIDATES IN THE PUNJAB CIVIL SERVICE.

***2346. Sardar Mula Singh :** Will the Honourable Premier be pleased to state—

- (a) whether any Achhut candidate appeared this year in the Punjab Civil Service (Judicial) Examination ;
- (b) whether the Government proposes to take any Achhut in the Punjab Civil Service this year ; if not, why not ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) One candidate who claims to be a Chamar appeared in the qualifying examination recently held for the Punjab Civil Service (Judicial Branch).

(b) Whether this candidate can be taken in the Judicial Branch of the Punjab Civil Service must depend on his success in the examination. No direct nominations to the Punjab Civil Service in the Executive Branch are contemplated this year.

PROCEEDINGS OF THE UNEMPLOYMENT COMMITTEE.

***2347. Sardar Hari Singh :** Will the Honourable Minister of Development be pleased to state—

- (a) whether it is a fact that meetings of the Unemployment Committee appointed by the Government are invariably held in *camera*, even while non-official witnesses are giving evidence before it;
- (b) the grounds on which proceedings of the Unemployment Committee are kept confidential;
- (c) whether Government has issued instructions to that effect to the Unemployment Committee?

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

(b) To ensure greater freedom and frankness to witnesses in their evidence.

(c) No.

Lala Deshbandhu Gupta : Has there been any request made by non-official witnesses to hold the proceedings in *camera*, that the proceedings have been held in *camera*. Did the non-official witnesses think that it would afford greater freedom to them if the meetings were held in *camera*?

Minister : When the first meeting was held, a representative of one of the local papers made a request to be permitted to attend the meeting. The sense of the Committee was that the Press should not be admitted.

Lala Deshbandhu Gupta : That is the sense of the Committee, but did any witness take exception to the evidence being taken in the public?

Minister : Not to my knowledge.

Diwan Chaman Lall : Does the particular motion of the act of the Committee appear in the proceedings of the Committee?

Minister : No, it does not, because the sense of the Committee was gathered informally.

Lala Duni Chand : Is it not a fact that the publication of evidence from day to day is the best method of taking public opinion in certain respects? If so, will the Committee revise its opinion in the matter?

Minister : I am afraid I do not agree in the view taken by the honourable member.

Diwan Chaman Lall : Is it a fact that the time for taking evidence is over now, so the question does not arise?

Minister : Yes, that is true.

Lala Duni Chand : Was the Government in favour or against publicity being given to the proceedings of this Committee?

Minister : The Unemployment Committee was opposed to it.

Lala Bhim Sen Sachar : Does the Government intend to keep the report of the Unemployment Committee as a sealed book?

Minister : It will not be a sealed book. The honourable member will see it by the end of the summer.

CONFERENCE OF MALERKOTLA STATE SUBJECTS AT SANDAUR, DISTRICT
LUDHIANA AND SUB-INSPECTOR, POLICE, DEHLON.

***2348. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether he is aware that a Conference of Malerkotla State subjects was held at village Sandaur, district Ludhiana, on 5th and 6th December ;
- (b) whether it is a fact that the Sub-Inspector of police station Dehlon visited the village on the evening of 5th December in a car accompanied by an official of Malerkotla Durbar ;
- (c) whether the people of village Sandaur have submitted a petition to the authorities regarding the alleged objectionable behaviour of the Sub-Inspector on the above-mentioned occasion ;
- (d) whether any inquiry has been instituted into the allegations contained in the said petition ; if so, with what result ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes.

(b) The Sub-Inspector went to the Conference on a bicycle and not in the State car to watch proceedings. The State car arrived there subsequently.

(c) No.

(d) Does not arise.

COMPLAINTS MADE AGAINST CANAL OVERSEER BY THE INHABITANTS OF
VILLAGE SARABHA, TAHSIL LUDHIANA.

***2349. Sardar Lal Singh :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that the inhabitants of village Sarabha in tahsil Ludhiana made several complaints to the Executive Engineer making certain allegations against the Canal Overseer ; if so, the action taken or proposed to be taken in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : Yes. The allegations against the Canal Overseer on enquiry were not substantiated and the petitioners were informed that the shortage in the Sarabha Minor was due to less than full supply running in the Talwandi Distributary for want of demand.

Lala Deshbandhu Gupta : Can the Honourable Minister quote any instance of inquiry, so far as his Department is concerned of the allegations of corruption made by the public having been substantiated ?

Minister : May I know if I have to answer this question ?

Mr. Speaker : The Honourable Minister may decide whether he will answer it or not.

Minister : This question does not arise out of the general question.

APPOINTMENT OF MUSLIM REVENUE ASSISTANTS IN CERTAIN DISTRICTS.

***2350 Sardar Lal Singh:** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that the Government has issued instructions to appoint only Muslim Revenue Assistants in certain districts including Ludhiana;

(b) if so, what are the special circumstances that call for such a step in the case of Ludhiana?

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

(b) Does not arise.

Khawaja Ghulam Samad: May I know whether the convention started by the present Government that communal questions cannot be answered on the floor of this House is not applicable to this question?

Parliamentary Secretary: The honourable member has probably misunderstood the question. So far as the answer of the Honourable the Premier with regard to communal question of the type to which that convention relates is concerned, it does not apply to this question, but if the House desires that the convention should be extended even to such questions, Government will consider it.

Khawaja Ghulam Samad: May I ask the honourable member to define the word 'communal'?

DETENTION OF UJAGAR SINGH.

***2351. Master Kabul Singh:** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that one Ujagar Singh, son of Sardar Natha Singh of village Dusanj Kalan, district Jullundur, was detained under the Criminal Law Amendment Act for a period of two months in the Lahore Fort;

(b) whether he is aware that he (Ujagar Singh) was tortured and abused by the police officials during this period;

(c) whether it is a fact that as a result of this torture the said Ujagar Singh fell ill;

(d) the reasons why the said Ujagar Singh was not medically attended to when he was ill during his detention in the Lahore Fort?

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

(b) and (c) No.

(d) Ujagar Singh was periodically examined by a medical officer while he was in custody.

Lala Duni Chand: Was any complaint of torture made to Government?

Parliamentary Secretary: I have already answered to that question in a 'no.'

Lala Deshbandhu Gupta : The question is whether Government received any complaint against the police for having tortured the prisoners?

Parliamentary Secretary : This does not happen to be the question 2851. If he wants to ask a supplementary question, I shall ask for notice.

Diwan Chaman Lall : Is the honourable member aware that an allegation was made of torture and abuse, by Sardar Ujagar Singh?

Parliamentary Secretary : I am not aware of that, but if he gives me notice I shall be prepared to enquire.

ZAILDARS AND SUFEDPOSHERS.

***2352. Master Kabul Singh :** Will the Honourable Minister of Revenue be pleased to—

- (a) state the number of zaildars who were removed from office during the last five years ;
- (b) state the number of cases challaned by the police during the last one year in which zaildars, sufedposhes or their sarbrahs appeared as prosecution witnesses ;
- (c) state the reasons for which zaildars and sufedposhes are allowed to be represented by sarbrahs ; and
- (d) lay on the table a statement showing the number of zaildars and sufedposhes in the Jullundur and Hoshiarpur districts indicating in the case of each his educational qualifications and whether represented by a sarbrah ; if so represented, the educational qualifications of the sarbrah ?

The Honourable Dr. Sir Sundar Singh Majithia : The preparation of these statistics would require an amount of time and labour out of all proportion to the results obtainable. I regret that Government does not feel justified in collecting them.

MISAPPROPRIATION OF MALBA FUND BY LAMBARDAR SADHU SINGH OF VILLAGE KHA KH, DISTRICT HOSHIARPUR.

***2353. Sardar Hari Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether the district authorities have received any representation from some people of village Kha kh, tahsil Dasuya, district Hoshiarpur, complaining against alleged misappropriation of Malba fund by one lambardar Sadhu Singh of the said village and praying that the lambardar be ordered to render account of the Malba funds for the last three years to the malba payers ;
- (b) if answer to (a) above be in the affirmative, action taken by the Deputy Commissioner in the matter ?

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

(b) He is having enquiries made by the tahsildar.

COMPLAINT AGAINST SARDAR ARJAN SINGH, SUB-INSPECTOR OF POLICE,
CRIMINAL INVESTIGATION DEPARTMENT.

***2354. Sardar Hari Singh :** Will the Honourable Premier be pleased to state the departmental action, if any, taken against Sardar Arjan Singh, Sub-Inspector of Police, Criminal Investigation Department, on the complaint made to the Inspector-General, Police, by Master Tara Singh, President, Shiromani Gurdwara Parbandhak Committee, against the conduct of the said Sub-Inspector of Police in suppressing facts within his knowledge while appearing as a witness in the case *Crown versus Master Tara Singh* and others and on the strictures passed by the trying magistrate in that case in his judgment on the said Sub-Inspector of Police ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : Government have recently seen a copy of the judgment in this case and are making the necessary enquiries.

CENTRES AND SUB-CENTRES FOR INSPECTION OF MOTOR VEHICLES.

***2355. Sardar Hari Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the total number of centres and sub-centres for inspection of public motor vehicles in the Punjab ;
- (b) the number and the names of those created in 1937 ;
- (c) the number and the names of those created or proposed to be created in 1938 ;
- (d) whether the opening of such centres at Hissar, Karnal and Chiniot has been considered ; if so, with what result ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Centres 5 ; sub-centres 23.

(b) During 1937 sanction was accorded for the opening of new sub-centres at Kalka, Hissar, Gurgaon, Hoshiarpur, Abohar, Jaranwala and Jhelum.

(c) Proposals for the creation of sub-centres at Karnal, Chiniot and either Vehari or Burewa'a are under consideration.

(d) Does not arise.

TRAINED AND UNTRAINED TEACHERS IN LYALLPUR DISTRICT BELONGING
TO SCHEDULED CASTES.

***2356. Lala Harnam Das :** Will the Honourable Minister of Education be pleased to state—

- (a) the number of trained and untrained teachers in district Lyallpur from the scheduled castes ;
- (b) in case their representation is too low what action Government intends to take in this matter ?

The Honourable Mian Abdul Haye : The honourable member is referred to the answer given to question No. *2148.¹

RECRUITMENT FROM THE SCHEDULED CASTES FOR THE POLICE DEPARTMENT, LYALLPUR.

***2357. Lala Harnam Das :** Will the Honourable Premier be pleased to state—

- (a) the result of the recruitment that has been made on the 3rd January, 1937, at Lyallpur to the police force ;
- (b) whether any men from the scheduled castes have been recruited to it ;
- (c) if not, the reasons for the same ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : (a) Twelve recruits were taken on the date mentioned.

(b) No.

(c) No scheduled caste candidate with the requisite physical qualifications presented himself.

REPRESENTATION OF SCHEDULED CASTES AMONGST DISTRICT INSPECTORS OF SCHOOLS.

***2358. Lala Harnam Das :** Will the Honourable Minister of Education be pleased to state—

- (a) the number of Hindu assistant district inspectors of schools in the province ;
- (b) the number of scheduled caste members in the said cadre ;
- (c) in case the representation of scheduled castes is nil in that cadre what steps the Government intends to take in the matter ?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : (a) 51.

(b) Nil.

(c) The matter is under consideration.

J. V. TRAINED TEACHERS BELONGING TO SCHEDULED CASTES.

***2359. Lala Harnam Das :** Will the Honourable Minister of Education be pleased to state—

- (a) whether the Government is aware of the fact that the number of J. V. trained teachers belonging to the scheduled castes is very small throughout the province ;
- (b) if so, has the Government any scheme under consideration to increase their number ?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : I regret that the answer to the question is not ready.

REPRESENTATION OF SCHEDULED CASTES AMONGST THE PEONS OF DIFFERENT DEPARTMENTS AT LYALLPUR.

***2360. Lala Harnam Das :** Will the Honourable Finance Minister be pleased to state—

- (a) the number of peons (chaprasis) at present employed in Judicial, Executive and Revenue departments at Lyallpur who belong to the scheduled castes ;

- (b) if their representation is inadequate what steps Government proposes to take in the matter ?

The Honourable Mr. Manohar Lal : In view of the policy on such questions recently declared it is not proposed to collect the information but the suggestion contained in the question will be conveyed to the authorities concerned for any appropriate action that may be called for.

Lala Duni Chand : Does the question of representation of scheduled castes in the different services involve the question of communalism ?

Minister : The honourable member has completely misunderstood my answer.

SCHEDULED CASTES REPRESENTATION AMONG PATWARIS, ETC., OF THE
IRRIGATION DEPARTMENT IN LYALLPUR DISTRICT.

***2361. Lala Harnam Das :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that no representation in the cadres of patwaris, zilladars and clerks of the Irrigation Department has been given to the scheduled castes, so far as the Lyallpur district is concerned ;
- (b) if the answer to part (a) be in the affirmative, what steps Government proposes to take in the matter ?

The Honourable Dr. Sir. Sundar Singh Majithia : I must decline with regret to answer questions which savour of communalism on the floor of the House. I am sorry to have to adopt this attitude but Government consider it necessary in the public interest to establish a convention in connection with such questions. I shall, however, always be prepared to examine any particular instance of disproportionate representation which honourable member may bring to my notice in a more informal way.

SCHEDULED CASTE REPRESENTATION AMONG THE OVERSEERS OF THE
ELECTRICITY DEPARTMENT.

***2362. Lala Harnam Das :** Will the Honourable Minister of Public Works be pleased to state—

- (a) the number of overseers in the Electricity Department who belong to the scheduled castes ;
- (b) the number of candidates for the said posts who belong to the scheduled castes ;

[L. Harnam Das.]

- (c) in case their representation is nil or very low the action the Government intends to take to give them adequate representation in the said posts and services?

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

(b) Nil.

(c) There appears to be a great dearth of qualified persons of scheduled castes and in the few cases in which they have applied for employment, they have been accorded sympathetic treatment. At present this Branch has two clerks and one estimator who belong to these castes.

POST OF A SUB-REGISTRAR AT HAMIRPUR.

***2363. Rai Hari Chand :** Will the Honourable Minister of Public Works be pleased to state whether it is a fact that the post of sub-registrar caused vacant by the death of Raja of Kutlehi (Hamirpur) is still vacant ; if so, when it is likely to be filled?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : This post has since been abolished.

CASES STARTED AGAINST PEOPLE FOR GRAZING CATTLE ON CANAL BANKS, ETC.

***2364. Sardar Sohan Singh Josh :** Will the Hon'ble Minister of Revenue be pleased to state—

- (a) the number of cases started in 1937 against persons grazing cattle on the canal banks in the province without permission ;
- (b) the result of such cases ;
- (c) money realized through fines in such cases ;
- (d) money realized by the Government through the sale of grass on canal banks in the province in 1937 ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) 150.

(b) In 5 cases the accused were sentenced to varying terms of imprisonment, and in 119 cases they were fined. In one case the culprits were let off with a warning and in 4 cases they were acquitted while in 2 cases police took no action and in another the offenders remained untraced. The remaining cases are either *sub-judice* or the result is not yet known.

(c) Rs. 968-6-0.

(d) Rs. 28,971-8-0.

MR. DHANWANTRI OF THE DELHI SHOOTING CASE.

***2365. Sardar Sohan Singh Josh :** Will the Honourable Minister of Finance be pleased to state—

- (a) the weight of Mr. Dhanwantri of the Delhi Shooting Case on admission to the jail ;
- (b) the present state of his health and weight ;
- (c) the remission he has earned so far in his sentence ;
- (d) the approximate date of his release ?

The Honourable Mr. Manohar Lal : (a) (i) His weight on admission was 155 lbs.

(ii) His weight on admission in the Lahore Central Jail on return from the Andamans was 128 lbs.

(iii) His standard weight is 119½ lbs.

(b) (i) His present state of health is good.

(ii) His present weight is 140 lbs. (very much better than what it was when he came from the Andamans).

(c) He has earned nine months' remission up to the 31st December, 1987.

(d) Under ordinary circumstances he will be due for release in May, 1989.

Lala Deshbandhu Gupta : Has Government considered the question of releasing him earlier ?

Minister : Government is considering the question of a number of these prisoners usually described as political prisoners.

Lala Deshbandhu Gupta : And he is one of them ?

Minister : His case is also being considered.

SHER JANG OF AHMADGARH DACOITY CASE.

***2366. Sardar Sohan Singh Josh :** Will the Honourable Minister of Finance be pleased to state—

- (a) the weight and state of health of Sher Jang of Ahmadgarh Dacoity Case at the time of his arrest ;
- (b) whether he has been awarded any jail-punishments up to the present time ; if so, their nature and reasons ;
- (c) the remissions, if any, earned by him ;
- (d) the approximate date of his release and his present weight ?

The Honourable Mr. Manohar Lal : (a) His weight and health at the time of his arrest are not known.

His weight on admission to jail was 150 lbs. *

His health on admission to jail was good.

[Minister for Finance.]

(b) He has been awarded the following jail punishments since his conviction :—

Num-ber.	Date of offence.	Offence.	Jail punishment awarded.
1	26-12-30 ..	Shouting and singing revolutionary songs.	Separate confinement under paragraph 575, Punjab Jail Manual. Letters and interviews stopped for two months.
2	29-3-32 ..	Writing an unauthorised letter.	Warned.
3	..	Doing no work for three weeks.	Ten days' remission forfeited. (Punishment awarded on the 19th December, 1933.)
4	26-12-33 ..	Did no work from the 19th December, 1933.	Letters stopped for one month.
5	15-1-34 ..	Bad work in tape weaving	Warned.
6	2-9-37 ..	Writing an unauthorised letter.	Ten days' remission forfeited.
7	6-1-38 ..	Speaking to a state prisoner against orders.	Six days' remission forfeited.

(c) He had earned 21 months and 3 days' remission up to the 31st December, 1937.

(d) Under ordinary circumstances he should be released in August, 1938. His present weight is 132 lbs.

Lala Deshbandhu Gupta : Has Government considered this particular case, as it is well-known that this gentleman's opinion has undergone a change in favour of non-violence ?

Minister : His case is also under consideration. But I know nothing of his opinion having undergone any manner of change.

SHORT NOTICE QUESTION AND ANSWER.

COMMUNAL RIOT AT HISSAR.

Sardar Hari Singh : Will the Honourable Premier be pleased to states :—

(a) the action taken by the authorities to cope with the recent communal riot at Hissar ;

(b) the present state of affairs at Hissar.

The Honourable Major Sir Sikander Hyat-Khan : (a) All available police at the headquarters of the district was at once mobilised to localise trouble. In addition, two police reserves from the Rohtak and

Gurgaon districts were despatched to Hissar at the earliest opportunity to reinforce the local police. The Deputy Inspector-General of Police, Eastern Range, and the Commissioner, Ambala division, are supervising police arrangements on the spot.

(b) The situation at Hissar is now normal.

Lala Bhim Sen Sachar : Will the Honourable Premier give us an idea of the total strength of police of Hissar ?

Premier : I am afraid I cannot give it off-hand.

Nawab Khan Shah Nawaz Khan : Is it a fact that all the police officers and magistrates now employed for enquiry in this case are non-Muslims ?

Premier : I am afraid I should like to have notice of this question. But I may inform my honourable friend that the Superintendent of Police of Hissar at the moment is a Muslim.

Lala Duni Chand : Does the Government admit that the situation at Hissar requires drastic steps ?

Premier : One of these steps has been taken, that is we have imposed additional police on the city itself.

Khawaja Ghulam Samad : May I know whether the Deputy Commissioner of Hissar has appointed a Sikh Sub-Inspector for investigation in the place of a Muhammadan Sub-Inspector, in cases relating to Muhammadans ?

Premier : I have no information. I should like to have notice of that question.

Diwan Chaman Lall : May I enquire whether it is a fact that it is the same Superintendent of Police who was present on the last occasion when a riot took place ?

Premier : The Superintendent of Police is the same person.

Diwan Chaman Lall : May I enquire why in view of the fact that the same Superintendent of Police was unable to control the situation on the last occasion, this Superintendent of Police is being kept now in charge of the enquiry into the recent riot ?

Premier : I am afraid I cannot answer that question for the simple reason that the assumption that he was not able to control the situation last time is not admitted. The riot broke out at a place where the police did not expect it. After that the thing had settled down ; but apparently the police force stationed at Hissar after this experience seemed to be inadequate to cope with any such situation and, therefore, we have imposed additional police, so that in future they may be able to cope with it properly.

Malik Barkat Ali : Is it fair that a Muhammadan sub-inspector should be withdrawn from the investigation of case on the ground that he happens to be a Muhammadan and a non-Muhammadan retailed to carry out that investigation, in forgetfulness of the fact that a non-Muhammadan sub-inspector is as much exposed to the charge of communalism as a Muhammadan sub-inspector would be ?

Mr. Speaker : That is a matter of opinion.

Premier : No, Sir. I have got no information at all on the point my honourable friend is mentioning.

Malik Barkat Ali : It was just stated by an honourable member that a Mussalman sub-inspector has been withdrawn from the investigation of this case at Hissar. Is it because he happens to be a Muhammadan ?

Premier : It was not stated by me. There was a question to that effect and I said that I have no information.

Malik Barkat Ali : Will the Honourable Premier call for the details of the circumstances under which the Muhammadan sub-inspector was really withdrawn and a non-Muslim sub-inspector was detailed ?

Premier : If the honourable member will give me notice of that question, I will try to ascertain the facts.

Khan Sahib Chaudhri Sahib Dad Khan : Is it a fact that a Sikh sub-inspector has been placed in charge of city police station without the consultation of the Superintendent of Police and thus in charge of investigation of cases ?

Premier : I am afraid I have no information.

Khan Sahib Chaudhri Sahib Dad Khan : Is it a fact that a Sikh Deputy Superintendent of Police is in charge of the investigation of the case and that the Muslim Deputy Superintendent of Police has been removed from the investigation of cases ?

Premier : I regret that I cannot answer that question.

Seth Ram Narain Varmani : What is the population of the Hindus in Hissar on whom the punitive tax will be imposed ?

Premier : The honourable member is referred to the latest Census Report.

Chaudhri Kartar Singh : Will the Premier state whether he will consider the transfer of the Superintendent of Police from Hissar ?

Mr. Speaker : That is a request for action.

Khawaja Ghulam Samad : Is it in the knowledge of the Honourable Premier that a Sikh Deputy Superintendent of Police from Sirsa was deputed to take charge of the investigation at Hissar ?

Premier : I am afraid I have no information.

Khawaja Ghulam Samad : I repeat my question.

Premier : My answer is the same (*laughter*).

Sardar Sahib Sardar Santokh Singh : Are these questions not savouring of communalism ? If so, why are they being answered on the floor of the House ?

Pandit Shri Ram Sharma : Has the Government received any complaint against the police during the last riots as well as the present riots and especially against the Superintendent of Police ?

Premier : Informally several members have spoken to me not only against the Superintendent of Police, but also against the Deputy Commissioner, but that is not meant to show that these allegations are correct.

Pandit Shri Ram Sharma : Is it a fact that responsible people of Hissar approached the Deputy Inspector-General during the last riots and

the Deputy Inspector-General refused to hear them because they had complained against the Superintendent of Police? Is it a fact that the Deputy Inspector-General said that he will hear their complaints only if they withdraw their allegations against the Superintendent of Police?

Premier : I have no information.

Pandit Shri Ram Sharma : Will he care to enquire?

Premier : If he gives me notice, I will try to ascertain facts.

Lala Deshbandhu Gupta : Is the conduct of the Superintendent of Police also the subject of enquiry, so far as these last riots are concerned?

Premier : He was not present there.

Lala Deshbandhu Gupta : His absence is also a matter of complaint. Is it not a matter of enquiry that he had failed in his duty by absenting himself on such an occasion?

Premier : My honourable friend has forgotten the statement I made on the Hissar riots. I said that if it was established that any officer failed to take necessary measures, the Government will take action.

Diwan Chaman Lall : How is the Honourable Premier going to establish it?

Premier : One of the methods will be whether they had received reports that there were disquieting rumours in the city and whether they had received any complaint about it and if so, whether they had taken any action.

Diwan Chaman Lall : Is it not true that the only manner in which this could be established is by the Premier ordering an enquiry into the conduct of the local officers no matter who they are?

Premier : An enquiry is being held into the whole question of the riot and the facts leading to the riots.

Diwan Chaman Lall : May I ask him whether it is not a fact that the enquiry would be a judicial one? Is there going to be a departmental enquiry as well?

Premier : Yes, both the Deputy Inspector-General and the Commissioner are there to investigate the matter.

Diwan Chaman Lall : Is it a fact that the same Deputy Inspector-General who is now conducting the enquiry refused to see a deputation who wanted to complain against the activities or inactivities of the Superintendent of Police?

Premier : I have said that I have no information.

Seth Ram Narain Varmani : Will the expense of the punitive police be borne by the total population of Hissar?

Premier : That is a matter of detail and will be settled in consultation with the local officers.

Lala Deshbandhu Gupta : Is not the presence of the Superintendent of Police in Hissar prejudicial to the enquiry?

Premier : If my honourable friend considers that I should transfer him before holding an enquiry, I shall have to transfer every officer before holding any enquiry.

Pandit Shri Ram Sharma : Did the Government send two Parliamentary Secretaries for enquiry during the last riots ?

Premier : Yes.

Pandit Shri Ram Sharma : What did they report ?

Premier : They reported facts which were more or less as published in the papers.

Pandit Shri Ram Sharma : Have any Parliamentary Secretaries been sent this time ?

Premier : No.

Pandit Shri Ram Sharma : Why were they sent before ?

Premier : That is an argument.

Lala Duni Chand : Is it the intention of the Government to recover the cost of the punitive police only from those people who are to blame ?

Mr. Speaker : That question has been answered before.

Lala Deshbandhu Gupta : Is it not a fact that the Additional District Magistrate and the Deputy Superintendent of Police, Panipat, were transferred from the district before the enquiry was held there ? Is it not desirable on the same grounds to transfer the Superintendent of Police, Hissar, or suspend him ?

Premier : I do not know anything about the grounds of the first case, I therefore cannot answer the question.

Khan Sahib Chaudhri Sahib Dad Khan : How many shops have been looted and burnt communitywise at Hissar ?

Premier : I have no information to add to my statement which I made in the House the other day.

Chaudhri Kartar Singh : Is it a fact that during the last riots at Alla a punitive police post was posted at Mandi Baha-ud-Din ?

Mr. Speaker : That question does not arise.

Chaudhri Kartar Singh : My question is a very important one.

Mr. Speaker : I have disallowed it.

Pandit Shri Ram Sharma : Is the Government prepared to have a non-official enquiry made into the riot ?

Premier : What does the honourable member mean by a non-official enquiry ?

Pandit Shri Ram Sharma : I mean enquiry by people other than officials.

Premier : The honourable member must remember that now we have provincial autonomy and we are responsible ourselves and the days when non-official enquiries were necessary have gone. (*Hear, hear*).

Pir Akbar Ali : Is it a fact that some inhabitants of Hissar have left the town ? What community do they belong to ?

Khan Sahib Chaudhri Sahib Dad Khan : How many Muslim families have left Hissar after the 25th of March ?

Diwan Chaman Lall : May I ask the Honourable Premier whether he realises the serious responsibility that rests upon him in the matter of holding an independent enquiry into the conduct of the local officials ?

Pir Akbar Ali : My supplementary question has not been answered.

Mr. Speaker : It has been answered by silence.

Premier : If my honourable friend by asking for an independent enquiry means what some honourable friends and members have asked me to do that I should appoint a neutral officer, thereby meaning an European officer, I refuse to do so (*hear, hear*).

Diwan Chaman Lall : May I ask the Honourable Premier whether he does not feel the necessity of appointing an independent individual irrespective of community in order to hold the enquiry into the conduct of officials from the Deputy Inspector-General downward and not allowing the Deputy Inspector-General to hold the enquiry ? The Deputy Inspector-General may himself be the culprit. That is what I mean by an independent enquiry.

Premier : If my honourable friend would name such a person I will consider that question.

Diwan Chaman Lall : May I ask whether the honourable member's Government is so bankrupt of independent individuals that he cannot think of an individual ? (*Hear, hear*).

Premier : If he wants an official enquiry.....

Diwan Chaman Lall : May I ask the Honourable Premier to remember that in my question I did not refer to any particular method of holding an inquiry excepting an independent method. Will the Honourable Member now, in view of the circumstances that have been brought to his notice, appoint persons, who are absolutely of an independent nature, to hold inquiry into the conduct of the local officials there ?

Lala Deshbandhu Gupta : May I know what is the principle underlying the imposition of punitive police there ?

Premier : Additional police is located in a place so as to cope with any sudden and spontaneous outburst as in Hissar. Unfortunately, our experience shows that such additional police is required.

Lala Deshbandhu Gupta : What is the principle on which cost of punitive police is distributed amongst different sections of the population of the town.

Mr. Speaker : It has been answered already.

Lala Duni Chand : Does the Government admit that the Opposition represents the non-official body of opinion ?

Mr. Speaker : That is an indirect question. (*Interruption*).

UNSTARRED QUESTIONS AND ANSWERS.

INDEBTEDNESS OF A MEMBER OF THE DEBT CONCILIATION BOARD CONSTITUTED IN MUZAFFARGARH DISTRICT.

367. Munshi Hari Lal : Will the Honourable Minister of Development be pleased to state—

(a) whether it is a fact that one of the members of the Debt Conciliation Board constituted for the Muzaffargarh district which is to function in the Leiah tahsil belongs to Leiah tahsil ;

[Munshi Hari Lal.]

(b) whether it is a fact that leading and respectable zamindars of Kot Sultan of Leiah have recently represented to the authorities that this member is heavily indebted ;

(c) if the answer to (b) be in the affirmative, whether any inquiry has been made as to the allegation and, if so, with what result ?

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

(b) Yes.

(c) Enquiries are being made from the local officers.

MORTGAGE OF LANDS IN JHANG DISTRICT.

368. Sayad Mubarik Ali Shah : Will the Honourable Minister of Revenue be pleased to state—

(a) the total area of land which was mortgaged from 1870 to 1900 (prior to the enactment of the Punjab Alienation of Land Act) by members of the tribes which were subsequently notified as statutory agricultural tribes to the members of the tribes other than statutory agriculturists in Jhang district ;

(b) the area of such lands mortgaged in each decade from 1880 to 1900 ?

The Honourable Dr. Sir Sundar Singh Majithia : The preparation of these statistics would require an amount of time and labour out of all proportion to the results obtainable. I regret I do not feel justified in calling for them.

NUMBER OF WORKMEN IN HOSIERY FACTORIES AT LUDHIANA.

369. Pandit Muni Lal Kalia : Will the Honourable Minister of Development be pleased to state—

(a) the number of registered hosiery factories working at Ludhiana ;

(b) the approximate number of workmen in these factories ?

The Honourable Chaudhri Sir Chhotu Ram : (a) 36.

(b) 1,090.

DEPUTATION AND GRIEVANCES OF HOSIERY MANUFACTURERS OF LUDHIANA.

370. Pandit Muni Lal Kalia : Will the Honourable Premier be pleased to state—

(a) whether it is a fact that a deputation of the hosiery manufacturers of Ludhiana interviewed him in August last on his visit to Ludhiana ;

(b) whether it is a fact that they placed their grievances before him ;

(c) the nature of those grievances ;

(d) the reply he gave to the deputationists ;

(e) the action that has so far been taken in that direction ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes.

(b) Yes.

(c) The subjects mentioned were their desire to get land for the building of factories, relaxation of certain provisions of the Factories Act, rates for electrical energy, and the methods of granting loans for industrial purposes.

(d) They were asked to submit their grievances in writing.

(e) A suitable reply has been sent to the Association.

—
REPRESENTATION BY HOSIERY MANUFACTURERS ASSOCIATION,
LUDHIANA.

371. Pandit Muni Lal Kalia : Will the Honourable Minister of Development be pleased to state—

(a) how often has he visited Ludhiana ;

(b) whether the Hosiery Manufacturers Association (registered) sought time for interviews on those occasions ;

(c) whether any time was given to them to interview him ;

(d) whether any representation was made to him by the said Association ; if so, the action, if any, so far taken in the matter ;

(e) whether it is a fact that the said Association has repeatedly been asking time for interview for the last 6/8 months ;

(f) whether any requests for granting time for interview were made telegraphically ; if so, when ;

(g) whether any one of these requests were ever acknowledged ; if not, why not ;

(h) whether it is a fact that the said Association has been requesting the Government for acquiring land for the purposes of establishing an Industrial Colony in the suburbs of Ludhiana city ;

(i) if so, what steps have so far been taken on their requests ?

The Honourable Chaudhri Sir Chhotu Ram : (a) Twice.

(b) Yes.

(c) No.

(d) The subjects mentioned were—(i) their desire to get land for the building of factories, (ii) relaxation of certain provisions of the Factories Act, (iii) reduction in the rates of electrical energy, and (iv) the methods of granting loans for industrial purposes. With regard to (i) the Associations were asked to submit their request to the Deputy Commissioner, Ludhiana. With regard to (ii) they were informed that it was not possible to relax any of the provisions of the Factories Act in their favour. With regard to (iii) they were advised to address the Chief Engineer, Punjab, Public Works Department, Electricity Branch. With regard to (iv) they were informed that Government were not willing to issue loans for industrial purposes on the security of immovable property.

(e) Yes.

(f) Yes. 23rd February, 1933.

[Minister for Development.]

(g) Yes.

(h) Yes.

(i) The Association were asked to submit their request through the Deputy Commissioner.

DISTURBANCE IN CONNEXION WITH SLAUGHTER OF COWS AT PARAU
MOHALLA IN HISSAR.

372. Diwan Bahadur Raja Narendra Nath : Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that on the last *Bakar-Id* permission was given for the first time for the slaughter of cows in "Parau" which is mainly a Hindu mohalla in Hissar town and that such permission was an innovation ;
- (b) whether the Superintendent of Police and the Deputy Commissioner were aware of the fact that after the *Id* prayer a large crowd was going to collect at the "Parau" ;
- (c) if so, what measures did the Deputy Commissioner and the Superintendent of Police take to disperse the crowd which became violent, the violence resulting in the death of two Hindus and serious injury to one Muslim ;
- (d) whether it is a fact that a murder was committed by the Muslim mob at a place within 100 paces of the police chauki at Delhi gate ;
- (e) whether it is a fact that the house of Assistant Surgeon, Civil Hospital, Hissar, was besieged and attacked by a Muslim mob thrice and the Assistant Surgeon telephoned to the police for help several times but no help was given by the police for three hours ; and
- (f) whether in view of the above, the Premier is prepared to institute an independent inquiry into the neglect and indifference of the executive officers ?

The Honourable Major Sir Sikander Hyat-Khan : (a) No. The attention of the honourable member is drawn to the reply given to part (c) of question No. *1976¹.

(b) No.

(c) Does not arise but the attention of the honourable member is invited to the *communiqué* issued by Government on the subject on 18th February, 1938.

(d), (e) and (f) I regret that I cannot answer these questions as the cases arising out of the Hissar riots are now *sub-judice*.

PERMISSION TO GOVERNMENT SERVANTS TO PARTICIPATE IN RURAL
RECONSTRUCTION PROPAGANDA.

373. Raja Muhammad Sarfraz Khan : Will the Honourable Minister of Development be pleased to state—

- (a) what useful work has been done by the Rural Reconstruction Department, so far ;
- (b) whether it is a fact that the Commissioner, Rural Reconstruction Department, has issued a notification to the effect that all Government servants should help the above-named department by their speeches and writings ;, if so, whether Government servants have done any propaganda in its behalf ;
- (c) whether the Government has permitted such Government servants as have a literary bent of mind to become honorary editors of those journals which are devoted to rural reconstruction work or to publish such journals themselves ?

The Honourable Chaudhri Sir Chhotu Ram : (a) The attention of the honourable member is invited to the report on the progress of rural reconstruction laid on the table in reply to part (g) of question No. *2096¹. Technically speaking the Commissioner of Rural Reconstruction's work has not been organised as a separate department.

(b) The Commissioner, Rural Reconstruction, has addressed a letter to this effect : and has met with some measure of response.

(c) No request for such permission has so far been received.

ADDITIONAL POLICE POSTS LOCATED IN VARIOUS VILLAGES OF THE
FEROZEPUR DISTRICT.

374. Master Kabul Singh : Will the Honourable Premier be pleased to lay on the table a statement showing—

- (a) the amount due from each village of the Ferozepur district on account of the additional police post cost arrears by the 15th March, 1938 ;
- (b) the grounds for delay in the recoveries ?

The Honourable Major Sir Sikander Hyat-Khan : I regret that the answer to this question is not yet ready.

ADDITIONAL POLICE POST QUARTERED AT VILLAGE DHARDEO,
DISTRICT AMRITSAR.

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

- (a) the number of the beds and boxes purchased for the additional police post Dhardeo, district Amritsar, referred to in starred Assembly questions Nos. 393² and 124³ ;
- (b) the amount actually spent for purchasing of the articles mentioned in (a) above ;

¹Volume III, pages 779—81.

²Vol. I, pages 1371-72.

³*Ibid.* pages 595-96.

[Master Kabul Singh.]

- (c) the nature of furniture purchased for the equipment of the said police post during its stay in the village and the total amount spent thereon?

The Honourable Major Sir Sikander Hyat-Khan : (a) 13 beds and 13 boxes.

(b) Rs. 195.

(c) Rs. 77-12-0 on the purchase of hurricane lamps, a clock, 11 torches, a table lamp, durries and munj mats.

ADDITIONAL POLICE POST AT VILLAGE MUDKI, DISTRICT FEROZEPUR.

376. Master Kabul Singh : Will the Honourable Premier be pleased to lay on the table a statement showing—

- (a) the items taken into consideration while calculating the actual costs of the additional police post, Mudki, district Ferozepore, referred to in starred Assembly question No. 1094,¹ and the amount spent on each item;
- (b) the total estimated costs for the 1st year and the amount assessed for the same;
- (c) the total estimated costs for the second year and the amount assessed for the same;
- (d) the total estimated costs for the 4 months of the third year and the amount assessed for the same;
- (e) the amount collected by 15th March, 1938?

The Honourable Major Sir Sikander Hyat-Khan : The honourable member is invited to refer to the reply given in the last session to question No. 237², put by the honourable member for the Amritsar City (General) Urban Constituency.

POST OF SUB-REGISTRAR AT GARHSHANKAR.

377. Khan Sahib Chaudhri Fozal Din : Will the Honourable Minister of Public Works be pleased to state—

- (a) how long has the post of a Sub-Registrar been in existence in Garhshankar tahsil, district Hoshiarpur;
- (b) whether any Muhammadan has ever been appointed to this post;
- (c) if reply to part (b) be in the negative, reasons for the same, and the action the Government propose to take in the matter?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : I must decline with regret to answer this question which savours of communalism. I am sorry to have to adopt this attitude but Government consider it necessary in the public interest to establish a convention in connection with such questions. I shall, however, always be prepared to examine any particular instance of disproportionate representation which honourable members may bring to my notice in a more informal way.

¹Volume II, pages 474-75.

²Volume II, pages 419-20.

GRANT-IN-AID TO ISLAMIA SCHOOL, FATEHGARH CHURIAN, TAHSIL BATALA.

378. Mian Badar Mohy-ud-Din Qadri: Will the Honourable Minister of Education be pleased to state reasons why the grant-in-aid of Islamia School, Fatehgarh Churian, in tahsil Batala, has been reduced and whether the Government intends to restore it; if not, why?

The Honourable Mian Abdul Haye: (a) The grant to the Islamia High School, Fatehgarh Churian, district Gurdaspur, has not been reduced.

(b) Does not arise.

SUPPLEMENTARY ESTIMATES.

Chaudhri Kartar Singh: I wish to move an adjournment motion.

Mr. Speaker: I would refer the honourable member to Rule 44 (4) of the Punjab Legislative Assembly Rules. To-day being the only day for voting the supplementary budget, we cannot take up any other motion.

Lala Bhim Sen Sachar: Does it not merely mean that we cannot interrupt or anticipate this business—

Mr. Speaker: That is the practice of this House. No adjournment motion can be taken up on the last day of the budget or supplementary budget. If the honourable member will read the rule he will find that it admits of that interpretation.

Pandit Muni Lal Kalia: On a point of order. One point is not clear so far as the supplementary estimates are concerned and that is that it is on the last day of the financial year that these demands are being presented to the House in the form of supplementary estimates. As a matter of fact these are the items of expenditure which have already been incurred and they cannot possibly be termed as 'estimates' because that term applies to those items that have to be spent and not already spent. But in this case permission of the House is being sought for the purpose.

Mr. Speaker: Will the honourable member please make himself clear?

Pandit Muni Lal Kalia: I am sorry I am suffering from sore throat. My submission is, strictly and technically speaking, these estimates cannot be called 'supplementary estimates' for the reason that the money has already been spent and as such they may be called either 'excess demands' or by any other term but not 'supplementary demands.' To-day is the last day of the financial year and what is spent to-morrow will go to the budget of the next year. Therefore, the demand is for the money that has already been spent and as such it is a wrong name that is given to the estimates. They cannot be 'supplementary estimates', they may be anything else, and for that purpose I will quote, with your permission, section 81 of the Government of India Act which runs as follows:—

"81. 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."

[Pandit Muni Lal Kalia.]

There are only two terms given. One is the annual budget and the other is supplementary estimate and there are no other estimates. What I want to impress upon the House is that the words in this section are 'the estimated amount.' In this case it cannot be called an estimated amount because it is an amount which must presumably have been spent before to-day, it is a thing which has been spent in excess. At present I am not pointing out the inadvisability or unwisdom of putting almost all demands in the form of supplementary estimates. The House is being deprived of a parliamentary control. It is at the time when the general budget is presented that the other side is expected to place all their demands. It is another thing that a demand may be put for a contingency, for unforeseen expenses, for an event that was not foreseen at the time of the budget; or unusual developments might have taken place after the presentation of the budget which may necessitate a supplementary estimate in the meantime, but in a case like this, where there are about eleven demands and in which each one of the most important departments has been included in the supplementary estimates my submission is that the House is being deprived of a privilege, of a right, of having a control over the Government. It may be brought in another form but they should not be brought under the title of 'supplementary demands' for the simple reason, for the plain reason, that to-day is the last day of the year and it is not mentioned whether these expenses have yet to be spent. They cannot, therefore, be termed as 'supplementary estimates' and for that purpose I may be allowed to quote one or two more definitions with regard to the supplementary demands. One is on page 47 of Durrell. In this case two points about supplementary demands are discussed in these words:—

"Supplementary estimates, when treated as customary and as a matter of course, instead of being restricted to occasions of unforeseen contingencies, do more to destroy effectual parliamentary control than any other indirect method that could be devised. They are, however, for one service or another annually recurring necessities.

They may be presented either:—

- (i) For a further grant to a service already sanctioned and voted for, or—
- (ii) For a grant for a further occasion of expenditure arising since the estimates were presented:—
 - (a) For expenditure newly imposed on the executive by statute.
 - (b) To meet an unexpected emergency.

Owing to the fact that the annual estimates have to be prepared some months before the commencement of the financial year, and possibly as much as fifteen months before the expenditure estimated for actually takes place....."

There are reasons given as to when there are grounds for supplementary grants but in this case when so many demands are presented—they are eleven in number—it cannot be stated that at the time the annual budget was prepared any attention was paid to the accuracy of figures as to whether the estimates presented at that time were correct or not. One point more. This is the fourth instalment of supplementary estimates. It is not the first, nor is it the second, nor the third instalment, God knows whether such instalments may run on to a dozen more because there are still so many hours for discussion. How then can it be said that in this case any

precision at all was attempted? This very point has again been discussed in Campion at page 86.

Supplementary Estimates are regularly voted in the closing months of the financial year to which they apply and at the beginning of the session following that in which the main estimates were voted.

Mr. Speaker : The honourable member is making a speech.

Pandit Muni Lal Kalia : I will submit one point and then I will finish. It is with regard to the definition as given on page 86 of Campion which says—

Supplementary Estimates are regularly voted in the closing months of the financial year to which they apply and at the beginning of the session following that in which the main estimates were voted. Expenditure receives provisional legislative sanction by the Consolidated Fund.

In this case it has been brought not only in the closing month but in the closing hours of the financial year. My submission is that it is most undesirable and unparliamentary that such considerable amounts should be presented during the short interval intervening the new financial year and, therefore, they should not be allowed. Technically speaking they are not supplementary estimates; they may be anything else.

Minister for Finance (The Honourable Mr. Manohar Lal) : Sir, it is not necessary for me to traverse the ground that I did on a previous occasion. So far as the question of notice is concerned, there has been abundant notice, these supplementary estimates were presented to the House, as you will remember, in time some days ago. To refer to statutory provisions you will remember that in the old Act there was no mention whatsoever of the supplementary estimates; the provision such as it was, was made in the Devolution Rules. Now we have a definite provision in section 81 of the Government of India Act which relates to supplementary estimates. As I said I do not wish to traverse the ground at any length, but a reference has been made by the honourable member raising the point of order that these supplementary estimates when they relate to an expenditure incurred in anticipation of the vote of the House are irregular, unparliamentary, so on and so forth. May I in this connection read to you a sentence from a book which is probably the most authoritative book on the system of national finance in England, the book by Hilton Young. At page 141 dealing with what is called over-spending or spending in excess of the grants made by the House at the beginning of the annual financial year, that is dealing with what we call supplementary estimates, he says—

Sometimes, however, it becomes necessary to incur expenditure on unforeseen services when Parliament is not sitting or otherwise before Supplementary Estimates can be presented. In such a case the Treasury, if it is convinced that the necessity is real and urgent, takes the responsibility authorizing the department to proceed in anticipation of Parliament's sanction.

Exactly that is what has happened. You will remember that in the House of Commons usually there are two main supplementary periods. One of them comes towards the end of the year: these are known as the February supplementaries. February supplementaries do not mean necessarily that they come up in the month of February, but that they are

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presented to the House towards the end of the financial year, and that is exactly where we stand here. Further if you will refer to section 81 of the Government of India Act you will see the words used are 'further expenditure becomes necessary' and that 'further expenditure' is practically the same term as additional expenditure or expenditure in excess of or expenditure over and above that sanctioned at the beginning of the year; they are practically the same terms. The honourable member opposite was pleased to call it unparliamentary. What lack of acquaintance with parliamentary procedure! In this connection also you will remember that while interpreting section 81 of the Government of India Act we must bear in mind that this is an enactment by the House of Commons in full view of the practice as it obtains there, and there it has never been the slightest matter of question that supplementary estimates not only cover expenditure to be incurred in addition to provision in the annual financial statement, but also, 'further expenditure that has become necessary' and incurred when the House was not sitting, and therefore in anticipation of the vote of the House. That is expenditure which is well recognised in the Parliament as an undoubted necessity. You will remember also, as our Speaker or President for a series of years, that there was no difficulty under the old Act to have these supplementary estimates, where expenditure had been undertaken, in anticipation of the vote of the House. You will remember that on the previous occasion I pointed out to a paragraph of the Budget Manual. I wish to state also that if you will refer to the Joint Parliamentary Committee report, there it is pointed out regarding financial matters, in the clearest possible language, that it was not proposed to introduce any difference in financial procedure. However, I wish to add that in regard to an expenditure of this character incurred in anticipation of the vote of the House, naturally very strict control is exercised. But if it is found that it is essential to incur expenditure, then Government takes full responsibility for it. If the House refuses to give its sanction, and it is treated as a question of confidence, certain obvious consequences would follow. I need not dwell on all the consequences but one of these no doubt would be that the ministry or the Government would have to go out, if defeated in the House over these supplementary estimates. These are the considerations which weigh with the Government in assuming or incurring an expenditure of this kind. There can be no question in principle according to parliamentary practice of the expenditure itself being permissible. Sir, strangely also the word 'estimate' was pressed into argument as militating against the Government's position. I do not know how far you were impressed by this forced argument based on the word 'estimate'. The word has a simple connotation: the amount calculated as a result of the working of figures, relating to known items when you find that a particular expenditure has to be met in a particular manner, that is estimate. It has not to be taken in any mysterious technical meaning. Under section 81 of the Government of India Act the consideration of an estimate of the character before us to-day, at any rate as I read it, cannot be barred. I might add further that this matter has been examined by the highest constitutional authorities; I do not think it proper that I should give their names. Even when the Government of India Act was actually framed this matter was most carefully examined,

and it was the opinion that an expenditure incurred in anticipation of the vote of the House surely falls within supplementary estimates. As a result of careful examination on the part of constitutional lawyers there is no bar of *ultra vires* against an expenditure of this kind and to-day we are proceeding under our Interim Rules, where reference is merely to supplementary estimates, and it is nowhere suggested that additional expenditure incurred in anticipation of the vote of the House falls outside the category of supplementary demands. In brief it comes to this that section 81 of the

3 P. M. Government of India Act constitutes no bar against an expenditure of this kind. It is a well recognised Parliamentary practice that contingencies do arise when expenditure has to be incurred in anticipation of the vote of the House under circumstances that one can easily imagine and the Government takes full responsibility for this. There is no question of any bar against the consideration of this expenditure. Nor can there be any bar against presenting the supplementary estimates merely because they are here on the last day; they are presented in good time. If they were not here to-day, they would have to come up next year as excess vote, much more serious financial offence, if I may say so, than any supplementary estimate can be, because it is regarded as a serious matter for the Finance Department to carry over the necessity of regularising expenditure on to the next year, and for that a much more elaborate procedure becomes necessary.

Diwan Chaman Lall : What is this ? Is it an excess grant or a supplementary estimate ?

Minister for Finance : This is a supplementary estimate. There is a technical difference between the two. Supplementary estimates cover the expenditure incurred in anticipation of the vote of the House. An excess vote would be such supplementary estimate that has not been discovered during the course of the year and is to be regularised during the next year. Then certain formalities, such as consideration by Public Accounts Committee to which my honourable friend Sardar Hari Singh referred the other day, have to be observed. A report is duly made to the House that here is an expenditure over and above what has been sanctioned during the year to which it related. Therefore, it is necessary to prefer excess vote *qua* that matter. An excess vote is a technical term. It differs from a demand for a supplementary grant in that while the latter is essentially a demand for a grant the need for which is foreseen during the currency of a year and is presented in the year to which it relates, a demand for an excess grant is presented after the close of the financial year to which it relates in order to regularize expenditure in excess of the voted grant for that year. If any expenditure during the year 1937-38, which is concluding to-day, is not regularised by this evening, and it has to go over to the next year, then the Finance Department would have to come up and ask this House to regularise it next year as an excess vote. But till to-day it is well within the year and falls strictly within the terms of section 81 of the Government of India Act.

Pandit Muni Lal Kalra : I want just to elucidate two points. The Honourable Minister for Finance has been pleased to discuss and quote the authority of one Mr. Young and the opening words were 'sometimes it becomes

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necessary'. The word 'sometimes' does not mean 4 or 5 instalments. It does not mean 11 or 12 demands. The word 'sometimes' means occasional and that has been used with reference to Parliament which has to meet the expenditure throughout the year on navy, army, etc. In a province like this nothing of the kind happens. That is one thing.

With regard to the other thing I would say that the Honourable Finance Minister has quoted a definition with regard to the word 'estimate'. My submission is that no definition has been given in the act. What is understood by the word 'estimate' is that it is a general calculation for the coming period and not a calculation for the period that has gone.

Diwan Chaman Lall : Sir, may I say a word or two with regard to this matter ? I followed the Honourable Finance Minister's analysis of what is a supplementary vote and what is an excess vote with due care and attention. I have come to the conclusion that the argument, which the Honourable Finance Minister has advanced, covers the ground in so far as a supplementary grant is concerned, and my honourable friend tried to make out that he is still within his rights in bringing in a supplementary budget before this House, because it is a purely supplementary budget and not an excess budget. I take it that the Honourable Finance Minister would not be agreeable to the proposition that this House is competent to deal with an excess grant and that there is provision for excess grants in the Government of India Act. Do I take it that this is the position that my honourable friend takes ? If he does not take that position and if he is still well within his rights to think that an excess grant can be considered by this House under the provisions of the Government of India Act, then I submit that I must join issue with him on that score. In fact the position is this. The difference between an excess grant and a supplementary grant, as various authorities on constitutional practice have laid down, is purely a question of time. It is the time of the discovery of that particular excess. If that excess has been discovered within the financial year it is to be considered as a supplementary grant and if it has been discovered after the financial year, that is to say, if the authorised expenditure of a department is exceeded and discovery has taken place after the financial year, then it is obviously an excess grant which is considered to be a "financial offence"—the very words which the Honourable Finance Minister used. There are occasions certainly when excess amounts have been voted upon by the House of Commons. But those occasions have been very rare. If you will refer to Durrell, page 55, I believe, you will find that between 1905 and 1914 only 7 cases have been known of excess grants of this nature. I take it, if I am not mistaken, that these cases were cases of pure virement. (Minister for Finance: "Virement"). My honourable friend is very anxious to have the French pronunciation instead of the English. I will delight his ears by using it in the French manner, "Virement" which merely means that as far as the Army, Navy and Air are concerned, you can take an amount at any time and convert it *inter se*. I want to know whether we are in the financial year or whether we have passed the financial year ? Does my honourable friend still contend that although we have budgeted for the year 1938-39, we are still from the astronomical or mathematical point

of view, in the last financial year? What is the position? If we are in the financial year, what is the point in not passing this sum before the financial year is out? (*A voice*: It is out to-morrow). My honourable friend says that we will get on to the next financial year from to-morrow. Why not from the last date when we passed the last voting on demands? What is the procedure? I cannot understand what the honourable member is asking this House to pass? After passing the budget for 1938-39 we are getting on to the next year, but he considers that we are still in the old financial year and therefore he also considers that this is not an excess grant but a supplementary grant.

My second point is this. Why does the Honourable Minister's department so lack in these matters? So many instalments of supplementary estimates have already been given to us, yet again there are some items in the fourth supplementary instalment which are brought before the House to-day. Why were they not discovered and considered on the last occasion when the Honourable the Finance Minister brought in the last supplementary budget? They have been brought before the House after we had finished the discussion. It merely means that we are completely and absolutely at the mercy of the Honourable Minister's secretariat and his department and are entirely acting just as he wishes to act. I submit that there is no possibility of checking the expenditure incurred by this Government. If this method is going to be followed by my honourable friend, as has been followed in the past and as is being followed to-day, namely, at his own sweet will to bring in the instalment of expenditure which could have been anticipated, which could have been discussed and which could have been incorporated in the supplementary estimate at an earlier date, what justification has he for coming to the House now in this particular manner? I submit that the position ought to be clarified that if it is to be treated as a supplementary grant then I submit that section 81 gives my honourable friend the authority to present it on the floor of the House. In the House of Commons, they have the authority to bring in an excess vote and after having considered the matter in the Public Accounts Committee, it is brought on the floor of the House and after that it is placed before the Committee of Supply with the result that an Appropriation Act is passed in order to legalise the position. That is the procedure in the House of Commons, but I do submit that that procedure would relate to an excess grant in the House of Commons. But there is no authority either of the Government of India Act or of any convention set up and no convention can over-ride the Government of India Act. There is no convention, but there is nothing which would permit the giving of authority to my honourable friends opposite to pass an excess vote on the floor of this House. It may be true that the authority rests in the House of Commons but it does not rest with this House to pass an excess vote. To make the position sufficiently clear, are we in the old financial year or the new? If we are in the new financial year, is it an excess grant or is it a supplementary grant? If an excess grant then section 81 of the Government of India Act does not give us the authority to submit an excess vote.

The third position is that it ought to be made clear by my honourable friends, and you as the custodian of the rights of the House ought to make the position clear to my honourable friend the Finance Minister that he

[Diwan Chaman Lal.]

should not bring in supplementary grants in this rapid succession. The method of dealing with the accounts should be made so perfect that there should be no necessity for these rapid avalanches brought upon this House.

Lala Bhim Sen Sachar : Sir, I think that there are certain items of expenditure which have already been incurred. If that is so, then the expenditure in respect of those items cannot be termed as supplementary.

Malik Barkat Ali : May I, through you, request the Finance Minister to kindly tell us whether these various items which form the subject matter of these supplementary grants have all been expended or are going to be expended to-day ? It is the last day of the financial year, and though I concede the position that the financial year is not out, yet I want to understand that if these amounts have really been expended, then they must come in the shape of excess grants and not in the shape of supplementary grants. If I understand aright, supplementary grants for the purpose of section 81 of the Government of India Act are those which *become necessary* in the course of the year, as section 81 definitely says : "if in respect of any financial year further expenditure from the revenues of the province becomes necessary". I take it that if these amounts have not yet been expended, then the Finance Minister is within his rights, but I want to understand that if this money has not been expended so far, is it going to be spent during the night up to 12 o'clock ? If it has been spent, then he must come straight to this House with a demand for an excess grant. It may be that an excess grant under rule 45 of the Interim Rules is dealt with in the same manner as a supplementary demand for a grant. I must submit that so far as the Government of India Act is concerned the word 'excess' grant does not occur in that Act. No doubt the procedure of the House of Commons lays down the method for sanctioning an excess grant, but it is pointed out that excess grants must be very few indeed, because it is the power of this House to sanction expenditure in anticipation,—before any expenditure has been incurred. I think it is a great encroachment on the rights of this House to spend the money and then after the money has been spent to come to the House for sanction. It is one of those checks which we possess over the executive, namely, that before they incur an expenditure they must come to this House for sanction. Therefore it comes to this that it is going to be spent between now and 12 o'clock midnight. But if this money has been spent, how can it come before us to-day as an excess grant ?

Pandit Muni Lal Kalia : With regard to the Interim Rules which have been quoted by Malik Barkat Ali, I want to say that those Interim Rules do not apply because they are not consistent with the Government of India Act.

Mr. Speaker : Some time before the end of every financial year, all Heads of Government Departments submit estimates of expenditures, which they consider necessary, for running their respective departments, during the next financial year. They do their best to make their estimates as complete and accurate as possible. The Finance Department scrutinizes these estimates before they are submitted to and passed by the legislative authority. But yet it often happens that the estimates, so carefully prepared, scrutinised and passed, are insufficient for purposes which they were originally intended to serve. It also happens that sometimes

money is needed for entirely "*new services*" or "*new works*", which were not contemplated at all when annual estimates were originally prepared. Every Department, when preparing the original estimates, does its level best to foresee every possible expenditure; but yet it is impossible, in practice, to foresee all "*insufficiencies*" and "*deficiencies*" and "*unforeseeable*" needs and requirements. Therefore, to meet such "*unforeseen*" and "*unforeseeable*" expenditure the various departments prepare and submit "*further*" or "*additional*" estimates, not included in the estimates originally submitted and passed by the sanctioning authority. The estimates thus submitted are meant to be presented to the authority for obtaining its sanction. In parliamentary or budgetary language such estimates are called "*supplementary or additional estimates*" and are laid before the sanctioning authority before the end of the financial year in which they arise and to which they relate. It also happens that when the "*supplementary or additional estimates*", just described, are submitted by the heads of departments, the sanctioning authority, *e.g.*, the House of Commons in England and a Legislative Assembly in India, is not in session and is not likely to meet for some time, while the "*supplementary or additional expenditure*" cannot be delayed and has to be incurred immediately. In England the Treasury is authorised to sanction such expenditure subject to the final approval of the House of Commons. The authority of Treasury rests partly upon statute and partly upon usage or general powers derived from executive orders of the Crown. In India such authority is not conferred by law upon any person or persons; but under a rule given in the Budget Manual of the Finance Department, that Department sanctions such supplementary or additional expenditure in anticipation of final sanction of the Legislative Assembly.

The head of a department may deliberately and purposely incur the supplementary or additional expenditure without obtaining sanction of the Treasury or of the House of Commons; or he may unknowingly or inadvertently spend more than sanctioned expenditure on any "*service*" or "*work*". That is to say, he may exceed the sanctioned expenditure, not intentionally, but inadvertently. In either case the expenditure is called "*excess expenditure*".

It is clear from what I have said that the purpose of a "*supplementary demand for grant*" is to supply expenditure, required to meet deficiency in an estimate already sanctioned, or to supply expenditure required for a new service or to meet an unexpected emergency; while an "*excess demand for grant*" is meant to legalise expenditure incurred beyond the sanctioned estimate.

A department has no power to exceed the budget provision, and, therefore, it acts illegally if it does so even inadvertently. To spend more than has been granted on any service or work is a "*financial offence*", nay, it is, "*the highest crime and misdemeanour*". But if a department discovers that it has through misappropriation or otherwise over-spent itself the only alternative is to obtain an "*excess grant*" at the earliest possible opportunity, after the excess is established. If the excess is intentional the sinning officer is personally responsible for it; but if the excess is satisfactorily explained the "*excess demand for grant*" is passed by the House like a "*supplementary demand for grant*".

[Mr. Speaker.]

I may also mention that "*supplementary or additional estimates*" must be passed before the end of the financial year to which they relate ; while the "*excess grants*" cannot be passed *before* the next financial year or the year after, inasmuch as it cannot be discovered before the annual accounts for the year are made up and audited in the next financial year. I may further mention that in the Government of India Acts of 1919 and 1935, there is no provision for the presentation and passage of "*excess grants*" by the various legislatures, but all the same such grants have been presented to and passed by legislatures, like "*supplementary or additional grants*". The question is whether the budget rules, referred to above, under which the Finance Department sanctions "*supplementary or additional expenditure*" subject to the final sanction of the Assembly, is legal.

Lala Bhim Sen Sachar : That is the only point.

Mr. Speaker : But the honourable member did not raise it. The Finance Minister clearly stated that under the budget rules they were empowered to do so. So, that is the point to be studied and discussed. But the demands presented to-day cannot be objected to on the ground that they are not supplementary, if that rule is in order. If that rule is not legally valid, the demands are out of order.

Malik Barkat Ali : We want your ruling on the matter.

Mr. Speaker : So long as the rule of the Finance Department is there and is not held to be *ultra vires* the supplementary demands are quite in order.

Malik Barkat Ali : You have been pleased to throw so much light on the complicated financial procedure. We want light from you as to whether there is any rule, or statutory sanction behind the Budget Manual or the budget rule in accordance with which the department has acted.

Mr. Speaker : The honourable member may study the point.

Malik Barkat Ali : Supposing you come to the conclusion or the Ministerial benches come to the conclusion that there is no statutory rule behind these budget rules, then would it not be that we were really acting in defiance of the law and acting illegally in sanctioning the supplementary demands ?

Mr. Speaker : For 18 years all legislatures in India have been acting under those rules. Whether they are *ultra vires* or *intra vires* is an important matter. But the question is whether in 18 years we have established a convention. Honourable members will have to study the point before coming to a decision.

Premier : After your very lucid exposition of these rather complicated and difficult points I am afraid that we are unnecessarily wasting the time of the House. There are statutes and there are perhaps even more sacrosanct things known as practices and conventions of the House. As you have pointed out there has been a usage and practice approved during the last 18 or 19 years. We have come before you with the supplementary demands and if you throw out any demand that usage will become void and the House will have to consider whether a new convention should be established or whether it would be necessary to bring an Act or statute of that kind

although we have been following a practice that has been in vogue from the beginning of 1921 and as you have said, it has been in vogue not only in this province but in all the provinces of India. With regard to the particular rule, as you say, it is a question on which one cannot express an opinion off-hand. My own impression is that these rules have got the weight of statutory rules, the previous budget rules are statutory rules and I am almost certain that they must have received the sanction of the Secretary of State before they were acted upon and therefore they are just as weighty as any statute would be, but I am not relying merely on these rules, I am relying on the usages and practice to which I am attaching greater importance as the Houses of Parliament do in England.

Chaudhri Krishna Gopal Dutt : Is it not a suitable occasion when the opinion of the Advocate-General would be useful ?

Mr. Speaker : The matter is so important and difficult that it will be unfair to ask the Advocate-General to express any opinion without giving him time to study the matter.

Premier : The matter is quite clear after your lucid explanation.

Malik Barkat Ali : We are indebted to you for your lucid statement. The Honourable Premier seems to think that usages and customs can take the place of law. I beg to differ. We are aware of the importance of conventions, but the Honourable Premier ought to know that these conventions merely govern the rules of political morality and the relations between the executive and the legislature such as questions of the confidence of the House or questions as to the circumstances under which a ministry should retire. Conventions have absolutely nothing to do with the matters which come under the domain of law and there I join issue with the Honourable Premier when he seems to think that in the presence of any law usage is supreme. If he has any law let him or his legal advisers or the Honourable Finance Minister place that law before us so that we may feel satisfied and if there is no law then it is no good telling us that there is a usage and convention 21 years old. You have been pleased to say that this is the method that has been followed and that the budget rules have crystalized a practice which has been in operation for the last 21 years. We want to know the statutory basis of this practice and if this practice has no statutory foundation, let us know the position where we stand. My object is not to stand in the way of the present supplementary demands ; we want to clear the position and to know the exact financial position of this House in this regard.

Pandit Muni Lal Kalia : One point is not clear. It is said that the Budget Manual is the guiding book in such cases. My submission is that the Budget Manual has also been superseded by the provisions of the Government of India Act and there is an express provision made in section 59(3) which provides that the Governor shall make rules for the more convenient transaction.....

Mr. Speaker : What they have been doing for the last 18 or 19 years, they consider themselves justified to go on doing unless they are deprived of it by law.

Diwan Chaman Lall : The controversy would probably end if the Honourable Minister declares on the floor of the House that he will look into this position and if there is anything illegal in this position he will put it right on the analogy of what actually happens in the House of Commons. If therefore the Honourable Minister were to make a declaration on the floor of this House that he will look into this matter that will end the controversy.

Minister for Finance : May I move my demands ?

Mr. Speaker : There can be no discussion on non-votable items.

Lala Bhim Sen Sachar : Yes, on non-votable items as a whole but my submission is that we can have discussion on votable items.

Mr. Speaker : That can be certainly had by moving out motions.

Lala Bhim Sen Sachar : That exactly is the position.

Mr. Speaker : A general discussion cannot be held on non-votable items, as they are not to be submitted to the vote of the House, but as regards the votable items their reduction and omission can be moved and thus they can be discussed.

Diwan Chaman Lall : The difficulty that we experience with regard to this particular matter is a simple one. It is almost impossible to divide up general discussions when we are discussing any particular supplementary demand.

Mir Maqbool Mahmood : May I ask the honourable member to speak a bit louder ?

Diwan Chaman Lall : It is not my fault but the fault of the series of meetings that are going on in that part of the House. The position, as far as our own rules are concerned, is this. Rule 44 (2) says quite clearly that we can do three things :

- (a) voting on the demands for supplementary grants,
- (b) discussion of the estimates of the expenditure charged on the revenues of the province, other than estimates relating to so and so or
- (c) both such voting and discussion as the case may be.

"The Governor exercising his individual judgment may, from time to time, allot a day for the presentation of a supplementary statement of expenditure."

He has allotted a day now for the discussion of supplementary expenditure. 'For the presentation of a supplementary statement' is all that I have here. I have no other order or ruling given to me, I mean 'as presented to the Legislative Assembly by order of His Excellency the Governor'. Under Rule 44(1) these supplementary estimates are now being presented to the House.

We come to rule 44 (1). It gives us authority to have these supplementary estimates presented to us. Rule 44 (2) gives us authority to discuss. (A voice : To discuss what ?) My friend asks me 'To discuss what?' To discuss estimates of expenditure charged on the revenues of the province, other than estimates relating to so and so. Or to put it in another way

first of all we can vote on supplementary demands, secondly, we can discuss estimates of expenditure charged on the revenues or both such voting and discussion as the case may be. It is not said in the rules that you should do it item by item. The rules say clearly—and the rules are not exclusive—the rules say that firstly, a day shall be allotted “(a) for voting on the demands for supplementary grants, or (b) for discussion of the estimates of the expenditure charged on the revenues of the province, other than estimates relating to so and so or (c) for both such voting and discussion as the case may be”. I submit that this day has been allotted for both voting and discussion. If it were item by item—A first and B second—then there would be some significance in the objection that is raised that we can only discuss separately the non-votable portion and we cannot mix up discussion of the non-votable portion with the votable portion. A rule like that would be an absurdity. I challenge anybody on the floor of this House to discuss the non-votable separately and dissociate it from the votable. He must be a cleverer man than I can find on the floor of this House who can actually bring his mind to bear upon the purely votable portion and can dissociate it from the non-votable. If the rules do not prevent us, we can discuss both, i.e., the day has been allotted for both such voting and discussion. Where does it say that when I discuss a non-votable item, I cannot at the same time discuss a votable item. The only distinction is that I can discuss a non-votable item but I cannot vote upon it.

Mr. Speaker : I disagree. The rule is perfectly clear. It says—

The Governor exercising his individual judgment shall allot one or more days not earlier than three days after the day allotted for such presentation, (a) for voting on the demands for supplementary grants, or (b) for discussion of the estimates of the expenditure charged on the revenues of the province, other than estimates relating to expenditure referred to in paragraph (a) of sub-section (3) of section 78 of the Act, or (c) for both such voting and discussion as the case may be.

Diwan Chaman Lall : Would you be kind enough to read it along with section 79 of the Government of India Act? There is no such distinction placed in the section itself. Section 79 says quite clearly as follows :—

“ 79. (1) So much of the estimates of expenditure as relates to expenditure charged upon the revenues of a Province shall not be submitted to the vote of the Legislative Assembly, but nothing in this sub-section shall be construed as preventing the discussion in the Legislature of those estimates, other than estimates relating to expenditure referred to in paragraph (a) of sub-section (3) of the last preceding section.”

Premier : That is what he said.

Diwan Chaman Lall : The section itself says that you cannot be prevented from discussing. It does not say that you can only discuss the votable portion at one time and the non-votable portion at another time.

Premier : But they are separately put here in the supplementary estimates.

Diwan Chaman Lall : The point we are raising is that there is nothing in section 79 which prevents us from discussing both votable and non-votable at one time. We cannot vote on the non-votable but we can discuss both the votable and the non-votable at the same time under section 79 which does not put any restriction nor does it say further what is being sought to be

[Diwan Chaman Lall.]

done now, namely, that you shall discuss only the votable at one time and when you have exhausted your discussion on the votable, then you shall go on to discuss the non-votable. It would be absurdity because in one particular demand both are mixed up for the purposes of a discussion. How can you dissociate for instance the pay of a chaprasi in a particular demand from that of the head of a department ?

Premier : Where are they mixed up ?

Diwan Chaman Lall : They are all mixed up here. If you will look at the supplementary estimates you will find that no distinction is drawn. Take for instance demand No. 1. The supplementary demand voted is Rs. 1,550 and the non-voted is Rs. 2,240. In the explanation both are mixed up except that a distinction is made that this item is voted and this is non-voted. The total is given of both and the explanation relates not to one but both. My objection is this that if you take it item by item the result would be an idiotic discussion—a discussion without meaning. You could not possibly dissect the discussion. Take the example about the appointment of a forest officer and his staff. Now the objection to the appointment of a forest officer and his staff is an objection on principle which goes to the entire staff including the forest officer. I cannot vote down the pay of the forest officer because that is non-voted : I can vote down the pay of the staff because that is voted. The discussion relates to one principle which covers both. It would be an absurdity to discuss the merits of the forest officer leaving out the merits relating to the staff which is to be discussed later on duplicating discussion on the subject. It would lead to an absurdity and an infructuous discussion if this distinction were drawn.

Premier : What is the trouble ?

Diwan Chaman Lall : My honourable friend the Premier wants to know what the trouble has been. The trouble was experienced by the Opposition on the last occasion. There is no trouble as far as the ministerial benches are concerned because they are not going to discuss it.

Premier : You have been discussing both.

Diwan Chaman Lall : The Honourable the Premier is quite right when he draws your attention and the attention of the House to the fact that during the budget discussion we have been discussing both. There has been no question of dissociating the one from the other.

Mr. Speaker : I have no objection. In discussing non-voted items honourable members may bring in voted items. Let us now proceed with the general discussion.

Premier : Discussion with regard to what ?

Mr. Speaker : With regard to non-voted items given in the supplementary demands.

Premier : I should like your ruling with regard to one particular demand, if I may say so, demand No. 4. I merely draw your attention and the attention of the House that this item was discussed threadbare when the token grant was placed before the House and we have brought this up again merely to regularise the position. I might for the information of my honourable friends opposite say that this demand was passed by the

House when discussing the supplementary demand on the last occasion in the shape of token demand. You will find that technically that token demand was not correct because the amount which was debited to a certain sub-head cannot be so debited because that sub-head has ceased to exist after the 1st April 1937. It was done away with and the amount which was standing to the credit of the fund on that date, Rs. 2,58,000, was transferred to our general balance, with the result that this amount was utilized for reducing the debt. If that fund had still existed it would not have been necessary to come before the House at all, but since that does not exist we have come before the House with a token grant hoping that the amount will be paid out of the police fund where the money existed. That does not exist now. It is for technical reasons that we have come before the House to regularise merely the accounting mistake.

Lala Bhim Sen Sachar (North-West Towns, General, Urban) : Sir, our chief complaint against the present ministry is that it lacks the backbone to stand up for the legitimate rights of the people. No doubt, this criticism is very much resented and proof of this is to be found in many of the speeches of the Honourable Premier himself. It is a well known fact that abuse is the argument of the weak (*hear, hear*) and the House was not surprised when the other day the Honourable Premier went to the extent of describing some members of the Opposition as '*phapha kutni*'. When he said that, I could have retorted by shouting '*momo thagni*'. But that would not improve matters : that would leave the situation where it was. We criticise the present Government for lack of grit but we do not do so in the mere spirit of criticism. We do it because we feel that the present Government is wanting in certain qualities which are necessary for securing to the people of the province their fullest right to control their own affairs. Our honourable friends on the opposite benches are never weary of beating their drums—

Mir Maqbool Mahmood : On a point of order. Is the honourable member in order in the general discussion on non-voted items to cover the whole field of Government activity or should he confine himself to those non-voted items which appear in the supplementary estimates ?

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Mr. Speaker : The honourable member should confine himself to items given in the supplementary estimates.

Lala Bhim Sen Sachar : I am wholly confining myself to those items which appear in this fourth instalment of the supplementary estimates. I am not going to criticise general administration but what I propose to do is to discuss only the policy that is connected with non-voted items. What I was submitting was that the present Ministry has always, in season and out of season, assured us or at least has tried to assure us that they lag behind no other Ministry in India in their anxiety to secure for the people of the province the maximum of privileges.

(At this stage Mr. Speaker left the chair and it was occupied by the Deputy Speaker.)

Mir Maqbool Mahmood : I am sorry to interrupt my honourable friend again. I would submit that if my honourable friend would intimate to

[**Mir Maqbool Mahmood.**]

which particular non-voted item he is applying his eloquence, we shall be grateful.

Deputy Speaker : I will request the honourable member to confine his speech to the supplementary demands before the House.

Lala Bhim Sen Sachar : I do not know if I shall have many opportunities of complying with the wishes of my honourable friend over there and you may be sure I shall not miss the present one, but he is growing impatient. I would tell him, as I have already said, that I am dealing with non-votable demands. If he is so keen, I may tell him that I propose to confine myself only to Grant No. 17 on page 16 of the supplementary estimates (fourth instalment). That relates, as you will be pleased to see, to certain allowances that are payable to I.M.S. officers or their retention in the provincial service. I hope my honourable friend has now got it and there will be no difficulty for him in following the line of my argument.

Mir Maqbool Mahmood : On a point of order, Sir. I am extremely sorry to interrupt my honourable friend again. If he will refer to the explanation on page 16, he will find that those items do not relate to general question of I. M. S. Officers or their allowances. They only relate to the adjustment in accounts for January, 1938 of the debit of Rs. 52 on account of share of fees drawn by Colonel D. H. Rai, I.M.S., Inspector-General of Civil Hospitals, Punjab, for medical examination of candidates for all-India services. I am sure that my honourable friend, with his fairness and subtlety, will not stretch that item to cover all that he has to say with regard to I.M.S. Officers about which he had the occasion to say at the budget discussion or at the time when the Medical Demand was discussed.

Lala Bhim Sen Sachar : It will, indeed, be a pleasure for me if this dialogue would continue.

Deputy Speaker : I will request the honourable members not to converse.

Lala Bhim Sen Sachar : Sir, if you refer to section 79 of the Government of India Act, you will be pleased to see that we are not prevented from holding discussion in the legislature in respect of those estimates which are non-voted. Now we are being presented with a supplementary demand, and to what does the demand relate? It relates to (i) an amount of Rs. 50; and (ii) to the total amount of Rs. 6,510. The first amount is on account of share of fees payable to the Inspector-General of Civil Hospitals, Colonel D. H. Rai and a debit which has been received from the Accountant-General, Central Provinces. The second amount is due to the arrears of leave salary which were drawn by two civil surgeons in December, 1937 and January, 1938 on return from England. (*Premier :* What page please?) Pages 16-17. Again, Sir, we have a debit to this head of the pay of an additional I.M.S. Officer who has been placed on general duty at the Mayo Hospital from 21st January, 1938. Further we have "other allowances and honoraria" due to the cost of passages of the wife and son of Major S. Smyth, I.M.S., from their home to our home. Now, Sir, the point that I want to take up in regard to this supplementary grant is this that in adding to the number of the I.M.S. Officers, the Government are acting in a manner which is prejudicial to the best interests of the province. It is quite well known that the I.M.S. is one

of those privileged services which think that they are in India only for the well-being of the people of this country. These services enjoy privileges which are denied to the members of the provincial services. The I.M.S. like some other Indian services, has been holding the field for all these many years.

Premier : May I tell my honourable friend opposite that this is not the occasion to discuss the general policy or a matter of that character or nature, when the supplementary demands are put before the House? That would be an unfortunate convention, if I may say so, which the honourable member wants to set up.

Lala Bhim Sen Sachar : I am sure the Leader of the House has a very good memory, and I shall merely refer him to the ruling of our own Speaker which was given only on the 17th of January, 1938. The Honourable the Speaker referred to that very sacred and monumental work which is very often quoted, I mean the May's Parliamentary Practice, and while referring to page 536 of the May's Parliamentary Practice drew the attention of the House to the nature of the subject matter which could be introduced while discussing supplementary grants. I am referring my honourable friend to page 433 of our Official Reports, Volume II. If you refer to that quotation, you will find that we can refer not only to the expenditure brought before the committee by the items contained in the supplementary or excess estimates but also to the policy relating to that particular item. I am referring to the policy that relates to the item of the additional appointment of an Indian Medical Service Officer. That is perfectly clear so far as that goes. I am referring to that policy and I have no wish, I may assure the Honourable the Leader of the House to take up the time of the House in indulging in remarks which have no meaning. I do actually feel that the policy with respect to the additional appointments of the I. M. S. Officers in the provincial service of the Punjab Government is—

Deputy Speaker : May I draw the attention of the honourable member to the fact that the item under discussion does not cover the pay of all those officers? It covers only the honoraria and certain allowances. Therefore the honourable member is not in order in discussing the appointment of additional I. M. S. Officers.

Lala Bhim Sen Sachar : It is not for me to cross swords with you, Mr. Deputy Speaker. But with your permission I wish to refer to page 17 of the Explanatory Notes where the pay of an additional I. M. S. Officer is expressly mentioned. So, there will be no difficulty in our agreeing on this that the appointment of an additional I. M. S. Officer in the services of the Punjab Government is a matter directly and substantially in issue and is therefore entirely relevant. I hope, I can proceed, with your permission, with the line of argument that I am pursuing.

Premier : I take it that the honourable member is trying to be too clever. Supposing the letters 'I. M. S.' had not been there, what would have been the position? The criticism that can be levelled would be to the effect that an additional officer should not have been appointed for general duty.

Chaudhri Krishna Gopal Dutt : Sir, I rise to a point of order.

Deputy Speaker : The Honourable the Premier is already speaking to a point of order. The honourable member can raise his point of order after the Premier has finished.

Chaudhri Krishna Gopal Dutt : The Honourable Premier has used an expression which is unparliamentary.

Deputy Speaker : At present the Honourable the Premier is speaking on a point of order.

Premier : I wanted to point out that if my honourable friend opposite wants to criticise that an additional officer should not have been appointed, he would have been perfectly relevant because the fact that an I.M.S. Officer has been appointed does not mean that that I.M.S. Officer was imported. An additional officer was required and he is there. If my honourable friend considers that this additional officer should not have been appointed and that this expenditure was unnecessary and should not have been incurred, let him say so, but I do not think that the discussion of the question of the Indian Medical Service would be relevant.

Chaudhri Krishna Gopal Dutt : The Honourable the Premier has used the words 'trying to be too clever.' May I enquire if the expression is not unparliamentary ?

Deputy Speaker : The Honourable the Premier did not use the expression in any bad sense.

Premier : If my honourable friends consider that it was used in a bad sense, I will withdraw it at once.

Chaudhri Krishna Gopal Dutt : May I tell you that speaking of another person that he is too clever is saying a bad thing.

Deputy Speaker : The Honourable the Premier simply meant that the honourable member is putting it in a clever way. That is in no way unparliamentary.

Mir Maqbool Mahmood : My honourable friend has drawn our attention to a particular ruling given by the Speaker in Simla in which he referred to page 536 of May's Parliamentary Practice. I invite his attention to page 537 where it is stated—

"As a general rule, on the supplementary estimates it is in order to discuss only the particular items which constitute the supplementary estimates, and the sub-heads of the original estimates can only be referred to so far as they are involved in the fair discussion of the points contained in the items asked for in the supplementary estimates. Of course, it is quite obvious that it would be improper, as a general rule, to raise on a supplementary estimate the whole question of policy involved in the original estimate."

Deputy Speaker : The point is perfectly clear that in the case of supplementary demands only those items may be discussed which are included in the supplementary demands and the policy of the whole demand cannot be discussed.

Lala Bhim Sen Sachar : You are perfectly right and there is no difference of opinion. I am not at all trying to discuss the policy of the whole of the Medical Department. What I am trying to discuss is the policy relating to this particular item of the estimates. We are perfectly agreed, both my honourable friend over there and I, that I shall not survey the general policy of the Government. I would merely confine myself to the policy that underlies this particular demand as you have been pleased to rule. What I

was submitting was that as a concession to the vigorous agitation that was carried on in the country against the imposition of a large number of the I. M.S. Officers on the provincial civil administrations we had a *communiqué* of the Government of India in May 1928. At the time of the *communiqué* there were in India 766 I.M.S. Officers. Out of these, 392 were in the employ of the various provincial Governments. The Secretary of State out of recognition of the legitimate demands of the public agreed to reduce the number which it was obligatory for the provincial Governments to employ in their medical departments from 392 to 302, which in other words meant that those 90 appointments were released from the hold of the I.M.S.

Mir Maqbool Mahmood : Indians and Europeans ?

Lala Bhim Sen Sachar : I.M.S. Officers. My honourable friend whose interruptions I may assure you are very pleasant, wants me to draw a distinction between an Indian and a non-Indian, while discussing this Indian Medical Service. There is a difference between an Indian and a non-Indian so long as that Indian does not act as a non-Indian ; but when that Indian in spite of his brown skin, acts like a non-Indian, I am not prepared to give him any quarters (*hear, hear*), and I am consequently not going to make a distinction between a person with a white skin and a person with a brown skin (*hear, hear*) so long as both of them play to the tune of him who is here to exploit the helpless. (*Hear, hear*). As a result of that arrangement the Punjab was required to have in its service only 21 Indian Medical Service men. At that time the number of I.M.S. Officers in the Punjab was 36. That was in the year 1928. This number was to be gradually reduced from 36 to 21. But what happened ? True my honourable friends over there are not responsible at all for what happened between 1928 and the 1st of April 1937. I would not, to use the word of the Honourable Premier, the very favourite word of his, pillory them for what their predecessors did, although their predecessors to a large extent included the members of the present Government.

(*An honourable member : He himself was his predecessor*) (*Laughter*). We must recognise the legal fiction and must—even if we do not want to—admit that they are not directly responsible for what their predecessors did. The number in the case of the Punjab was to be reduced to 21. Now we come to the year 1932.

Premier : Sir, I must respectfully submit again that my honourable friend is discussing the general policy with regard to the appointment of I.M.S. Officers. No such question arises out of the supplementary demands. If my honourable friend merely confines himself to this particular item, he is welcome. He had ample opportunity to discuss the whole subject at the time of the general discussion of the budget and every member had an opportunity to do so if he wanted to. But this is not the time to discuss this wider question of policy because it would be unfair to discuss it when there will be no time for us to reply or to consider that criticism which he makes. We are merely prepared for that particular item in connection with the supplementary estimates and if my honourable friend wants some sort of intelligent reply to his criticisms he cannot possibly expect my colleague to do it off hand because he could not have anticipated that he would be raising this big question. As far as this small item is concerned, the officer mentioned here is merely leave reserve.

Lala Bhim Sen Sachar : That is the point to which I was drawing attention.

Premier : I think it is not relevant and we should set up a convention not to discuss items under supplementary demands, which are not relevant. We should try to set up the right type of conventions.

Dr. Gopi Chand Bhargava : I want to say one word on this point of order. The demand under question is the pay of officers and it is stated here "The debit to this head of the pay of an additional I.M.S. Officer who has been placed on general duty at the Mayo Hospital from 21st January, 1938." It is also stated that it is a question of leave reserve. This means that the demands concern the appointment of an I.M.S. Officer and that appointment is made to keep a leave reserve. So, when we are going to criticise the demand, we have to say that a leave reserve was not necessary and if it was necessary a P.C.M.S. Officer could have been appointed. We must tell the House through you that so many I.M.S. Officers had to be appointed and so many leave reserve and they have got the required number of officers and unless we tell you the whole story, it may not be clear.

Diwan Chaman Lall : May I also draw your attention, Mr. Deputy Speaker, before you decide this matter, to the actual phraseology employed on page 17 of the supplementary estimates? The objection that my honourable friend, Lala Bhim Sen Sachar, is raising is to the appointment of a large number of I.M.S. Officers. What exactly is it that we are being asked to do under grant No. 17—Major Head : 38—Medical ? The note says—

The debit to this head of the pay of an additional I.M.S. Officer (Captain C. F. Garfit) who has been placed on general duty at the Mayo Hospital from 21st January, 1938, is also responsible for the excess.

Had not an additional I.M.S. Officers, over and above the limit of 17 placed statutorily upon the shoulders of my honourable friends by the Secretary of State for India, been appointed, this case would not have arisen and surely my honourable friend can point out that it is not necessary for my honourable friend over there to have exceeded the limit placed by the Secretary of State, namely 17, that it is not necessary for him to employ 37 I.M.S. Officers when the statute only compelled him to employ 17 I.M.S. Officers. If there is an excess it is because of this policy of my honourable friend. Here is a specific admission that this excess is partly due to the fact of the additional appointment of an I.M.S. Officer, Captain Garfit—these are the words in the supplementary estimates supplied to us—not my words.

Premier : Even if a P.C.M.S. Officer had been appointed, this explanation would have been there.

Diwan Chaman Lall : May I draw the honourable member's attention to the fact that if a P.C.M.S. Officer had been appointed, his pay and allowances would have been much less ? Let me explain to my honourable friend how. If a P.C.M.S. Officer had been appointed this case would not have arisen. Turn to the previous page, page 16. You will find :—

The excess under 'pay of officers' is due to the debit to this head of the arrears of leave salary which were drawn by two Civil Surgeons in December, 1937, and January, 1938, on return from England. It was not possible to foresee the charge at the time of the preparation of the revised estimates for 1937-38.
* * * * * The excess under 'Other Allowances and Honoraria' is due to the debit to this head of the cost of passages, etc. etc.

These excesses are due to the appointment of I.M.S. Officers and suppose P.C.M.S. Officers had been appointed. Their allowances and salaries would have been less and the honourable member could have appropriated from the grant in hand and paid a smaller sum thus avoiding the excess. There would have been no necessity to come to this House and demand an excess vote. Our charge is that this excess vote is being demanded merely because an excess number of I.M.S. Officers have been appointed. If this so my honourable friend Lala Bhim Sen is perfectly within his rights in discussing the necessity for the appointment of these extra I.M.S. Officers. Then, Mr. Deputy Speaker, the rule regarding the discussion of policy is perfectly clear. You may not discuss the general policy covering the entire budget relating to that particular demand, but you can discuss the policy arising out of that particular supplementary demand and I submit that this matter is a matter of policy arising out of the supplementary demand. The excess has arisen out of the appointment of this excess officer and this is a matter of policy covering this appointment which we are perfectly within our rights to discuss.

Deputy Speaker : When the honourable member raised a point of order, I was saying as to how the honourable member was developing his argument to make it relevant to the subject before the House. The point is not in any way intricate and it is a simple one. The connection between the speech of the honourable member and the subject before the House should not be very remote and the honourable member should try to be brief and to the point. If the honourable member has to make any remarks those remarks should be of a nature which has some sort of immediate bearing on the subject before the House.

Lala Bhim Sen Sachar : Within the limits of my limited ability, you may be sure I shall abide by the wishes that have been expressed by you. After your very clear ruling, the interruption of the Honourable Premier leads me to suspect that he is afraid of some sort of exposure (*laughter*). There is nothing to feel afraid of.

Deputy Speaker : The honourable member should go on with his speech.

Lala Bhim Sen Sachar : As you were pleased to observe, and very rightly too, I was merely giving a history of the case. I can tell you right now that the proposed number for the Punjab is only 17. Anybody would have been able to understand it clearly.

Deputy Speaker : I would request the honourable member to go on with the discussion.

Lala Bhim Sen Sachar : As I was submitting the number of I.M.S. people was to be reduced from 36 to 21. My honourable friends over there are certainly not responsible for the excess before they came into office and we cannot hold them responsible for it. But what has happened after they have assumed the reins of this responsible office? What should have been done was that the number of I.M.S. Officers should have been reduced to the very minimum which our Government is bound to have in its service. This is my point. What is the number which we are required under the orders of the Secretary of State to keep? That number is 21. But instead of 21

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we have this colossal fact—and a tragic one at that—that the Punjab Government have permitted the revenues of the province to be raided upon to the extent of the extra pay, leave allowances and pension allowances and passage allowances that have to be paid to these gentlemen by the mere fact of their belonging to the heaven born I.M.S.

Deputy Speaker : The honourable member is not in order in discussing the pay and allowances of the I.M.S. Officers.

Lala Bhim Sen Sachar : I am not at all discussing the pay or allowances of the whole cadre of the I.M.S. Officers. What I am submitting is that if these extra appointments of I.M.S. Officers had not been made, there would have been no occasion for this excess grant to come before us and I am sure you will be so good as to concede that I am perfectly in order as far as that point goes. I make a deliberate and considered remark and that is that it was within their power to save a good portion of the revenues of the province and save it for the purposes of the beneficent departments. I may explain myself as to what I mean. The number of I.M.S. Officers in the Punjab at present is 37.

Deputy Speaker : The honourable member is not in order in discussing the whole cadre. He can discuss this item alone and he can discuss any other thing which is relevant to this item.

Lala Bhim Sen Sachar : My submission is that this item of expenditure is uncalled for. This should have been avoided and in order to show that this could have been avoided, I beg leave of you to point out that it was unnecessary to have this additional I.M.S. Officer in our service. In criticising the Punjab Government's action which discloses the policy which they are pursuing in the appointment of the I.M.S. Officers I criticise the excess demand.

Deputy Speaker : The honourable member is not in order in discussing that aspect of the case.

Lala Bhim Sen Sachar : Very well, Sir. I shall merely confine myself to this that if this extra I.M.S. Officer had not been appointed, the necessity for the demand would not have arisen. I shall attempt to keep myself within the four corners of this proposition. It would not have been necessary for the Punjab Government to approach this House for the excess demand if (1) they had insisted upon throwing back in the face of the Army Department the number of officers of the I.M.S. who are in the Punjab in excess of the number we are required to keep.

Deputy Speaker : Even there the honourable member is not in order.

Lala Bhim Sen Sachar : I might then be given the benefit of my good intention, because I do not intend to go contrary to your ruling. The second method by which this excess could be avoided was to have instead of an I.M.S. Officer a P.C.M.S. man, so that the pay and allowances of that man would have been much less than the allowances of the I.M.S. Officer.

Mir Maqbool Mahmood : On a point of order. I am sorry to interrupt my friend again, but this post which my honourable friend is now attacking is a reserved post for an I.M.S. Officer and it is not open to the Punjab Government to give it to anybody else. Moreover I would submit that matters

which require legislation to be given effect cannot be raised on a supplementary grant and my honourable friend is now attacking a post which under existing law is a reserved post for the I.M.S.

Dr. Gopi Chand Bhargava : May I submit that the number of officers required under the law is 34 and now this is the 37th I.M.S. Officer ? Are we not entitled to criticise this action of the Government ? They have no right to ask for this leave reserve. They ought to have restricted this to 34 because they have not got orders from the Secretary of State for India, as to how they are going to reduce 34 to 17. This is what the Honourable Minister told us. But it is not the 17th Officer, it is not the 20th officer, it is the 37th I.M.S. Officer who has been appointed as additional officer. Therefore, if they want leave reserve, they should keep it within the number 34. When they have done it beyond that, are we not entitled to criticise the action of the Government under this head on the appointment of an additional special officer ?

Deputy Speaker : So far as the filling up of this post by an I.M.S. Officer is concerned, that aspect cannot be discussed because according to the rules it can be filled up only by an I.M.S. Officer and not by a provincial service officer.

Dr. Gopi Chand Bhargava : That is what we criticise.

Deputy Speaker : So far as the appointment of additional I.M.S. Officer is concerned that can be criticised. May I point out to the honourable member that so far as the filling up of this post is concerned that was properly done by appointing an I.M.S. Officer to that post but so far as this aspect of the case is concerned, this cannot be discussed. It is appointment of an additional I.M.S. Officer.

Minister for Education : There is no additional officer.

Dr. Gopi Chand Bhargava : May I submit that the stand that they take is upon the fact that they wanted a leave reserve I.M.S. Officer for this special post. Supposing we were to prove that an I.M.S. Officer should not have been appointed in this case because they did not stand in need of a leave reserve, then are we not justified in arguing this point ?

Minister for Education : May I know, if this officer had not been appointed whom we should have appointed ?

Dr. Gopi Chand Bhargava : We have to consider whether we should have a leave reserve officer on general duty in Mayo Hospital or whether we really need a reserve officer when we have already got a fixed number.

Mir Maqbool Mahmood : There appears to be some misunderstanding and I would again solicit your ruling on these specific points. The points involved in this supplementary demand are simply two. First is whether the salaries of these officers who are on leave and which could not be foreseen earlier are to be paid or not. That is an action which does not raise the issue whether those officers are to continue or not. They are on leave. Their leave salary is due to them under the rules and by oversight it was not included earlier. The second point was the subject of main attack in Lala Bhim Sen Sachar's speech and it related to that officer on special duty in the Mayo Hospital. I have stated with authority that this is one of the reserved

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posts for the I.M.S. Officers. Let it not be understood that we are advocating that the I.M.S. Officers should be retained in this province more than are absolutely essential, but this is not the issue to-day in this debate, and my submission is that this appointment being reserved, they cannot raise objection to it in the course of discussion on this particular item.

Dr. Gopi Chand Bhargava : Why not ? If this post were not to be filled by an I.M.S. Officer, they could transfer one man from among the civil surgeons or from any other department to occupy that post and they could fill that I.M.S. post by appointing a P.C.M.S. Officer to it.

Minister for Education : Before the new rules are received ?

Dr. Gopi Chand Bhargava : Unless you permit us to read the rules and discuss them, how can we prove that this I.M.S. Officer was unnecessary ?

Deputy Speaker : I have already ruled that so far as the filling up of this post by an I.M.S. Officer is concerned, that aspect of the question cannot be discussed.

Lala Bhim Sen Sachar : Unless I can show, as you have been pleased to hold, that this post was not necessarily to be filled up by an I.M.S. Officer—

Minister for Education : No.

Deputy Speaker : No. This post is reserved for an I.M.S. Officer and so far as the filling up of this post by an I.M.S. Officer is concerned that aspect of the question cannot be discussed.

Minister for Education : Then no other question arises.

Lala Bhim Sen Sachar : I wonder if I correctly interpret your ruling when I say that if this post is to be filled up by an additional I.M.S. Officer then I shall be out of court and, consequently I must be permitted to show that the contention of my friend over there is not correct. What I contend is that it was not necessary to appoint an additional I.M.S. Officer.

Deputy Speaker : So far as that aspect of the question is concerned, I have already ruled that that aspect cannot be discussed because according to the rules it should have been filled up by an I.M.S. Officer.

Lala Bhim Sen Sachar : According to the contention of my honourable friend over there it should have been filled up by an I.M.S. Officer. According to my humble submission, in accordance with the rules, it should not have been filled up by an additional I.M.S. Officer.

Diwan Chaman Lall : How can the Chair give a ruling to that effect ?

Khan Bahadur Mian Mushtaq Ahmad Gurmani : May I clear the point ?

Deputy Speaker : The point has already been cleared up. It has already been brought to the notice of the Chair that according to the rules in practice that post should have been filled up by an I.M.S. Officer and it has been filled up by the appointment of an I.M.S. Officer. As long as the rule is there, that aspect of the question cannot be discussed.

Lala Bhim Sen Sachar : My honourable friend over there does not furnish you and the House with a copy of the rules to prove that my contention is wrong.

Deputy Speaker : The statement of the Parliamentary Secretary is enough on that point.

Diwan Chaman Lall : How can it be enough ?

Deputy Speaker : Statement by a responsible Minister or a Parliamentary Secretary is sufficient for the present purposes.

Diwan Chaman Lall : But how could it be sufficient ? He is a member of this House as far as we are concerned and he has equal rights with us. He has made a statement and we challenge that statement.

Deputy Speaker : Mir Maqbool Mahmood, who is a Parliamentary Secretary, has quoted a certain rule and so far as this statement is concerned, it should be taken as correct.

Diwan Chaman Lall : He has quoted no rule.

Deputy Speaker : He has stated that it is in accordance with the rules that this appointment is filled up by an I.M.S. officer and so far as that statement is concerned that is to be taken as correct.

Minister for Education : I would request you to allow Lala Bhim Sen Sachar to proceed.

Diwan Chaman Lall : I do submit that I do not think that any ruling given by the Deputy Speaker should lay down—because it is a very serious matter—that merely the *ipse dixit* of a parliamentary secretary is sufficient for this House *qua* the existence of a particular rule. The ordinary procedure for the honourable member is, if he is relying on a certain rule, to quote that rule. If he has not got the rule with him, then he has no business to raise the objection. If he is challenged, he should read the rule out on the floor of this House. It is possible that my honourable friend has sent for that particular rule but this convention, which would have no validity on the floor of this House, should not be laid down that because an honourable member merely says that a rule exists, therefore it should be taken as an established fact that the rule actually exists. And even if the rule exists my honourable friend is within his right in challenging the validity or correctness or propriety of that rule. What is there to prevent my honourable friend Lala Bhim Sen Sachar from challenging the propriety of the rule or the existence of a rule like that ? Nothing. The Secretary of State for India has made a rule already. The honourable member is not carrying that rule into effect. My honourable friend says that the rule is a wicked rule and it ought not to exist. There is nothing—absolutely nothing—in the rules or in the orders or in the Government of India Act to prevent my honourable friend from challenging the propriety of a rule like that.

Mir Maqbool Mahmood : I am sorry my honourable friend was not here when I made the statement. If he had been here I am sure it would not have been necessary for him to make this speech. What I said was and what I emphasise is this that it is one of the established conventions of Parliament that on a question of fact regarding administration, for the purpose of debate in the House a statement from the Treasury benches—a Minister

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or a Secretary—is accepted. At the moment we are only discussing the question of the appointment of an I.M.S. officer to this post. With regard to the point whether a particular statement is or is not to be accepted, I submit that after enquiry I find that this post is reserved by the Secretary of State for an I.M.S. officer. It is not open to the Punjab Government to appoint a non-I.M.S. officer to this particular post. (*Dr. Gopi Chand Bhargava*: (Please quote rules.) If my honourable friend wants rules I would be prepared to produce them later; but he should accept the statement from me that I have myself made enquiries from the administrative head concerned. I am sure that is the position and for the purpose of our debate we may take it as such. That being the position, according to May's Parliamentary Practice, we are not to discuss matters which would involve legislation. It not only involves legislation but it is outside our purview.

Diwan Chaman Lall: May I point out that my honourable friend has really misunderstood the objection raised by this side. He has not realised the significance of the remarks made by this side of the House. He says on questions of fact on matters of administration his statement must be unchallengeable and should be accepted by the Opposition. The actual words used by the honourable member are that on a question of fact regarding matters of administration, raised in the House his statement must be accepted. I say it is a most preposterous proposition. Only the other day, Mr. Deputy Speaker, when we were raising an important matter and suggesting that 35 I.M.S. officers have been appointed instead of 17 as fixed by the Secretary of State, my honourable friend over there in charge of the department actually denied the fact that they exceeded the number as fixed by the Secretary of State. If you will look at the verbatim report of the proceedings of that day you will find that the honourable member in charge of the department actually denied the existence of a fact like that. Now to-day they come forward and ask us to accept without challenge that this particular post was reserved for an I.M.S. officer. My honourable friend was raising this matter in debate as to why this post was reserved for an I.M.S. officer. If that particular post was reserved there were others which were not reserved and yet I.M.S. people were appointed to those posts. If they had not been appointed then there would have been no necessity to bring this excess demand before the House. If these 20 gentlemen, who draw high salaries, leave and passage allowances, if these gentlemen had not been appointed, when there was no necessity to appoint them, then this excess would have been easily covered and this sum would not have been demanded. It was this point which my honourable friend was developing.

Deputy Speaker: The point which the honourable member is discussing is a simple one. According to the rules framed by the Secretary of State this post is to be filled by an I.M.S. officer. So far as that point is concerned there can be no discussion. The honourable member may proceed with his speech.

Lala Bhim Sen Sachar : I may accept it as such for the sake of argument, but I assure you it is a very bitter pill to swallow. I have knowledge of the facts and my honourable friends over there have none. They are ignorant and in their ignorance they are putting forward objections with no other effect but that of wasting the precious time of the House. I put a direct question to the Minister in charge of the department or to the very brilliant Parliamentary Secretary over there.—Is it or is it not a fact that in accordance with the *communiqué* of 1928 only 21 I.M.S. officers are required to be in the service of the Punjab Government? Let him answer that question; I shall wait for a reply. I have the rules with me.

Deputy Speaker : That does not arise out of the discussion.

Lala Bhim Sen Sachar : Sir, you may be sure it gives me no pleasure to differ from my honourable friend over there on a question of fact. I do not say that he is not stating facts even when he has knowledge of those facts.

Deputy Speaker : The honourable member need not discuss that.

Lala Bhim Sen Sachar : What is the position? It was submitted before you that this post was reserved for an I.M.S. officer and the argument trotted out was that this post must go to an I.M.S. officer. Those gentlemen over there are absolutely ignorant. They have not applied their minds to the facts of the case and that is the charge which I am levelling against them. What happened is this. The number 21 has been proposed to be reduced to 17. Now the statutory number required to be in our service is 17.

Minister for Education : That is absolutely wrong.

Lala Bhim Sen Sachar : I am giving facts which my honourable friend dare not challenge: it is a bold statement which I am making on the floor of the House. I would not hazard a remark which I cannot substantiate. I have in my possession facts on the basis of which I am speaking. Let my honourable friends over there learn even from the Opposition if the Opposition has something to teach.

Deputy Speaker : These facts are not relevant to the question under discussion.

Lala Bhim Sen Sachar : What I was saying is that the number 21 is proposed to be reduced to 17.

Minister for Education : Reduction in number is not the point.

Deputy Speaker : Speeches should be confined to this item alone and other things which are relevant may be brought in but things which have no connection with this item should not be discussed.

Dr. Gopi Chand Bhargava : My submission is that this post is said to be leave reserve post. We have to quote rules and the names of the person who holds this post according to which this leave reserve post should not have gone to an I.M.S. officer. Are we not justified to prove that this leave reserve post was not at all necessary?

Lala Bhim Sen Sachar : Will my honourable friend be prepared to take up my challenge when I say that this appointment is not a leave reserve appointment but is in excess of the number of the leave reserve appointments? Is he prepared to deny that statement? The statement is there, let my honourable friend contradict it.

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Deputy Speaker : I would request the honourable member not to put questions to the Honourable Minister for Education in this manner.

Minister for Education : Since he has put a question to me I must reply that this is a leave reserve appointment and that it is not in excess of the number of leave reserve appointments.

Lala Bhim Sen Sachar : It is a clear issue. My honourable friend the Minister in charge of this department is in his seat, and with your permission, I would like a clarification of this issue. Because your ruling is that I should merely confine myself to the item of excess demand, I hope, you will be good enough to permit me to develop my argument like this. If I can show at the bottom that a certain thing should not have been there and that if it were not there, another thing would not be at the top, I trust it will be all right and for that purpose I request you to allow me to put a question to the Honourable Minister in charge of this department.

Deputy Speaker : I would request the honourable member to go on with his speech and not to put the question to the Honourable Minister, because that would give rise to a dialogue.

Lala Bhim Sen Sachar : Sir, I may be permitted to make a suggestion and it is that if any statement of fact is not right, the Honourable Minister may get up and contradict me. I will not put any question. Rather than give you the trouble of preventing me to put a question, I shall simply go on with my speech and if there is anything wrong therein the Honourable Minister may get up to contradict me and I will at once give way. I think that will be permitted. According to the Government's own showing, under the *communiqué* of 1928, they are bound to employ 21 I. M. S. officers besides the officers with 'protected rights'. My second contention is that according to the *communiqué* of 1937, dated 25th March, No. 205, published in the *Government of India Gazette*, it has been proposed to the Secretary of State that the number of I.M.S. officers should be reduced from 21 to 17 and out of those 17, 13 should be non-Indians or Europeans.

Deputy Speaker : May I request the honourable member to show as to how these facts are relevant?

Lala Bhim Sen Sachar : I shall make my humble effort to show you that I am relevant. Relevancy consists in this that they have employed a certain I. M. S. officer and as a result of that I. M. S. officer having been employed by the Punjab Government, a certain expenditure has been occasioned to the exchequer of the province and as a result of that expenditure an excess grant has come before us to which we are asked to be a party. Now, what I am showing is this. If this appointment had not been made, an excess expenditure would not have been occasioned, and this appointment was not necessary because there was no statutory obligation on the Punjab Government to employ him. That is

my point. The proposal now is to have 18 European officers. What has happened is this. Even before the proposal to have 18 instead of 9 I. M. S. officers has been accepted by the Secretary of State and even before the whole arrangement has come into force, my honourable friends over there, who pose to have a rigid stewardship of the finances of this province and who claim to be very patriotic gentlemen and who are very anxious to promote the interests of the people in the best possible manner and who are very keen to save inroads on the revenues of the province—what have they done?—have, without a corresponding reduction in the number of the I. M. S. officers, thoughtlessly agreed to add to the existing burden on the revenues of the province. This is the policy which is being pursued by my honourable friends over there. If there were a Government which really felt that it was the representative of the people, if there were a Government which really felt that it must save the revenues of the province from the inroad that is bound to be made by the appointment of additional I. M. S. officers, it would have insisted on either limit, 21 or 17. If the number exceeded the statutory limit, they should have shunted them back to the Indian Army and refused to have any fresh I. M. S. officer. This is the sort of leave reserve appointment about which my honourable friend was insistent. Just see the great duty that is being performed by this gentleman, who must be getting something like Rs. 1,500 a month. What does he do?

(At this stage Mr. Speaker resumed the chair.)

Sir, the point I was developing was that the excess which appears on pages 16-17 of the supplementary estimates would have been avoided if the Punjab Government had not appointed this I. M. S. officer as an additional I. M. S. officer and while developing that argument I was mentioning that whereas under the *communiqué* of 1928, the Punjab Government are required to have only 21 I. M. S. officers and whereas under the *communiqué* of 1937, that is, under the proposed arrangement of 1937, the Punjab Government are required to have not more than 17 I. M. S. officers, in addition to the officers with 'protected rights', our philanthropic Government is employing as many as 37 I. M. S. officers in its various departments. There is a proposal that instead of 9 European I. M. S. officers, there should be 18 European officers in the Punjab. Even when it is no more than a proposal the Punjab Government dare not disregard it because if the Punjab Government were not to give effect to this proposal, they may be considered to be revolutionaries or, if I may use a stronger word, followers of other Congress provinces.

What they have done even before this arrangement has been given effect to by the Secretary of State is that they have yielded to the unreasonable demand of the European element in the I. M. S. and have appointed additional I. M. S. officers. My submission is this. Is this fair? Is this reasonable? We have got 20 more than the ultimate number required, and, Sir my honourable friend over there is well aware that if in the place of these 20 I. M. S. officers he were to employ provincial service men, he would be in the proud position to say that he has given to his department another 100 P. M. S. people who would go from village to village relieving the distress of the people. The only consideration weighing with my friend is that if the proposal that the European element should be increased, is

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not acceded to, what will so and so think? Will not the world outside suspect, that the Punjab is going to become a Congress province. Does not my friend know that in Madras when the Government of India wanted to send an I. M. S. officer for an I. M. S. post what the Congress Premier of Madras did? He said, yes, it is an I. M. S. appointment. You are perfectly at liberty and within your rights to ask us to have an I. M. S. officer, but whereas you can ask us to have an I. M. S. officer, you cannot dictate to us that that I. M. S. officer shall be drawing a particular salary. Therefore what the Premier of Madras said was. Give us an I. M. S. officer who is drawing the lowest salary of his grade. That shows that the Madras Government dared to face the Government of India. But here this Government of ours has not dared even to touch this question. My honourable friend opposite who is in charge of this department has been acclaimed by some of his friends to be a very liberal gentleman in his views. But what has he done in the matter? He has not even looked into the question. About a lakh of rupees could have been saved to the province if he had moved in the matter and had returned bag and baggage those I. M. S. officers who are here in our province in excess of the number required. Look at the economy. Look at the policy of economy which our Government is pursuing. An I. M. S. officer is cheaper because he must get perhaps five times the pay of the P. M. S. officer, an I. M. S. officer is cheaper because he must have more leave and higher pension, he is a cheaper officer because he and his wife and children must get their passage money whenever they choose to go home or return to our home. He is a very cheap officer, and the Punjab which is a very rich province and is having a surplus budget can well afford to have a number in excess of even the statutory requirement which also is in itself unjust. And what is the justification for the appointment of this officer? Is it that there are not provincial service men in our province who are equally qualified, if not more qualified than the officer the Punjab Government have chosen to foist on this department? And what is the responsible duty which that gentleman is doing? You know that when there is no work for these men, they are usually appointed on what is called "general duty". This gentleman who has been appointed as an additional officer is working on general duty. My friend said that this officer is a leave reserve. Is it or is it not a fact that the percentage of leave reserves is $27\frac{1}{2}$? Because I am not contradicted by my friend, therefore I am correct in assuming that the number of officers on leave reserve cannot exceed $27\frac{1}{2}$ per cent. (*Khan Bahadur Mian Mushtaq Ahmad Gurmani*: I shall answer the point). The number for determining leave reserves is only 17. And what is the number of leave reserves which you should have on the basis of $27\frac{1}{2}$ per cent. of 17? Does my honourable friend know? If he does not know, shall I tell him, that he has in his department many I. M. S. officers not wanted. I do not think that he will take up the position that the I. M. S. officers are more competent and are more skilled. May I merely draw his attention to one fact? He has a great knowledge of history and it is a matter of recent history. May I draw his attention to that Mesopotamian scandal? Is he not aware that at the time when these I. M. S. officers had hopelessly failed, the members of the provincial service distinguished themselves in the service of the Crown? They won laurels for themselves and it was perhaps as a reward for their services which they

had rendered there that this niggardly concession was given, the concession of 1928 to which I have made a reference. Let me state for the information of my friend, if he is not already aware of it that out of 177 P. M. S. men which he has in his department as many as 55 are with post-graduate English qualifications. Mark, Sir, I am going to make a very definite statement, and I take responsibility for that statement—each one of these 55 persons who is serving the benign Government in my friend's department is superior in qualifications to some of those I. M. S. officers whom he has agreed to take in his service and as a result of which the finances of the province are being depleted. Is it not an irony of fate? Is it not a deplorable state of things? What is the reason for pampering these I. M. S. officers? No other reason but that we are suffering from an inferiority complex. We are born to be treaded on, and my friend opposite is not only being treaded on, but is being treaded on by those who can be easily kept away from treading on us. (*A voice*: Who can be kept at arm's length). Not only can they be kept at an arm's length, but they can be thrown away at a distance where not only an arm but even an arrow would not reach them. No, Sir, the place for these heaven-born is in our laps, against our bosoms, and in our hearts. It is said we are not competent. We are Indians, how can we run our department? It is said that we are not efficient, we have no capacity, we have no social standing, we have no administrative experience. It is said that the I.M.S. officers are to be kept as a war reserve. The war reserve was reduced to only 302, then where is the justification, I ask, for our Government being a party to the exploitation of the revenues of the province? May I make a constructive suggestion? My honourable friends over there will be well within their rights, moral, legal and even constitutional, in defying the Secretary of State and telling him that they shall have nothing to do with this extra burden which he wants to throw on their shoulders. But you require grit for that. My friends lack the backbone as I said at the start. They have no dearth of lip sympathy. They have no dearth of expression of pious wishes. You know we have silver tongues on the benches opposite and they have such a beautiful and versatile manner of expressing themselves in high flown language that the unwary are carried away by their eloquence. They have to say, "what fine arguments," "what fine expressions." But the problem before the Punjab Government and for that matter before every provincial Government in India is different. We have to make efforts, herculean efforts, to extend the bounds of India's freedom and it is not only for this that we have to release the money—I shall not go into this question as to how they realise this money, I shall not at this moment say that the money comes even from those who cannot afford, and that it is an exaction of the worst type, lest I be held to be irrelevant by you, lest you feel the necessity of pulling me up—therefore I shall not say that. But then these friends over there think that mere distribution and allocation of revenue is enough. And what have these friends of ours done? Why not give credit even to the bureaucracy which ruled before these gentlemen came into office for having doled out these small mercies here and there? Was it a very charitable act? After all a Government has to be run and men at the helm of affairs have to get their salaries and their allowances. In order that on the Id day we may have a delicious lamb for our feast we have to feed that lamb before the Id. These things in the province, the so-called development of irrigation, the so-called development of land, the so-called

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co-operative societies are largely in the nature of chains for keeping the people under subjugation. What is all this? Merely that there may be resources enough for people at the helm to enjoy themselves. For this a great deal of credit is claimed and what have my friends over there done so far? My friend, the Leader of the House, day before yesterday remembered me in very nice words. I am very bad at retort but if my friend Diwan Chaman Lall were here and if he had heard those remarks I am sure there would have been an excellent retort. (*Interruption*). My honourable friend to my right says that there was a retort. I did not notice it. Anyhow it would not have improved matters. It might at best have been a brilliant reply; but it would not have taken us very far. What I was saying was this. These friends forget that it is not enough that the resources of the province which they happen to inherit—and I shall not go into this question as to how they happen to inherit them—I shall leave it alone for the time being—are distributed and allocated; what is necessary is that people's soul should be strengthened, not only the body, I was going to say. But where is the programme of the building up of bodies even? We all talk of communal bickerings, communal this and communal that. What is the present Government really doing? I am afraid I am digressing and it would not be right. I would not go into that question, but leave it to others. I am very much afraid of the Honourable Speaker. The position therefore is that these excesses could have been prevented, by the Government sending back the excess number to the Army Department. They should have been returned bag and baggage. But what is done? Rather than return them, invitations are extended even to gentlemen who have retired from service, to come back and adorn our offices and thereby 'relieve' the revenues of the province to the extent of extra pensions and leave allowances. You know this too well, Sir. It is perfectly plain. A gentleman retires from the post of Inspector-General of Prisons. (*Interruption*). He is an I. M. S. officer and therefore is relevant to the discussion. That gentleman retires. He retires as Lieutenant-Colonel. As a Lieutenant-Colonel his pension would have been less than what he would be getting as a Colonel, and the ever obliging Punjab Government is ready to afford every protection to every British interest. Punjab is the only nest in which these friends can find food as well as comfort. What happens? Whereas you have an Indian gentleman working as an Inspector-General of Prisons fully competent to hold charge of the appointment, the European gentleman who had retired, is recalled. The Punjab Government extends an invitation to him and agrees to the proposal of the Government of India. "Oh yes, the very hospitable coffers of the Punjab Government are at your disposal", they say, "during the time of war our men and our resources will be at your disposal and during peace times our coffers are also at your disposal. Send these European officers to us. There is a hospitable Government here awaiting to receive them." (*Interruption*). Oh, do not talk of that. That is only a distinction which is being made with a view to divide a brother from a brother. How, I ask, is a zamindar different from a non-zamindar? These friends of ours come forward and say that a zamindar has nothing in common with a non-zamindar. These friends forget that whether zamindars or non-zamindars, we are all members of one organic whole.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Is the honourable member relevant ?

Lala Bhim Sen Sachar : Somebody raised the question of zamindars and non-zamindars. (*An honourable member :* He is talking about the poor zamindar who pays for these I. M. S. officers). (*Laughter*).

What I am saying is that we not only do not send away the men we do not require and thereby save our revenues from getting out of our control, but what we do is we send hospitable invitations even to persons who have retired.

Minister for Education : Who retired ?

Lala Bhim Sen Sachar : Colonel Barker. Is it or is it not a fact that Colonel Barker who had retired was called back ?

Minister for Education : What I understood my honourable friend to say was that I had called back a gentleman who had retired and made him Inspector-General of Hospitals. I have not done that. He is Inspector-General of Prisons and prisons are not under consideration.

Lala Bhim Sen Sachar : Is it or is it not a fact that this gentleman had gone from the civil service to the army service ?

Minister for Education : He does not belong to the Medical Department. My honourable friend is now discussing the Medical Department.

Lala Bhim Sen Sachar : The point at issue is this that an additional I. M. S. officer has been appointed and I am trying to show that an additional I. M. S. officer was not necessary. I have got to take into account the whole number of I. M. S. officers that are at the disposal of the Honourable Minister, because instead of having an additional I. M. S. officer he could easily shift one officer from one department to another. This is the relevancy of my argument. Therefore my submission is, and I shall now close, because I am desired by my friends to close, that the Punjab Government have failed to return the extra number of I. M. S. officers to the Army Department. Not only this but they have agreed to employ further I. M. S. officers whom they were not statutorily required to employ. This is the position to which I draw attention. My third point is that the Punjab Government by doing this are not helping to save the revenues of the province from exploitation and from consumption in the employment of people to employ whom it is not its duty. We have great limitations on ourselves under the present Act. What are the resources which are at the disposal of my honourable friends over there and if they are not jealous even of the limited powers given to them under the Act, they will not be in a position to give a good account of themselves. And why are my friends so much afraid ? If they must have an excuse, they could say, "look here we would have appointed I. M. S. officers all right, but there is a terrible opposition sitting there and they would take the life out of us and therefore we cannot take any additional I. M. S. officer. Please do not *kharab karo* us in the eyes of the people." They could have taken shelter behind the Opposition. After all the Opposition is there to give them courage to think and act in the interests of the people and one of the interests of the people is that they should try to prevent a drain on the revenues of the province. Does my honourable friend not realise that by giving preferential treatment to the I. M. S. officers.

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he is administering a cold damper to the spirit of efficiency of provincial men who are available here and now and who always render and have rendered such conspicuous and meritorious services? It would be invidious to mention names, but I am sure there is not a member in this House who is not familiar with the name of a famous surgeon. He belongs to the provincial service, but he is an under-study to a senior I. M. S. officer. When the senior I. M. S. officer goes away in summer he acts in his place, but when a permanent opportunity occurs that gentleman will be shunted away and room made for a fresh inexperienced and young I. M. S. officer even though he may not have anything of the practical experience of the gentleman who has been in service for over 15 or 20 years. Is it not a tragedy?

Minister for Education : What department are you talking of?

Lala Bhim Sen Sachar : Medical Department. When we say that the gentlemen sitting over there are not doing anything for the province, what we mean is that they are doing nothing beyond the mere routine work which any Government will be able to do. I make no aspersions, but put any gentleman—anybody who is the least solicitous of Indian interests—put any gentleman there and he will be giving so much to the beneficent departments. You know there are very interesting things which are happening in the beneficent departments. In some beneficent departments the salaries of the I. M. S. officers must take away a big lump of their provision, and this is considered to be a beneficent activity. This is how things are going on. Therefore my submission is that the Punjab Government in the matter of further recruitment of I. M. S. officers should radically revise their policy by shunting out all the extra I. M. S. officers and by refusing to employ any further officers, because certainly they cannot be made to do these things at the point of revolver. There are many things where the Governor's prerogative comes in. My honourable friends are very proud of saying "do you think we are not having a voice in these matters? We are consulted and there is a convention that His Excellency the Governor must consult us in every such matter," but as my honourable friend Diwan Chaman Lall said the other day, consultation is so easy and so convenient when the other side has no opinion of its own to assert.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Parliamentary Private Secretary) (*Urdu*) : Mr. Speaker, I have listened to the speech of my honourable friend Mr. Bhim Sen Sachar with full attention and deliberation. Let me, at the very outset, submit that the very basis of his criticisms with regard to the employment of I. M. S. officers in the Punjab, is incorrect. He stated that the facts and figures quoted by him, were obtained from authoritative Government circulars and publications. It seems that either my honourable friend does not possess full and complete information or he has not taken the trouble to verify the facts. I shall presently show that the honourable gentleman has not understood the position correctly and that his criticism is based on misconception of facts. The charge brought against the Government is that the number of I. M. S. officers employed in the Punjab is far in excess of the number of posts reserved for I. M. S. officers. My honourable friend has referred to the Government of India resolution, dated the 25th March, 1937, according to which 17 posts are

reserved for I. M. S. officers for civil employment in the Punjab. Let me point out that my honourable friend has conveniently forgotten that I. M. S. officers who were in the civil employment before this re-organisation scheme was announced, have protected rights and cannot be asked to vacate the posts which they hold at present.

Lala Bhim Sen Sachar : On a point of order, Sir, if my honourable friend makes an incorrect statement, shall I wait till the end of his speech to correct him?

Mr. Speaker : If the honourable member, whom he wishes to correct, gives way, he may correct him immediately, otherwise he is to wait till he finishes his speech.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : The resolution provides that "the existing rights of I. M. S. officers who are already in civil employment and are otherwise suitable for appointment to these posts will, however, be fully preserved and prospects equivalent to those afforded at present will be retained for them." We have 35 officers of the I. M. S. at present employed under the Punjab Government in the medical, public health and jails departments. The 1937 scheme makes no provision for the employment of I. M. S. officers in other than medical department, though three unspecified posts are reserved for Indian I. M. S. officers. In order to give the House a correct understanding of the position I shall have to make a brief reference to the various organisation schemes which came into force since 1923. Under rule 12 of the devolution rules which were framed by the Secretary of State for India under the Government of India Act, 1919, it was laid down that the provincial Governments shall employ as many I. M. S. officers in civil appointments under their control as may be prescribed by the Secretary of State for India. In 1923 the Secretary of State framed a set of regulations under rule 12 of the devolution rules, for this purpose. These regulations laid down *inter alia*, that 35 posts shall be reserved on the civil side in the Punjab for officers of the I. M. S. and 10 officers should be employed, in addition to this number, on account of the leave and study reserve calculated at 27½ per cent. of the number of reserved posts, or in other words, 45 officers in all. While the specific reservation of posts then in existence, was under consideration, another post, that of professor of clinical medicine, King Edward Medical College, Lahore, was created and reserved for an officer of the I. M. S. ; thus bringing the number of reserved posts to 36 and making the Punjab Government liable to provide employment for 36 officers of the I. M. S. on account of reserved posts and another 10 officers on account of the leave and study reserve, though, as a matter of fact, the leave and study reserve was not employed by the Government of the Punjab in addition to the number of officers holding reserved posts. The practice adopted was, to apply to the Government of India for the temporary services of an officer of the I. M. S. if a reserved post fell vacant for a period exceeding six months. For vacancies of less than 6 months duration the reserved post was either left unfilled or filled by a non-I. M. S. officer.

In 1928 as a result of the recommendations of the Royal Commission on the Superior Civil Services in India, a fresh re-organisation scheme for the I. M. S. was adopted by the Secretary of State. This scheme reserved

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21 posts on the civil side in the Punjab for the officers of the I. M. S. and provided for a leave and study reserve of 6 officers calculated at 27½ per cent. of the number of reserved posts. Under 1928 re-organisation scheme an innovation was made inasmuch as the number of reserved posts was fixed on racial basis. Fourteen posts were reserved for Europeans, 2 for Indians and 5 posts were left open to both races.

The reduction in the number of reserved posts in 1928 naturally left a number of officers surplus, who were holding posts reserved under the 1928 scheme but not reserved under the 1928 scheme, and the press *communiqué*, dated the 10th May, 1928, in which the re-organisation scheme of that year was announced, stated that the existing rights of all the officers employed to superior posts or to posts carrying increased pay or special pay or to posts reserved under the 1928 scheme, would be fully protected and prospects equivalent to the list of posts reserved in 1928 would be retained for them. It was further stated that those prospects would be allowed to diminish only *pari passu* with the absorption of the surplus which would exist until the number of I. M. S. officers in civil employ was equal to the number of posts reserved for them. This meant that those officers who were in civil employ on the 10th May, 1928 and were not holding posts, reserved for the I. M. S. under the re-organisation scheme of that year would continue in civil employ on the same terms as those holding reserved posts.

Lala Bhim Sen Sachar : By 'protected interest' my friend means those gentlemen who were in service in 1928. Now that being so, is it or is it not a fact that at present there are in service of the Punjab Government four I. M. S. men, who have two years' service, and who have not so far been confirmed in their appointments, and there are further two persons who are unprotected? When I put this question to my honourable friend, I shall respectfully suggest to him to verify these figures because I have with me the names and I tell you that the analysis of 4 is that there are 3 Indians and one European.

Mr. Speaker : Order, order. That is a second speech.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : A perusal of the list of I. M. S. officers will show that 17 officers out of the present incumbents were holding civil appointments in the Punjab when the re-organisation scheme of 1928 came into effect and consequently had the right to remain in such employ, even though 9 of them were holding posts which were not reserved under 1928 scheme. The present Inspector-General of Civil Hospitals was transferred to the Punjab to hold an administrative post where his rights were protected. Seventeen officers entered civil employ in the Punjab after the 10th May, 1928 and were taken in addition to those mentioned above who had protected rights to continue in the civil employment. Out of these 17 officers 8 were transferred to the Punjab to hold reserved civil surgeoncies. In accordance with the provisions of the 1928 scheme all posts of civil surgeons reserved for I. M. S. officers were to be held by British officers. Since May, 1928, ten officers of the I. M. S. who were borne on the cadre of I. M. S. civil surgeons, left the province either on retirement or on promotion, and since it was obligatory to replace them

by British officers until the number of such officers was equal to the number of posts reserved for them, 8 British I. M. S. officers were, therefore, seconded to fill these vacancies in the Punjab.

Diwan Chaman Lall : It is not correct. How and under what law ?

Khan Bahadur Mian Mushtaq Ahmad Gurmani : As I have already mentioned the Punjab Government was under a statutory obligation to employ 11 British I. M. S. officers as civil surgeons under the 1928 scheme, and this number could be reached only by seconding British officers to the province to fill vacancies as they occurred, even though the total number of I. M. S. civil surgeons (British and Indian) exceeded 11. One I. M. S. officer was seconded to fill the reserved post of Assistant Director of Public Health and another officer was seconded to fill the reserved post of superintendent of a central jail. Five I. M. S. officers (one British and four Indians) were appointed to fill the posts of Professor of Clinical Medicine, Professor of Physiology, Professor of Anatomy, Professor of Pharmacology and Therapeutics, and Principal of Medical School of Amritsar, respectively. As will be evident from the nature of these technical posts the Punjab Government quite rightly tried to secure the services of best qualified persons for these highly technical and special posts, irrespective of the fact that they belonged to the I. M. S. No one can deny that the present incumbents of these posts possess best qualifications for their respective posts. At the time when these appointments were made no one with better or even equal qualifications with those of the present incumbents was available in the provincial medical service and hence it could not be said that the appointment of these I. M. S. officers was prejudicial to the interests of non-I. M. S. officers. One Indian I. M. S. officer was originally seconded to fill a temporary leave vacancy. He was posted to the Punjab because no European officer could be spared at that time. He continued to officiate against leave vacancies till November, 1937, when he became surplus to requirements on the return of officers from leave. The Government is, at the present moment, considering the question as to whether this officer should be sent back or retained as supernumerary until he could be absorbed in a vacancy which is likely to occur about the middle of this year. An additional British I. M. S. officer whose appointment has been criticised by my honourable friend Mr. Bhim Sen Sachar and about whom mention has been made in the grant under consideration, was employed in accordance with the re-organisation scheme of 1937 under which the Punjab Government are under an obligation to employ three British I. M. S. officers as leave reserve officers. As the number of British I. M. S. officers employed on posts reserved for them under the above mentioned scheme, was less by one than the number fixed, it was therefore on the Punjab Government to employ another British I. M. S. officer in addition to those already employed in the province. This will show that out of 35 I. M. S. officers employed in the Punjab 17 officers were in civil employ in the Punjab on the 10th May, 1928, and consequently had protected rights. One officer, i.e., the present Inspector-General of Civil Hospitals was transferred to the Punjab to hold an administrative post to which his rights were protected. The remaining 17 officers entered civil employ in the Punjab after the 10th

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May, 1928 and I have already explained the circumstances under which these employments were made. It is therefore incorrect to suggest that the Punjab Government employed more I. M. S. officers than were necessary. No I. M. S. officer had been appointed to a post which was not reserved and for which the officer concerned had no protected rights under the rules, except in the case of special posts which were filled by the best available men irrespective of the source.

Lala Bhim Sen Sachar : That is our charge.

Diwan Chaman Lall : There is another word for it and that is 'Toadyism'.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Sir, no sensible person would describe it as toadyism. On the other hand I make bold to say that these special appointments were made in the interest of the province and we can take legitimate pride in the fact that we have the best available doctors on our teaching staff and in our provincial hospital, i.e., the Mayo Hospital. Is it not a duty of the Government to provide the best and efficient medical aid to the people of the province? May I inquire from my honourable friends sitting opposite whether they would like to go to the most efficient doctor when they are in need of medical help or would prefer to go to a less competent officer because he happens to be a member of the Provincial Medical Service? Is it not a fact that the wealthy Congress leaders go to Europe for medical treatment, though, there is no dearth of efficient doctors in India, because they want to have the best available medical aid? Let my wealthy Congress friends not forget that an average Indian is not so rich as they are and cannot afford to go to Europe for his treatment. They should praise the Government rather than accuse it for providing an efficient medical service in the province. It would be wrong to suggest that we should employ only P. C. M. S. officers on special and technical posts even at the sacrifice of efficiency. If we want to produce able and efficient doctors from our medical college and school, we must secure the services of best men irrespective of the class or service to which they belong.

Diwan Chaman Lall : May I interrupt for a second? May I ask whether he is aware that there are some of the greatest specialists in the Punjab like Dr. Mathra Das and Dr. Sohan Singh who are P. C. M. S. officers?

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Does my friend suggest that more or equally qualified persons were available in the P. C. M. S. than the present incumbents of the special teaching posts? He is incorrect if he says so.

Diwan Chaman Lall : Because you do not give them a chance.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : I make bold to say that the selection to these posts was made on merit and no favour was shown to the I. M. S. officers. The policy of the Punjab Government has been to appoint the best available persons on special posts in order to maintain a high standard of medical efficiency in the province. I am, however, glad to say that we now have an appreciable proportion of distinguished

doctors in our Provincial Civil Medical Service, but let us not forget that we have been able to produce these efficient doctors because we had an efficient teaching staff in our medical college and school.

Diwan Chaman Lall : Why not have then English ministers instead of these Indian gentlemen ?

Minister for Education : In that case you will also have to replace your leader Dr. Gopi Chand by an Englishman. (*Laughter*).

Khan Bahadur Mian Mushtaq Ahmad Gurmani : The remark of my honourable friend Diwan Chaman Lall, I am sorry to say, is irrelevant and illogical. May I ask my honourable friend whether he would like to go to an Indian doctor in preference to an English specialist. It would be wrong to bring in racial prejudices in the question of medical aid. God forbid, if my friend falls ill, I am sure, he will not even hesitate to fly to Europe for treatment. The objection from the Opposition amounts to this. Why has the Punjab Government employed specialist officers and provided efficient medical service to the poor people of the Punjab ? I must confess that I am unable to follow the logic of this criticism. My honourable friend Lala Bhim Sen Sachar has made a reference to the Madras Government in this connection. He said that the Prime Minister of Madras refused to take a senior I. M. S. officer because he was drawing a high salary. He asked the Government of India to send to his province an officer drawing the minimum salary for a reserved post in that province. We do not believe in this policy. I consider it false economy. It is every time better to have an experienced and more competent doctor than to have a beginner. Our Government prefers public interest to cheap personal notoriety (*Cheers*). My honourable friend was further pleased to suggest that we should disregard these regulations and not only refuse to take in I. M. S. officers but should turn out even the present incumbents.

Diwan Chaman Lall : Have you the courage to do so ?

Khan Bahadur Mian Mushtaq Ahmad Gurmani : This would not be an act of courage but of foolishness. Every one knows that we have the courage of our convictions. We are not prepared to deteriorate our medical service on political grounds. (*Cheers*). More over the rights of services are protected under the Government of India Act and once we have decided to work the constitution outlined in that Act, we must follow its provisions even if we do not agree with some of them. We should do all in our power to get the undesirable provisions changed through constitutional efforts, but it is against our creed to indulge in unconstitutional activities. The blame of cowardice should be brought against those who in spite of their professions of wrecking the constitution are tamely working it. They mislead the public by saying certain things, which they have not the courage to do. It was suggested by the Opposition that we appointed an Englishman as Inspector-General of Civil Hospitals in the Punjab in preference to two Punjabi I. M. S. officers. This allegation is false and baseless. The two Punjabi I. M. S. officers who were senior to the present Inspector-General Civil Hospitals had already accepted permanent appointments as Inspectors-General of Civil Hospitals in other provinces and there was no question of appointing the present officer in preference to those officers or any other Indian officer of the I. M. S. The Honourable Minister for Education

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had made it quite clear in answer to an assembly question during this session that the panel of names forwarded by the Government of India did not include the name of any Indian officer and that in appointing Colonel Jolly to the present post, no Indian officer was superseded. Let me assure the House that the Punjab Government will jealously safeguard the interests of Indian officers as they have always been doing. But this should not mean that we should overlook the legitimate rights of other officers belonging to a different race as it would be unjust and unfair to do so.

Sardar Sohan Singh Josh : Then do you want to retain them ?

Diwan Chaman Lall : Is that the policy of the Unionist Government ?

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Sir, the policy of the Unionist Government is to protect the legitimate rights of those who are serving under them without racial discrimination. (*Cheers*). Before I conclude, I must make it quite clear that the Punjab Government have no intention of employing more I. M. S. officers than their quota fixed under the rules. But it must be remembered that in the case of specialist posts the Government shall be free to take the best man available from whatever source. I hope I have made the position quite clear and there should be no apprehension that the Punjab Government will show undue favour to I. M. S. officers to the detriment of P. C. M. S. officers. The present Government is committed to the policy of enforcing rigid economy, consistent with efficiency, in every branch of the administration. Let me assure the House that we are mindful of the fact that the provincial exchequer is a sacred trust under our charge and we shall always endeavour to prove worthy of this trust. (*Loud Cheers*).

Lala Duni Chand (Ambala and Simla, General Rural) : Thanks to your return to the Chair as it is only after that that my honourable friend Lala Bhim Sen has been allowed to speak in peace.

Mr. Speaker : What is the honourable member saying ? Is he making any reflection ?

Lala Duni Chand : It is only after your return to the Chair that Lala Bhim Sen has been allowed to speak in peace.

Mr. Speaker : That is a reflection.

Mr. E. Few : My honourable friend is making a reflection on the Deputy Speaker :

Lala Duni Chand : I am not reflecting on anybody. I am saying a perfectly legitimate thing and my honourable friend is interrupting me. I was saying that before your return, Sir, to the Chair his right to speak was practically usurped by some members opposite and in the midst of his speech half a dozen interim speeches were made though the point was perfectly simple. The question underlying his speech was that Government had failed in the discharge of its duties in the matter of employing an additional I. M. S. officer. That was really the point and on that lots of points of order and interruptions were indulged in. Really the point raised was whether only an I. M. S. could be appointed to that post or not. That in my opinion is

perfectly immaterial. Certainly it was not justifiable to employ an additional I. M. S. officer for general duty : they could select one of the I. M. S. officers already in service for this general duty. That is the point. The position of the Opposition is that Government has grossly failed in the discharge of its duty by having employed an additional I. M. S. officer while already there are about 35 or 36 I. M. S. officers which is beyond the prescribed number. My honourable friend over there has argued that they are employing an excessive number of I. M. S. officers because they are much more efficient and much abler than the provincial M. B., B. S. officers. I say that the Honourable Minister for Education has done a great injustice to his countrymen in saying so. I can quote facts and figures to show that the provincial service men are far superior to the 35 or 36 I. M. S. men who are engaged and very few of whom possess high medical degrees. I would like to know from the Honourable Minister in charge how many of them are M. R. C. P. S. and F. R. C. S. S. One is the highest degree on the medical side and the other is the highest degree on the surgical side. The fact is that a lot of Indians with very high qualifications, with best Indian qualifications are not being employed, the best Indians who have distinguished themselves in England and in other European countries are not being encouraged or employed. I really do not dispute that some I. M. S. officers may be very able people and should be kept in service ; but that is not really the question. The question is whether Indian medical graduates have not acquired sufficient efficiency also to discharge those duties that are being discharged by these 35 or 36 men. I submit, Sir, that really that was the point on which a good deal of dust was thrown. It was not made clear. I would

6 P.M.

like to know what the Honourable Minister for Education has got to say on this point ? How does he justify his policy ? I understand that it is up to him to force those people to go to some other provinces. He can represent to the Secretary of State through the Government of India that he is not bound and he does not want to have more than the prescribed number of I. M. S. officers. He can win his point if he only insists upon that demand. There is no such rule that requires that during the next 25 or 30 years an excess number of I. M. S. officers must necessarily be kept. He is only bound to keep 17 officers in the medical service of the Punjab and he is not bound to do anything more than that. It is only, I should say, want of courage on his part that is really responsible for the present state of things. This is one point.

There are two or three other propositions also which I beg to place before the House with reference to the particular non-voted items that I want to discuss. What I want the members of the Government to do is that they should sit together like the members of a family that is hard-up financially. They should take into consideration every suggestion that is made by the different departments and they should see whether there is any justification in acceding to their demands and if they sit together in that attitude and in that frame of mind, I am sure that they can save a good deal for the Finance Department and for other good things in this province.

In connection with demand No. 1, Land Revenue, there is a non-voted item relating to Mr. A. P. F. Hamilton, I. F. S., who acted as Secretary

[L. Duni Chand.]

to the Forest Enquiry Committee in addition to his own duties as Deputy Conservator of Forests and more than Rs. 4,000 are required for this gentleman in order to pay for his additional duties that he has been called upon to perform. Before acceding to this demand of this department, they should have asked him whether he is giving more time for this additional responsibility. I understand that he is already the Deputy Conservator of the Shiwaliks and he is performing both kinds of duties, the duties of the Deputy Conservator of the Shiwalik forest, as well as of the Secretary of the Forest Enquiry Committee. I understand that he is spending the same amount of time and the same amount of energy on these two kinds of duties. If the Honourable Minister for Education had been strong enough to ask that officer whether, instead of six hours, he was giving 14 hours a day for this work, he should have at once come to know that he was really spending the same amount of time and energy on both works and still he is getting double salary.

There is another non-voted item which I want to discuss. That is in connection with Grant No. 10. It is stated therein as follows:—

“ Allowances on account of purchase of uniforms for Civil Officers. The Supplementary appropriation of Rs. 1,910 has been occasioned by the appointment of Messrs. Bigsby and Farquharson as Chief Engineers of the Public Works Department (Irrigation Branch) for whom provision was not made in the Budget Estimates for the purchase of Civil Uniforms. They have purchased and paid for their uniforms and have now applied to Government to be reimbursed the amounts admissible under the rules.”

Sir, before the Honourable Minister has accepted the sum of nearly Rs. 2,000 for these beautiful uniforms that these gentlemen got prepared for themselves, he should have thought twice whether it was a great necessity that these uniforms should have been got for them. I consider that it is a luxury. It is not an item that should have been accepted. The trouble is that whatever demand is put before the Ministers by the departments, they have to accept it. They have got no courage to say ‘No, we are not going to accept what you want.’ Now, I come to the next item of that very grant, wherein it is stated:—

“ This supplementary appropriation of Rs. 930, has been occasioned on account of the creation of a temporary appointment of an Officer on Special Duty in the office of the Legal Remembrancer for the revision of certain laws and statutes necessitated by the new Government of India Act. The Legal Remembrancer himself was fully occupied with his ordinary work and could not possibly undertake this additional work.”

The expenditure on this account during the current financial year will amount to Rs. 3,460. It has been possible to meet this expenditure to the extent of Rs. 2,530 from savings anticipated within the grant and a demand for Rs. 930, only is being made.”

Now, Sir, I want to know from the Honourable Minister in charge of this department whether there was any justification whatsoever for employing this additional hand in the office of the Legal Remembrancer? It is said that some statutes and laws, owing to the new constitution, have to be revised. I do not think that it is such an important work to necessitate the appointment of an additional hand. I do understand how things are being done in different departments. It has been said several times that the Government of India departments are being carried on by the clerical staff of the secretariat and there is a good deal of truth in it. I must say that

every department is being carried on with the help of ill-paid clerks. Really everything is prepared by clerks and then it is revised by the next officer and so on and so forth, and in the final shape it is put before the Head of the Department. I do know that the Heads of Departments do not trouble their heads so much about these things. I can very well understand that the work of this gentleman who is going to be paid about Rs. 4,000 can be very well done by the staff of the Legal Remembrancer's office. At any rate, it could have been done by employing 2 or 3 more clerks. They could very well go into this work and tell the Legal Remembrancer what kind of revision was required. In fact, our departments are in the habit of making more and more demands from the Government and the present Government is yielding to the temptation of these demands. I do expect that they should be strong enough to resist these temptations. If the Government goes on in that way, I am perfectly sure that they can save a good deal of money.

There are certain other items about which I want to say a word or two. Large sums have been paid for charges incurred in England and so many officers are always in England on leave. The budget has already provided, and yet in this supplementary budget we find a good many items required for overseas charges or for charges paid in England. I know that it is beyond the power of the Ministers to disallow them, but they can very well take up a strong attitude with reference to this matter. They can represent to the Secretary of State that India should not be made to contribute so much for these overseas charges and other charges in England. It requires a bold policy on the part of the Punjab Government. If they work in that direction they can save a great deal for India. What I want to say is this that these supplementary demands and other demands betray an extremely extravagant habit on the part of the Punjab Government. I do request them with all the earnestness that I am capable of to give up this habit of extravagance. In many cases they are simply squandering money—money which the poor people give them after a great deal of trouble. I would request them to consider how far they can give up this habit of extravagance and this habit of squandering away the people's money. I respectfully ask the Minister in charge to take this fact into consideration. Demands will be coming up from time to time. He should carefully scrutinise every demand from each department. If he examines carefully he will find that those demands can easily be met from other sources. It has been continuously dinned into our ears that we should make constructive suggestions. I have made four suggestions for the consideration of the Honourable Ministers. If they act up to those suggestions, a considerable amount of money will be saved for the people.

Diwan Chaman Lall : Do we understand that the Government have no desire to answer the debate? It is a most extraordinary procedure that the Honourable Minister in charge does not even take the trouble to reply to the debate. He is treating the House with extreme contempt.

Minister for Education (The Honourable Mian Abdul Haye) : My Parliamentary Secretary has spoken and I am perfectly willing to speak but there are only two minutes left.

Diwan Chaman Lall : Never before have I had this experience that on a debate on supplementary estimates not one Minister has had the courtesy to get up although there are many demands. (*A voice : He has not got the courage to answer the criticism.*)

Minister for Education : There is no question of courage. There are only two minutes left for the guillotine. (*A voice : Say what you can in those two minutes.*) So far as the position regarding the I. M. S. officers is concerned, I may point out to the honourable members that we had 35 such officers. According to the old rules twenty-five were reserved absolutely and there were 15 with protected rights. It is true that under the new *communiqué* issued by the Secretary of State the number reserved is only 17. But this does not include those posts which may be reserved for officers who were already in the employ of the Punjab Government on the 1st of April, 1937, with protected rights. The new rules have not yet been framed.

SUPPLEMENTARY AND EXCESS DEMANDS.

The following supplementary and excess demands were then put from the chair and adopted :—

- That a supplementary sum not exceeding Rs. 1,550 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 Land Revenue.
- That a supplementary sum not exceeding Rs. 17,500 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 Provincial Excise.
- That a supplementary sum not exceeding Rs. 1,810 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 Stamps.
- That a supplementary sum not exceeding Rs. 41,500 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 Police.
- That a supplementary sum not exceeding Rs. 1,560 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 (European and Anglo-Indian Education).
- That a supplementary sum not exceeding Rs. 3,900 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).
- That a supplementary sum not exceeding Rs. 400 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.
- That a supplementary sum not exceeding Rs. 87,670 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 Industries.
- 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 Capital Outlay on Hydro-Electric Schemes.
- That a supplementary sum not exceeding Rs. 360 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 Stationary and Printing.
- 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 an additional sum not exceeding Rs. 12,630 be granted to the Governor to meet the excess expenditure incurred during the year ended 31st March, 1937, in respect of Refunds (Rearved).

The Assembly then adjourned till 2-30 P. M. on Friday, 1st April, 1938.

PUNJAB LEGISLATIVE ASSEMBLY

2ND SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Friday, 1st April, 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.

COURT AUCTIONEERS.

***1929. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Finance be pleased to reply to question No.* 669¹ asked by me on 22nd July, 1937 ?

***1930. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Finance be pleased to reply to question No.* 670¹ asked by me on 22nd July, 1937 ?

The Honourable Mr. Manohar Lall : I will answer the two together. The honourable member will find the basic orders of the High Court in regard to sales in execution in Rule 20 in Chapter 12-L of the High Court Rules and Orders (Volume I). The provincial Government are not concerned with the appointment of court auctioneers or their qualifications.

Dr. Gopi Chand Bhargava : May I know whether the orders for appointment were sanctioned by the Government or not ?

Minister : No ; these appointments are made by the courts. May I read to the honourable member the basic order :

The proper officer for conducting sales in execution of decree is ordinarily—

The Civil Nazir, (i) in regard to all sales of property the value of which is estimated at rupees five thousand or more ordered by Courts other than Small Cause Courts, and

(ii) in regard to all sales ordered in proceedings in Courts located at the headquarters of the district other than Small Cause Courts, irrespectively of the value of the property ;

The Departmental Clerk, or such officer as the Court may appoint in that behalf, in Small Cause Courts.

Diwan Chaman Lall : May I enquire as to what he means by a basic order ?

Minister : The order, on the basis of which all orders are framed.

Dr. Gopi Chand Bhargava : Does it mean that no other order can be independently passed, except as a derivative of these orders ?

Minister : Yes.

¹Volume I, page 1798.

Dr. Gopi Chand Bhargava : Why are the auctioneers who are already appointed changed by the High Court ?

Minister : I think the honourable member will find an answer to that question as we proceed. He has got later questions directly referring to this matter.

CHANGE IN AUCTION SYSTEM.

***1931. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Finance be pleased to reply to question No.* 671¹ asked by me on 22nd July, 1937 ?

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

(b) Does not arise.

Dr. Gopi Chand Bhargava : May I know why the Government auctioneer at Amritsar was changed ?

Minister : If the honourable member wants information as regards any particular auctioneer, he will have to give me notice. He asked me whether any drastic changes have been made and my answer is 'no'.

Dr. Gopi Chand Bhargava : May I know what is meant by the statement that no drastic changes have been made ? May I know how many Government auctioneers have been changed by the High Court ?

Minister : By saying that no drastic changes have been made I mean that the basic order on the basis of which one proceeds remains exactly the same.

Dr. Gopi Chand Bhargava : I want to know why the change has been brought about ?

Minister : No great change has been brought about.

Dr. Gopi Chand Bhargava : Not in the rules, but in the personnel of the auctioneers.

Minister : I have already said that if any information is desired as regards any particular person I must have notice of that.

SPECIAL OFFICIAL RECEIVER.

***1932. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Finance be pleased to reply to my question No. *1075² asked by me on the 17th January, 1938 ?

The Honourable Mr. Manohar Lal : The honourable member doubtless refers to the appointment of Khawaja Nazir Ahmad as Official Receiver of insolvent estates administered under the direct supervision of the High Court. The appointment, under section 57 (1) of the Provincial Insolvency Act, 1920, was first ordered by a notification issued on the 22nd May, 1936, for a period of one year in the first instance. It has since been extended for a period of four years, running from the 1st June, 1937. The

¹Volume I, page 4798.

²Volume II, page 414.

appointment was made by Government on the recommendation of the Honourable Judges, and the procedure followed in choosing ordinary Official Receivers was not adopted, being clearly unsuitable to the circumstances of the case. Khawaja Nazir Ahmad's remuneration has been fixed at the same rates as that of other Official Receivers. (Instructions reproduced in Rule 2 in Chapter 5-A of the High Court Rules and Orders (Volume II).)

Dr. Gopi Chand Bhargava : May I know when were the papers for extension of his term sent to the Government?

Minister : It must have been just prior to the time when the term of one year was about to expire.

Dr. Gopi Chand Bhargava : May I know the exact date?

Minister : No, I could not give the honourable member the exact date.

Dr. Gopi Chand Bhargava : Was it not in February that the papers were sent to the Government?

Minister : May be, but I am not in a position to give the exact date.

Dr. Gopi Chand Bhargava : Is the honourable member quite sure that the Provincial Insolvency Act under which the appointment has been made applies to this case?

Minister : The appointment was made under the Provincial Insolvency Act which does apply. Has the honourable member seen the section?

Dr. Gopi Chand Bhargava : I do not know the law.

Minister : The honourable member obviously does regarding this matter. However section 57 (1) of the Act reads :

The Local Government may appoint such persons as it thinks fit (to be called "Official Receivers") to be receivers under this Act within such local limits as it may prescribe.

Dr. Gopi Chand Bhargava : Under the Act it is the local Government that appoints. Was he appointed by the local Government or by the High Court?

Minister : He was appointed by the local Government. I have already said so.

Diwan Chaman Lall : Which department of the local Government appointed him?

Minister : The department of the local Government dealing with civil justice.

Diwan Chaman Lall : May I take it that the Honourable Member in charge of civil justice was the actual head of the department who appointed this gentleman?

Minister : The honourable member will remember that at that time it was the member of the Executive Council in charge of law and order and finance. All these things fell within a single portfolio in 1936-37.

Dr. Gopi Chand Bhargava : On whose recommendation was the appointment made?

Minister : That also I have answered. On the recommendation of the Honourable Judges.

Dr. Gopi Chand Bhargava : All the Judges or three Judges or one Judge ?

Minister : Government does not go into this matter. The recommendation comes to the Government on behalf of the Honourable Judges.

Dr. Gopi Chand Bhargava : Did the Government go into the merits of the case, whether applications were invited or an enquiry was made regarding the merits of the case or the qualifications of the man who was appointed by the Judges ?

Minister : That is his next question. If he had waited he would have heard the reply. But the recommendation came from the Honourable Judges and on a full view of the facts Government agreed to the appointment.

Diwan Chaman Lall : If the appointment is to be made by the local Government, why did the Honourable Judges recommend a particular name ? Are they a recruiting agency ?

Minister : I do not follow the question. The appointment is made by the local Government, but that does not bar a proper recommendation.

Diwan Chaman Lall : May I ask the Honourable Member whether he does not consider it improper that any impartial authority like the High Court should take upon itself the duty of recommending certain candidates for certain posts ?

Minister : No, I do not. I fail to see any impropriety.

Diwan Chaman Lall : Is the Honourable Finance Minister aware of the fact that a great deal of dissatisfaction exists in the country as a result of the recommendation made by a particular authority which has no business to make a recommendation of this nature ?

Minister : I do not follow this question which is couched in language of extreme vagueness. If my honourable friend would bring himself down to some definite matter I might be in a position to answer.

Diwan Chaman Lall : May I enquire whether he is aware of the definite nature of the statement that I am making, namely, that there is a great deal of discontent in the country that a body which is impartial like the High Court should interfere in the making of recommendations for particular posts which are within the giving of the local Government ?

Minister : I am not aware of any such dissatisfaction.

Diwan Chaman Lall : Does the Honourable Member consider it proper and right that such an appointment should be recommended by the Judges of the High Court.

Minister : Thoroughly.

Mr. Speaker : It is a matter of opinion.

Diwan Chaman Lall : Will the Honourable Minister see to it that in future such appointments as are within the gift of the local Government are not sought to be influenced by the decision of an impartial body like the Judges of the High Court ?

Mr. Speaker : That is a request for action.

Diwan Chaman Lall : May I ask whether he is prepared to say that in future it would not happen ?

Minister : I see no occasion to come to such a decision.

Diwan Chaman Lall : May I ask the Honourable Minister whether he does not consider that in an appointment to be made *suo motu* by the local Government it should not be influenced by the decision of the Judges of the High Court ?

Minister : Where is it laid down that such appointments must be made by the local Government *suo motu* in the sense that the local Government is not to consider the recommendation of the High Court in that behalf ?

Diwan Chaman Lall : Is the Honourable Minister aware that once the recommendation is made the local Government is never likely to upset that decision ?

Minister : That is a question of opinion. That may very likely be so.

Diwan Chaman Lall : Therefore does he now consider such a recommendation to be improper considering that it bars other candidates for a post like that when once a recommendation is made by the High Court ?

Minister : May I draw your attention to section 86 of the Government of India Act where it is laid down that no discussion of the conduct of the High Court either on its judicial side or on the administrative side is possible, and yet my learned friend was pleased to characterise the recommendation of the High Court as improper ?

Diwan Chaman Lall : Since the point of order has been raised by the Honourable Minister, may I say that it is not a discussion of the conduct of the High Court ? It is the discussion of the conduct of the Honourable Minister or this Government which has accepted the recommendation of the High Court. They have no justification for accepting the recommendation. I am at the present moment criticising my honourable friend and his present attitude when he sticks to the decision that an impartial body like the High Court can dabble in such a matter and thus bar senior persons who may apply for a post of this nature. I ask my honourable friend to remember that section 86—

Mr. E. Few : On a point of order, Sir. Is the honourable member making a speech or asking a question ?

Diwan Chaman Lall : I am raising a point of order and I do not think any other gentleman can interrupt me when I am actually raising a point of order. May I ask my honourable friend to remember that there is no reflection on the Judges of the High Court in my question, it is on the administration for having allowed a state of affairs to arise whereby Judges of the High Court should, instead of dealing with their own particular matters, become recruiting agencies for the purpose of recommending certain names. The objection is not to what the High Court has done, because I am debarred from discussing the conduct of the Judges of the High Court, but to the conduct of the Government.

Minister : You will bear me out, Sir, that the words actually used were that the recommendation of the High Court is improper. My learned friend has said further that the High Court has no business to dabble in these matters. His last sentence was that the High Court has been converted into a recruiting agency. If that is not discussion of the conduct of the High Court, and extremely objectionable discussion to be deprecated howsoever you may look at it, I do not know what improper discussion can be.

Diwan Chaman Lall : I am discussing the method adopted by the High Court and the Government and I consider it improper and I consider my honourable friend has no business to accept that recommendation and my honourable friend is aware that I have made these reflections on the method adopted by him which he accepted without demur and I say that it is improper that a High Court should become a recruiting agency for this purpose.

Mr. Speaker : The original remarks were no doubt liable to be considered as reflections on the High Court, but the honourable member has explained what he meant.

Dr. Gopi Chand Bhargava : Are we debarred from putting questions with a view to seek information simply on the ground that it concerns the conduct of a Judge ? We are not discussing it, because in questions we are debarred from discussing anything, but we only want to elicit information.

Diwan Chaman Lall : On a point of order. These questions as you will be pleased to notice were held over for a considerable time and my honourable friend did not think it fit to answer them because he was considering whether this was specifically within the purview of the High Court or whether it was in his own jurisdiction that he should answer these questions. After a long gestation of this particular problem, my honourable friend has taken courage to answer these questions. Originally my honourable friend was under the impression that it is the High Court alone which could make these appointments. Now he has altered and changed his opinion after having ascertained facts.

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

Diwan Chaman Lall : The question to which I was directing my honourable friend's attention is that having come to the conclusion that it is the job of the local Government and not the High Court, does he consider it to be a proper method of making these appointments ?

Minister : I have already stated that Government considers nothing improper in the High Court making their recommendation to the Government and the Government adopting that recommendation. I consider it thoroughly proper.

Dr. Gopi Chand Bhargava : Does he think it proper that recommendations be made without inviting applications or without advertising the post ?

Mr. Speaker : That question I have already disallowed. It was for the High Court to invite applications and therefore it is a clear reflection on the High Court.

Dr. Gopi Chand Bhargava : The appointment rests with the local Government and not the High Court and the Honourable Minister says that he does not think that there is anything improper in the High Court making a recommendation. I want to know whether he is the proper authority to appoint them. Does he not think that it is not proper for the High Court to make recommendations without inviting applications from the people and thus debarring the proper persons to be employed and not giving a chance to all who are qualified to hold that appointment ?

Mir Maqbool Mahmood : I beg to invite your attention and through you the attention of the House to standing order 19 which says that no discussion shall be permitted in regard to any answer to a question.

Diwan Chaman Lal : There is no question of discussing any answer. Supplementary questions cannot be considered to be discussion.

SPECIAL OFFICIAL RECEIVER.

***1933. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Finance be pleased to reply to my question No. *1076¹ asked by me on the 17th January, 1938 ?

The Honourable Mr. Manohar Lal : The gentleman is a member of the Bar of twelve years' standing, and was recommended by the Honourable Judges of the High Court as suitable in every way for the appointment, a recommendation with which the Punjab Government agreed. No question of services to the administration arose. It is not in the public interest to discuss in the Assembly the merits and demerits of particular officers.

Dr. Gopi Chand Bhargava : May I know what are the rules for the appointment and what are the qualifications of the man who has been appointed as Official Receiver ?

Minister : If the honourable member requires the rules, I will furnish him with a copy, but so far as the question is concerned, I have given the completest possible information.

Dr. Gopi Chand Bhargava : Will the Government satisfy itself that the selection was made according to the rules ?

Minister : I have already stated that the recommendation was made after due consideration by the Honourable Judges and with this recommendation the Punjab Government completely agreed.

Dr. Gopi Chand Bhargava : My question is quite different. I want to know whether the Government satisfied itself to find out that the person appointed satisfied the qualifications laid down in the rules.

Minister : The qualifications were suitable and appropriate to his appointment.

Chaudhri Kartar Singh : Is it a fact that the income of the Special Receiver during the last year was 9 lakhs ?

Minister : We are coming to that question presently.

Diwan Chaman Lall : May I ask whether he would point out any particular rule or standing order which prevents the discussion of the merits and demerits of a particular appointment ?

Minister : It is not a question of rules. I have said that I do not consider it in the public interest to do so.

Diwan Chaman Lall : Will the Honourable Minister state whether it would not be in the public interest to discuss on the floor of the House the appointment if it is challenged on the score of economy or on the score of the method of making the selection ?

Minister : That would be a matter of opinion.

Lala Deshbandhu Gupta : Was it a question of saying ditto to the High Court's recommendation ?

Minister : That remark may to some appear very smart but it does not carry us any further.

SPECIAL OFFICIAL RECEIVER.

***1934. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Finance be pleased to reply to my question No. *1077¹ asked by me on the 17th January, 1938 ?

The Honourable Mr. Manohar Lal : A statement is laid on the table.

As will be explained in the reply to one of the honourable member's other questions, arrangements have been made by the Honourable Judges whereby the Special Official Receiver has been provided with eight assistants, to whom a percentage of the remuneration earned by him under the rules is paid over. The proportion is 4/5ths, except in the case of the estate of the late Lala Harkishen Lal. Most of the work on this particular estate has been done before the Special Official Receiver was provided with any assistants, and he has accordingly been allowed to retain the whole of the commission.

2. The amounts paid to the Special Official Receiver and his assistants from the 25th July, 1935, to the 31st August 1937, are :—

		Retained by the Special Official Receiver.		Paid over to the Assistants.	
		Rs.	A. P.	Rs.	A. P.
<i>Estate of the late Lala Harkishen Lal.</i>	(a) Timber ..	67,915	5 4	..	..
	(b) Other assets ..	12,584	8 3	..	..
<i>Other estates</i> ..	..	9,990	1 7	40,362	8 3

The figures given above under " Other Estates " include—

- (i) Commission earned by the Special Official Receiver on the other insolvent estate administered by him, as distinguished from that of the late Lala Harkishen Lal.

- (ii) Remuneration earned by the Special Official Receiver on account of estates administered by him under Order XL. (The position in this regard will be explained in replying to the honourable member's question No. *1989/*1082.¹

Dr. Gopi Chand Bhargava : Was any decision made that the Official Receiver shall receive any commission ?

Minister : This is the very thing which I have pointed out in the statement I have laid on the table, i.e., the commission that is receivable by the Special Official Receiver on account of the estate of the late Lala Harkishen Lal and also the commission receivable for other estates. It is the very information which I have attempted to supply in the statement which I have placed on the table.

Dr. Gopi Chand Bhargava : When the man was appointed, was he promised any commission or was he promised only a monthly salary ?

Minister : The Commission was to be his remuneration.

Dr. Gopi Chand Bhargava : Was he to be paid a monthly salary as well as his commission ?

Minister : No. These are the total emoluments which I have incorporated in the statement which I have laid on the table.

Dr. Gopi Chand Bhargava : Was he promised one thousand a month as his monthly salary when he was appointed and was he also promised any commission in addition to that ?

Minister : I am not aware of it. Promised by whom ?

Dr. Gopi Chand Bhargava : By those who appointed him.

Chaudhri Kartar Singh : Is the People's Bank Liquidator given salary ?

Minister : I have a great deal of information on a variety of matters with me, but I do not profess to be omniscient and have all possible knowledge.

Chaudhri Kartar Singh : Is the Honourable Minister aware of the fact that the present Special Liquidator is a regular partner of Lala & Co. ?

Minister : I do not know of any such fact.

Chaudhri Kartar Singh : Sir, it is a very important question and I ask him, with your permission, whether he is likely to appoint a special C. I. D. officer in order to make an inquiry into this matter as to whether a big personality of the present Government is a partner of Lala and Company or not.

SPECIAL OFFICIAL RECEIVER, PUNJAB.

*1935. **Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Finance be pleased to reply to my question No. *1078² asked by me on the 17th January, 1938 ?

¹Pages 502-03 *infra*.

²Volume II, page 414.

The Honourable Mr. Manohar Lal : Government understand that under administrative arrangements made by the High Court, the Special Officer Receiver inspects the work of the Official Receivers in the districts, under the control of the Honourable Judges.

Dr. Gopi Chand Bhargava : Are there any special rules under which this man inspects the work of official receivers ?

Minister : I have already said, under the administrative arrangements made by the High Court.

Dr. Gopi Chand Bhargava : Are those arrangements made under any special rule or of their own accord ?

Minister : The High Court is perfectly competent to make administrative arrangements of this nature.

Dr. Gopi Chand Bhargava : I do not challenge the authority of the High Court. The information that I seek is whether there were rules under which he is authorised or the rules have been made now.

Minister : I would require notice of that if the honourable member wants further information.

RULES re ACCOUNTS OF PROPERTY VESTING IN THE SPECIAL OFFICIAL RECEIVER.

***1936. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Finance be pleased to reply to my question No. *1079¹ asked by me on 17th January, 1938 ?

The Honourable Mr. Manohar Lal : The honourable member will find the rules reproduced in Rule 9 in Chapter 5-B of the High Court Rules and Orders (Volume II).

AUDIT OF ACCOUNTS OF SPECIAL OFFICIAL RECEIVER.

***1937. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Finance be pleased to reply to my question No. *1080¹ asked by me on 17th January, 1938 ?

The Honourable Mr. Manohar Lal : Hitherto under special arrangements made by the Honourable Judges the accounts of one of the estates administered by the Special Official Receiver (namely, the estate of the late Lala Harkishen Lal) have been audited by a private firm of Chartered Accountants instead of by the Examiner of Local Fund Accounts. This arrangement was made as it was thought advisable in the case of this estate to employ a firm with experience in auditing business accounts.

Dr. Gopi Chand Bhargava : Am I to understand that the ordinary rules under which audits of accounts of official receivers are conducted were not observed in this case ?

Minister : The honourable member in putting the question, is trying to beg the answer. I have said clearly that normally it is the Examiner of Local Fund Accounts who examines the accounts but in the case of this particular estate it was thought advisable to have the accounts audited by a firm of Chartered Accountants who deal with accounts of this character.

Dr. Gopi Chand Bhargava : Am I to understand that when special auditors were appointed, the appointing authority thought that the Local Fund Auditors were not well qualified to examine those accounts ?

Minister : All that was thought was that it was advisable, in view of all the circumstances, to have these accounts so audited.

Dr. Gopi Chand Bhargava : What were the reasons for doing so.

Minister : The reasons have been amply stated already.

Diwan Chaman Lal : Where ?

Minister : In my answer.

Diwan Chaman Lal : What are the reasons ?

Minister : That it was considered desirable where we are dealing with large business accounts to have a firm of chartered accountants who are accustomed to deal with accounts of that character.

SPECIAL OFFICIAL RECEIVER.

***1938. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Finance be pleased to reply to my question No.* 1081¹ asked by me on 17th January, 1938 ?

The Honourable Mr. Manohar Lal : (i) Government understand that arrangements have been made by the High Court for eight Advocates to assist the Special Official Receiver in his work. The Assistants are not themselves Official Receivers appointed under the Act.

(ii) Does not arise.

Dr. Gopi Chand Bhargava : May I ask whether the appointment of the Assistants to the Special Official Receiver lies with the High Court or the Government ?

Minister : The High Court has appointed these persons to assist them. They are not Official Receivers. Government is concerned only with the appointment of persons who can be called Official Receivers. These eight Advocates assist the Special Official Receiver in the conduct of his work.

Dr. Gopi Chand Bhargava : Are they paid by the Government or not ?

Minister : No.

Dr. Gopi Chand Bhargava : Are they paid out of the commission paid to the Official Receiver ?

Minister : Yes.

Dr. Gopi Chand Bhargava : And has that been fixed by the Government ?

Minister : I think I have already answered that question. The commission is regulated by a special provision in the High Court Rules and Orders.

Dr. Gopi Chand Bhargava : Is it then right for the Government to permit such officers to continue without giving them any designation or name ?

Diwan Chaman Lal : If the moneys are paid to the Official Receiver and if those moneys are then distributed to eight Advocates appointed under the orders of the High Court, then is it not a fact that the original amount which is distributed is an amount which is paid under orders of the Government ?

Minister : Special Rules and Orders of the High Court, as I said, lay down such a procedure. It is laid down in the High Court Rules and Orders.

SPECIAL OFFICIAL RECEIVER.

***1939. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Finance be pleased to reply to my question No.* 1082¹ asked by me on the 18th January, 1938 ?

The Honourable Mr. Manohar Lal : Government understand that instructions were issued by the Honourable Judges of the High Court in June, 1936, to the District Judges of Lahore and Amritsar, to the effect that whenever any of the civil courts in those districts decided to appoint a receiver under Order XL for any property exceeding Rs. 50,000 in value the Special Official Receiver should be appointed for the purpose. These instructions, which were issued by the Honourable Judges in the exercise of their powers of administrative control, applied only to the two districts named, and did not affect appointments already made by the courts concerned.

Dr. Gopi Chand Bhargava : On whose recommendation were these appointments made ?

Minister : These appointments were actually made by the High Court in the exercise of their administrative control.

Dr. Gopi Chand Bhargava : May I ask whether anybody recommended them or they were made by the High Court itself ?

Minister : I cannot obviously go into this matter.

Sardar Sahib Sardar Gurbachan Singh : The questions and answers are in such a low voice that no one can hear them and thus the business of the House becomes very dull.

Mr. Speaker : Will the Honourable Minister please speak a little louder ?

Minister : I was going to say that this order relates to all appointments of receivers under order 40 of the Civil Procedure Code where it is laid down that where it may appear just and convenient to the court the appointment may be made. The power to appoint a receiver rests entirely

with the court trying the suit in which it is sought to appoint a Receiver. A Receiver so appointed is an officer of the court as he is representative of the court. His possession is possession by the court.

Dr. Gopi Chand Bhargava : You have said that they are appointed by the High Court. I want to know whether the courts of Amritsar and Lahore, where this Official Receiver was to be appointed under the orders of the High Court, recommended the appointment.

Minister : I have already answered that the High Court has made this arrangement as a special measure, where the property involved was more than fifty thousand.

Dr. Gopi Chand Bhargava : My question is quite different. I want to know whether it were the civil courts of Lahore and Amritsar who recommended this appointment or whether the appointment was made by the High Court itself.

Minister : I am not aware of the exact situation but if my honourable friend would give me notice, I shall find this out.

SPECIAL OFFICIAL RECEIVER.

***1940. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Finance be pleased to reply to my question No. *1083¹ asked by me on 18th January, 1938 ?

The Honourable Mr. Manohar Lal : Yes. Figures of the commission earned by the Special Official Receiver for his work in connection with the estate mentioned have been given in the reply to the honourable member's questions *1934/*1077². No commission has yet been paid on the share in the Bharat Insurance Company.

No monthly salary is paid to the Special Official Receiver.

Dr. Gopi Chand Bhargava : May I know what is the amount to be paid on the shares of the Bharat Insurance Company by way of commission ?

Minister : That again assumes that something has definitely been paid. I have said that no commission has yet been paid on the shares of the Bharat Insurance Company.

Dr. Gopi Chand Bhargava : What amount is to be paid ?

Minister : That is exactly what one does not know ; there is no decision yet.

SPECIAL OFFICIAL RECEIVER.

***1941. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Finance be pleased to reply to my question No. *1084¹ asked by me on 18th January, 1938 ?

¹Volume II, page 468.

²Pages 498-99 ante.

***1942. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Finance be pleased to reply to my question No. *1085¹ asked by me on 18th January, 1938 ?

The Honourable Mr. Manohar Lal : The honourable member probably has in mind a report which appeared in the press at the end of June last. As is clear from that report the Honourable Judges under their administrative powers have taken certain steps to analyse information received by them in regard to cases of alleged corruption. These do not affect in any way the powers of the provincial Government in dealing with such disciplinary cases against judicial officers as require their orders.

Lala Duni Chand : Are any reports received from the department to check corruption by the Punjab Government and considered ?

Minister : I have already indicated in my answer that there is no such department. My learned friend is assuming and pressing too much in his supplementary question.

Lala Duni Chand : Does the Punjab Government take any interest in cases of corruption as is done by the High Court.

Minister : Greatest possible interest.

Lala Duni Chand : Does Government get any information regarding steps they have taken about corruption from the High Court.

Minister : Yes, when the High Court sends any information it is duly received.

Lala Duni Chand : Has the Punjab Government taken any action up to this time on the information received from the High Court regarding corruption ?

Minister : Government have considered such cases as came before it. So far as my information goes it has not been found necessary to take any action.

Lala Duni Chand : Is Government aware that according to the Honourable Chief Justice corruption is rampant and, if so, whether the Punjab Government has done anything to find out the causes ?

Minister : That is a much wider issue whether corruption is rampant etc., etc. I think the Honourable Premier on more than one occasion has answered enquiries connected with matters of corruption.

Dr. Gopi Chand Bhargava : May I know whether complaints received by the High Court regarding corruption against certain judicial officers are referred to this officer or to some other officer for enquiry ?

Minister : I have already stated that information which may possibly be received by this particular officer is merely for the purpose of analysing it : he does not deal with the matter of corruption which is entirely in the hands of the Honourable Judges—I believe one of the Honourable Judges considers these matters.

Dr. Gopi Chand Bhargava : Besides analysing does this officer enquire into these cases or not ?

Minister : So far as I am aware I do not think any enquiry has been conducted by him.

Lala Deshbandhu Gupta : May I ask the Honourable Minister whether he can quote any case of corruption in which action was taken by the Punjab Government owing to the remarks of the High Court ?

Premier : The honourable member opposite is not aware of the rules and regulations. If the High Court comes to the conclusion that any particular judicial officer is corrupt they hold a preliminary enquiry and after that enquiry is held papers are forwarded to Government who in turn re-examine the whole case and, if necessary, appoint a commission or take any other action they deem fit.

Lala Deshbandhu Gupta : Was any action taken in any case ?

Premier : Yes, Government referred several cases to the Public Service Commission for their advice and after receiving the advice took disciplinary action against the officer concerned.

Lala Duni Chand : Does Government share responsibility in the matter of weeding out corruption along with the High Court.

Premier : I think everybody including non-official members should share that responsibility.

Lala Deshbandhu Gupta : Does Government agree in all such cases or disagrees ?

SPECIAL OFFICIAL RECEIVER.

***1943. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Finance be pleased to reply to my starred question No. *1086¹ asked by me on the 18th January, 1938 ?

The Honourable Mr. Manohar Lal : The facts have been sufficiently indicated in my reply to the two preceding questions. It is not in the public interest to answer questions which appear to be designed to criticise the arrangements made by the Honourable Judges.

Dr. Gopi Chand Bhargava : May I know whether such a person should enquire into the conduct of such officers before whom he has to appear as a litigant ?

Minister : I have already stated, in answer to a previous question that the duties of this special officer are extremely limited in all these matters. The honourable member assumes that he is a judge in these cases and therefore it would not be proper for him to appear before those very persons in court.

Diwan Chaman Lal : Do I take it that there has been no case in which this officer made enquiries into the conduct of a particular judicial officer before whom he appeared as a litigant ?

Minister : I could not say that but if the honourable member wants me to enquire into any single case I will do so.

SPECIAL OFFICIAL RECEIVER.

***1944. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Finance be pleased to reply to my question No. *1087¹ asked by me on the 18th January, 1938 ?

The Honourable Mr. Manohar Lal : Government understand that arrangements have been made by the High Court under their administrative powers for the Special Officer Receiver to exercise certain functions of the kind mentioned.

Dr. Gopi Chand Bhargava : Has he appeared in any insolvency or guardian court as a litigant or not ?

Minister : I am afraid I could not say that. I do not think he has appeared before any such court.

Dr. Gopi Chand Bhargava : May I know whether corruption cases against such officers are handed over to him for enquiry ?

Minister : Which officers ?

Dr. Gopi Chand Bhargava : These insolvency and guardian judges.

Minister : I have already stated more than once that there has arisen no occasion whatsoever where one could even remotely think that this officer has appeared in such courts.

SPECIAL OFFICIAL RECEIVER.

***1945. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Finance be pleased to reply to my question No. *1088² asked by me on the 18th January, 1938 ?

The Honourable Mr. Manohar Lal : The only estate under guardianship with which the Special Official Receiver has been concerned is that of Haveli Shah and Sardari Lal, sons of the late Rai Bahadur Sunder Das Chopra of Dinga. Government understand that some years ago the mother of these two boys was appointed as their guardian under the Guardians and Wards Act, 1890. In April, 1931, the mother of the wards, on a suggestion by the Honourable Judge who was dealing with the case, empowered a certain retired official to act as estate manager. In July, 1936, the person first appointed having proved unsatisfactory, the Special Official Receiver was empowered in his place. The estate was finally released from guardianship on the 12th October, 1936, on the attainment of majority by the elder of the two wards, since when the Special Officer Receiver has had no connection with it.

Dr. Gopi Chand Bhargava : Has he been appointed as a guardian of Lala Shanker Das's estate in Lahore very recently ?

Minister : May be, I am not aware of that.

Dr. Gopi Chand Bhargava : Was any function arranged when the charge of Lala Shanker Das's estate was handed over to his son ?

Minister : I do not understand what the honourable member means by 'function' and what by 'arranging'.

¹Volume II, page 468.²Volume II, page 469.

Dr. Gopi Chand Bhargava : Function means tea party and taking people and certain officials in a special train.

Minister : I think on attaining his majority, the heir to this princely estate celebrated as other heirs the event in a manner which he considered appropriate.

Dr. Gopi Chand Bhargava : Was everything arranged by this Official Receiver ?

Minister : I do not know.

SPECIAL OFFICIAL RECEIVER.

***1946. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Finance be pleased to reply to my question No. *1089¹ asked by me on the 18th January, 1938 ?

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

(b) Does not arise.

WORKS OF GOVERNMENT AUCTIONEERS ENTRUSTED TO OFFICIAL RECEIVERS.

***2086. Captain Sodhi Harnam Singh :** Will the Honourable Minister of Finance be pleased to state—

(a) how official receivers are appointed and by whom ;

(b) why the Government has given the work of the Government auctioneers also to the official receivers ;

(c) why the Government did not keep separate Government auctioneers ;

(d) whether the Government has any intention to reconsider this matter ?

The Honourable Mr. Manohar Lal : The answer to this question will be given with the other questions standing in the name of Dr. Gopi Chand Bhargava in connection with Official Receivers and Court Auctioneers.

Lala Duni Chand : Are any lists of candidates for the appointment of official receivers kept in every district, and if so, with what purpose ?

Minister : I do not know. If due notice of this question is given, enquiries can be made.

Rai Bahadur Mr. Mukand Lal Pari : Are official receivers appointed permanently or for a term ?

TRAFFIC ON LYALLPUR-JHANG ROAD.

***2367. Sardar Hari Singh :** With reference to the answer to question No. *1928² put on 4th March, 1938, will the Honourable Minister of Revenue be pleased to state—

(a) the terms of the understanding referred to by him in his answer arrived at between the Central Government and the Punjab Government regarding conditional grant from the Central Road Fund ;

¹Volume III, page 469.

²Volume III, pages 394-95.

[S. Hari Singh.]

- (b) the date when the understanding referred to in answer to part (b) of the said question was arrived at ?

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

COMPLAINT OF RESIDENTS OF VILLAGE KOTLA NAND SINGH,
DISTRICT HOSHIARPUR, AGAINST THE VILLAGE PANCHAYAT.

***2368. Sardar Hari Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that a deputation of the residents of village Kotla Nand Singh waited upon the Deputy Commissioner, Hoshiarpur, and complained against the administration of the local village Panchayat ; if so, substance of their representation ;

- (b) action taken by the local authorities in the matter ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) Yes, a deputation of the residents of the village waited on the Deputy Commissioner and complained that the local Panchayat was coercing them to make sanitary improvements, with the underlying object of helping the zaildar, who had a kiln in the village, and requested the Deputy Commissioner to make a personal inspection of the village.

(b) The Deputy Commissioner will be visiting the village as soon as possible.

Diwan Chaman Lall : During the regime of the Unionist Government ? (*Laughter*).

Minister : I believe so.

Sardar Hari Singh : May I take it that no action has been taken as yet ?

Minister : On a mere allegation nothing else can be done. The Deputy Commissioner is going to make enquiries in the matter on the spot.

Lala Deshbandhu Gupta : Has the enquiry not yet begun ?

Minister : No.

BABA HARNAM SINGH OF KOTLA NAND SINGH, DISTRICT HOSHIARPUR.

***2369. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that Baba Harnam Singh of Kotla Nand Singh, district Hoshiarpur, has recently been placed under police surveillance ;

- (b) if answer to (a) above be in the affirmative, grounds for the same ?

The Honourable Major Sir Sikander Hyat-Khan : It is not in the public interest to answer such questions.

Sardar Hari Singh : May I ask the Honourable Premier whether he is aware that the persons who are said to watch political suspects follow them like shadow and run various errands for them ?

Premier : But I have not admitted that this gentleman is under police surveillance. Where does it arise out of my answer ? I do not want to divulge whether he is under police surveillance or not.

Sardar Hari Singh : My supplementary question is whether the Honourable Premier is aware that the policemen, who are said to watch the activities of political suspects, follow them closely like a shadow and run various errands for them ?

Premier : I am not aware of that. By surveillance you may mean what you like.

Lala Deshbandhu Gupta : Are there any rules or directions about surveillance advising policemen in regard to these matters describing as to how they should watch and that they should keep at a respectable distance from the man under surveillance and so on ?

Premier : I am afraid my honourable friend cannot draw me out over this controversial matter.

Diwan Chaman Lall : May I ask the Honourable Premier whether his refusal to answer this question does mean that this particular gentleman is under police surveillance ?

Premier : My honourable friend cannot draw me out over this question either.

Lala Duni Chand : Has it come to the notice of the Government that policemen forcibly travel in the conveyance used by Congressmen or other political workers ?

Premier : Is that merely a hearsay or the honourable member's own experience ?

Diwan Chaman Lall : What is the Honourable Premier's own experience ? (*Laughter*).

Premier : None.

DISTRICT BOARD, KANGRA'S REPRESENTATION FOR EDUCATIONAL GRANT.

*2370. **Captain Dina Nath :** Will the Honourable Minister of Education be pleased to state—

(a) whether it is a fact that the District Board, Kangra, has recently submitted a representation to the Government to increase the educational grant to enable the District Board to restore the cut in the salaries of teachers among whom great dissatisfaction prevails over this cut ;

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

The Honourable Mian Abdul Haye : (a) Yes.

(b) The District Board has been asked to make the necessary provision in its educational budget for 1938-39 for removing the cut in teachers' salaries and, if funds are available, an advance grant (90 per cent. of the proposed expenditure) will be paid to the Board for this purpose during the next year.

CANDIDATES FROM DOGRA COMMUNITY FOR THE POST OF NAIB-TAHSILDAR AND TAHSILDAR.

***2371. Captain Dina Nath :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that no candidate for the post of naib-tahsildar and tahsildar has been accepted by the Government from among the Dogra community of tahsil Hamirpur, district Kangra, within the last twenty years;

(b) if answer to part (a) is in the affirmative, the action that the Government proposes to take to redress the grievances of the people of this tahsil?

The Honourable Dr. Sir Sundar Singh Majithia : I must decline with regret to answer question which savour of communalism on the floor of the House. I am sorry to have to adopt this attitude but Government consider it necessary in the public interest to establish a convention in connection with such questions. I shall, however, always be prepared to examine any particular instance of disproportionate representation which honourable members may bring to my notice in a more informal way.

CATTLE TAX IN KANGRA DISTRICT.

***2372. Captain Dina Nath :** Will the Honourable Minister of Revenue be pleased to state whether Government is aware that there is a great dissatisfaction among the people of Kangra district with regard to Cattle Tax proposed by the Government in that district; if so, the action intended to be taken to remove that dissatisfaction?

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

INTERNMENT OF SARDAR GURMUKH SINGH.

***2373. Sardar Hari Singh :** Will the Honourable Premier be pleased to state the grounds on which Sardar Gurmukh Singh of village Milk Sukhi, district Ambala, has been served with an order of internment in his village under section 3, Criminal Law Amendment Act?

The Honourable Major Sir Sikander Hyat-Khan : For having acted and being about to act in a manner prejudicial to the public safety and peace.

Sardar Hari Singh : May I ask the Honourable Premier please to state whether this action has been taken on the basis of any speech delivered by him?

Premier : I am afraid I cannot give a reply off-hand. If due notice is given, I shall go into this matter.

Sardar Hari Singh : May I ask whether the Honourable Premier has received any reports against this man from the district authorities ?

Premier : Government cannot pass orders without giving very careful consideration to such cases. This matter must have been considered on various factors, including the report from the district authorities, before taking any action.

Lala Duni Chand : Is he the same person whose *jagir* was confiscated by the Government ?

Premier : I should like to have notice for that question.

Sardar Partab Singh : Is it for the first time that he has been interned in his village ?

Premier : If my honourable friend knows it, he might tell me as well.

Lala Deshbandhu Gupta : Does the Honourable Premier himself pass such orders or is it left to the Chief Secretary ?

Premier : No internment or externment order can be passed until I have seen the case and given my approval.

Lala Duni Chand : Is it true that the sum total of the offence of this young man is that he belongs to the Socialist Party ?

Premier : No, Sir.

Diwan Chaman Lall : What was the positive act which brought this condign punishment on the head of this young man ?

Premier : I am afraid I must decline to answer that question.

Lala Deshbandhu Gupta : Will the Honourable the Premier please state whether there have been any instances in which he declined to pass internment orders against the recommendations made by the police ?

Premier : Several.

Diwan Chaman Lall : Beyond what the Honourable Premier has been pleased to say, can he give any idea of the data on the strength of which this young man has been interned ?

Premier : I am afraid I cannot give him even the minutest idea.

Diwan Chaman Lall : What is the source of information of the Honourable Premier ?

Premier : I hope he will not press for this.

Diwan Chaman Lall : The Honourable Premier does not divulge the source of his information, but may I ask him one question ? Is it a fact that all his sources are merely the Police sources ?

Premier : No.

Diwan Chaman Lall : May I take it that there are non-official sources as well ?

Premier : I would not be drawn into a discussion.

Lala Deshbandhu Gupta : What is the daily average of such orders passed by the Honourable Premier ?

Premier : I do not keep a statement of the work which I do every day.

Lala Bhim Sen Sachar : What are in general the factors which are taken into consideration at the time of passing of such orders ?

Mr. Speaker : The next question.

NUMBER OF P. E. S. POSTS.

***2374. Khawaja Ghulam Samad :** Will the Honourable Minister of Education be pleased to state—

- (a) the total number of posts in P. E. S., Class II, Men's Branch now ;
- (b) the number of posts in Selection Grade in (a) above ;
- (c) the number from (a) above held by (i) members of the staff of different colleges, (ii) members of the Inspection Staff, (iii) Headmasters of High Schools ;
- (d) the number of posts under (b) above held by (i) members of the Colleges' Staff, (ii) members of the Inspection Staff, (iii) Headmasters of High Schools ?

The Honourable Mian Abdul Haye : (a) 110.

(b) 11.

(c) (i) 64.

(ii) 29 (including Registrar of Departmental Examinations, Punjab).

(iii) 17.

(d) (i) 10.

(ii) 1.

(iii) Nil.

***2375. Cancelled.**

AREA UNDER RABI CROPS ON THE DIPALPUR AND KHADIR CANALS BY MEANS OF WELLS.

***2376. Mahant Girdhari Das :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the total area under rabi crops sown this year on the Dipalpur and Khadir Canals by means of wells ;

- (b) whether Government propose to charge water rate on such rabi crops as were sown this year by means of wells and were watered only once by these canals running for a short time during this winter; if so, the proposed rate of charges per acre on wheat, sag, grams and oats?

The Honourable Dr. Sir Sundar Singh Majithia : (a) 108,483 acres out of which 6,821 acres receive canal water.

(b) Government charges water rates on all crops on the Dipalpur Canal and the Khadir Branch that receive one or more canal watering whether shown originally on wells or not. The rabi abiana rate for all crops is Rs. 2-4-0 per acre. No record is kept regarding numbers of canal waterings above one. It is considered sufficient if one canal watering is given.

Mahant Girdhari Das : Is it a fact that water was not required at the Islam Head? Therefore these canals were used as escapes to pass the surplus water of the river?

Minister : I am afraid I cannot give my honourable friend the information that he asks unless he gives me notice.

Sardar Ajit Singh : Is it a fact that water flows in the Khadir Canals only during summer and not during winter?

Minister : Possibly that may be correct.

Sardar Ajit Singh : Is it a fact that this year water flowed in Khadir Canals in winter as an exception due to the surplus water in the Sutlej River?

Mahant Girdhari Das : Is it a fact that these canals are usually run in summer and only this winter they are run for a few days without any previous notice to the zamindars?

Minister : Possibly, Sir, there may have been a flood in the river and the water may have spread.

Sardar Sahib Sardar Gurbachan Singh : Is the Government prepared to make tube-well experiments in Jullundur district also as they are doing at Qadian and near Shalamar?

Mr. Speaker : That is a suggestion.

Sardar Sahib Sardar Gurbachan Singh : Has any test been made to see that the sub-soil water in Jullundur is saline?

Minister : I do not think I could give the honourable member any answer to that question.

Lala Bhim Sen Sachar : Has the Government any intention of having a trial on the lines on which the wells are working in Jhelum and Qadian?

Minister : There are no wells working just at present near Jhelum, but there are two wells working at Qadian.

Lala Bhim Sen Sachar : Do the Government intend to give a similar trial to tube-wells?

Minister : The scheme is being looked into. If the funds are sanctioned by the Assembly, the scheme will be taken in hand.

Sardar Sahib Sardar Gurbachan Singh : That was my question too. Government is making tube well experiments in other districts. Will they make similar experiments in Jullundur district?

Mr. Speaker : The honourable member can move a resolution.

TUBE WELLS SUNK IN JULLUNDUR DISTRICT.

***2377. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) the number of tube wells so far sunk in Jullundur district by private owners and Government, separately;
- (b) how many of them are now working;
- (c) how many have stopped working and the reasons for their having stopped working;
- (d) whether saline water has been found in any of them?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) The number of tube wells so far sunk in Jullundur district by Government is 17.

- (b) All of them are working at present.
- (c) Does not arise.
- (d) No.

Information relating to tube wells sunk by private owners is not available and the labour involved in collecting it will not be commensurate with the results to be achieved.

COST OF PRODUCTION PER UNIT OF ELECTRICITY FROM UHL RIVER HYDRO-ELECTRIC SCHEME.

***2378. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) the cost of production per unit of electricity as at present from the Uhl River Hydro-Electric Scheme;
- (b) the cost of production per unit of electricity from a thermal generating station of the same size and capacity as that of the generating plant at the first stage of the Hydro-Electric and at a central place like Lahore;
- (c) whether it is or it is not a fact that Colonel Battye suggested thermal generating stations as stand-by with the Hydro-Electric Scheme?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) and (b) Government have nothing to add to what has already been stated in reply to question No. *1896¹. As regards part (b) of the question the honourable member will please note that his specification of the particulars does not cover all the variable factors which affect the cost of production.

(c) The honourable member is presumably referring to Chapter 5, Part I of the General Report on the Uhl River Hydro-Electric Project written by Colonel Battye, in 1924. In that chapter Steam Reserves are mentioned as one, and that not the most favoured, of the alternative methods of extending the Scheme beyond Stage I.

APPLICATIONS FROM ACHHUTS FOR EMPLOYMENT IN POLICE
DEPARTMENT.

***2379. Sardar Mula Singh :** Will the Honourable Premier be pleased to state—

- (a) the number of applications received by the Government from the *Achhut* candidates between 1st April, 1937 and 1st March, 1938; for employment in the various ranks of the Police Department,
- (b) the number of those *Achhut* candidates who got appointments in the various ranks in the Police Department; if none was recruited the reasons therefor, and the steps the Government propose to take to give them adequate representation in the above-mentioned department?

The Honourable Major Sir Sikander Hyat-Khan : (a) I regret I must decline to answer this question. The honourable member is however aware that Government is paying special attention to the legitimate claims and needs of scheduled classes.

(b) As has been mentioned in the reply to another (unstarred) question six men of the scheduled castes have been recruited since the 1st April last. In regard to the general question involved the honourable member perhaps heard what I said on the 9th March, in the course of the discussion on the Budget.

Lala Bhim Sen Sachar : Will the Honourable the Premier be pleased to disclose the reasons for refusing to answer the question?

Premier : My honourable friends know that no communal questions are being answered?

Lala Bhim Sen Sachar : Is the Honourable the Premier aware that under section 298 such questions are really questions that can be considered on the floor of this House?

Premier : I daresay. My honourable friend must have been absent, or he must have forgotten, when I stated that the House should set up a convention not to ask communal questions.

Lala Bhim Sen Sachar : Do I understand that the cases of Achhuts are on a level with the questions relating to Hindus, Muslims or Sikhs?

Premier : I want to bring them on to a level with Hindus, Muslims and Sikhs, only if he will allow me to do so.

Lala Bhim Sen Sachar : Will he please state whether the questions relating to agriculturists and non-agriculturists will be similarly treated, and will be on a par with questions relating to Muslims, Hindus and Sikhs?

Premier : The questions relating to agriculturists and non-agriculturists will not be similarly treated.

Lala Bhim Sen Sachar : What are the reasons for treating these questions differently, inasmuch as agriculturists according to the reply of the Parliamentary Secretary over there are also a class by themselves and therefore, a community ?

Premier : The agriculturists are a class by themselves, but they do not consist of any one religious community.

Lala Bhim Sen Sachar : Do the Achhuts form one religious community ?

Premier : Does the honourable member mean to say that the Achhuts do not belong to the Hindu community ?

Lala Bhim Sen Sachar : They are a community by themselves.

Premier : They belong to a particular religious community. Does he mean to convey that they do not belong to the Hindu community ?

An Honourable Member : They belong either to the Hindu community or the Sikh community.

Lala Deshbandhu Gupta : Does the Premier realise that by refusing to answer questions relating to the depressed classes he is not showing any sympathy with them, and will he consider the advisability of making an exception in their case ?

Premier : The honourable member has not listened to the answer. I said that Government is paying special attention to the legitimate claims and needs of the scheduled castes, and I made this quite clear in the budget speech. Therefore it is unnecessary for the honourable member to obtain cheap notoriety by putting these questions. I refuse to answer these questions.

Lala Deshbandhu Gupta : The Honourable Premier has used the words 'cheap notoriety' in respect of an honourable member of the House. Is it proper that he should impute motives of that nature ?

Diwan Chaman Lall : What is the difference between cheap notoriety and expensive notoriety ? (*Laughter*).

Lala Deshbandhu Gupta : On a point of order. I think the words used by the Honourable Premier are not proper and he should withdraw them.

Premier : If my honourable friend, Diwan Chaman Lall says that they are unparliamentary, I have no objection to withdraw them, because he knows much about these things.

Diwan Chaman Lall : No, I do not and I am very glad he has used that expression. All that we can do is to apply that expression—"cheap notoriety" when we raise it and "expensive notoriety" when my honourable friend raises it. (*Laughter*).

Sardar Hari Singh : It is a question of imputing motives and I think the honourable member should withdraw it.

Mr. Speaker : He has already withdrawn. So, the matter is finished.

MEAGRE REPRESENTATION OF ACHHUTS IN GOVERNMENT SERVICE.

***2380. Sardar Mula Singh :** Will the Honourable Premier be pleased to state whether the Government has ever thought over the meagre representation of the *Achhuts* in the various Government departments ; if so, the action taken or intended to be taken by the Government to give them their due share of services ?

The Honourable Major Sir Sikander Hyat-Khan : The policy of the Punjab Government is to give due representation in services to all communities including the scheduled castes—and selection of suitable candidates from various communities is made accordingly. As stated in reply to various questions put at the last session, suitable candidates of the scheduled castes will receive the special consideration which they deserve.

HAISIYAT TAX REALIZED FROM ACHHUTS.

***2381. Sardar Mula Singh :** Will the Honourable Minister of Public Works be pleased to state the amount of haisiyat tax realized from the *Achhuts* in the Punjab in the year 1937 ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : In view of the labour involved it would not be in the public interest to collect the information.

EXCISE CASES AGAINST ACHHUTS.

***2382. Sardar Mula Singh :** Will the Honourable Minister of Revenue be pleased to state the number of excise cases filed against the *Achhuts* in the province in the year 1937 and the number of those *Achhuts* who were convicted in those cases ?

The Honourable Dr. Sir Sundar Singh Majithia : The figures relating to the prosecution and conviction of persons accused of excise offences are not reported to Government by classes and communities. To ascertain them would require a number of detailed references to deputy commissioners and involve an amount of investigation, which would in the opinion of Government be out of proportion to the value of the information received. It is also possible that information of the kind required is not available at all.

ACHHUT ZAILDARS, LAMBARDARS AND HONORARY MAGISTRATES.

***2383. Sardar Mula Singh :** Will the Honourable Minister of Revenue be pleased to state the number of *Achhut* zaildars, lambardars and honorary magistrates in the province, if there are none, the reasons therefor ?

The Honourable Dr. Sir Sundar Singh Majithia : There are no honorary magistrates belonging to the depressed classes. The collection of information regarding zaildars and lambardars would require an amount of time and labour out of all proportion to the results to be obtained and I regret that the Government does not feel justified in calling for it.

COLONIZATION OF CROWN WASTE LAND.

***2384. Sardar Mula Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the area of crown waste land yet to be colonized ;
- (b) when the Government propose to colonize that area ?

The Honourable Dr. Sir Sundar Singh Majithia : The question is not clear as to which particular area the honourable member refers to. If he would make his question more definite endeavour would be made to give him the required information.

The only project under construction at present is that of Haveli which will provide for the colonization of slightly over two lakhs of acres.

ROADS FROM NAWANSHAHR TO NURPUR AND FROM GARHSHANKAR TO RUPAR.

***2385. Sardar Mula Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that the roads from Nawanshahr to Nurpur and from Garhshankar to Rupar are in very dilapidated condition and in the rainy season they are altogether impassable ;
- (b) whether it is a fact that heavy traffic carries on the above-mentioned roads and Balachaur, which is an important commercial town, is connected by these roads ;
- (c) whether or not these roads are intended to be taken over by the Public Works Department ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) No, the roads are not in dilapidated condition. They are unmetalled roads and are being maintained in a fair condition except during the rainy season when they become a bit muddy being kucha roads.

(b) The traffic on the road from Nawanshahr to Nurpur is not heavy as far as Jullundur district is concerned. In Hoshiarpur district the traffic on this road as well as on the road from Garhshankar to Rupar is somewhat heavy but not so heavy as to demand any special consideration.

(c) No.

WORK OF AGRICULTURAL DEPARTMENT IN THE TWO TAHSILS OF NAKODAR AND PHILLAUR.

***2386. Mian Abdul Rab :** Will the Honourable Minister of Development be pleased to state the amount of expenditure incurred by the Government on the work of the Agricultural Department in the two tahsils of Nakodar and Phillaur in the Jullundur district, with the nature and extent of the work done there during the last three years ?

The Honourable Chaudhri Sir Chhotu Ram : Three statements are laid on the table..

Statement I gives the ascertainable expenditure incurred by the Punjab Agricultural Department on staff stationed in the Nakodar and Phillaur tahsils. It is not possible to assess the proportionate share of the cost of the other officers and other activities and benefits of the department which are shared by these tahsils with the rest of the province.

Statements II and III will give the honourable member an indication of the activities of the Agricultural Department in these two tahsils.

STATEMENT I.

Statement showing the expenditure incurred by the Department of Agriculture, Punjab, in Nakodar and Phillaur Tahsils during the years 1934-35 to 1936-37.

EXPENDITURE.												
Year.	Name of Tahsil.	Pay of Superior Establishment.							Other Allowances and Honoraria.	Contingencies including pay of Baildars.	Total of each Tahsil.	Total of both Tahsils.
		Agricultural Assistant.	Mukaddam.	Total.	Agricultural Assistant.	Mukaddam.	Baildar.	Total.				
1	2	3	4	5	6	7	8	9	10	11	12	13
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
1934-35 ..	Nakodar ..	..	340	340	..	146	139	285	36	513	1,174	..
	Phillaur ..	1,986	318	2,304	491	95	233	819	36	730	3,889	5,063
1935-36 ..	Nakodar ..	..	352	352	..	146	242	388	36	450	1,226	..
	Phillaur ..	2,106	330	2,436	579	126	168	873	25	712	4,046	5,272
1936-37 ..	Nakodar ..	..	368	368	..	125	222	347	..	473	1,188	..
	Phillaur ..	2,226	383	2,609	476	147	168	791	21	780	4,201	5,389

NOTE.—There is no Agricultural Assistant at Nakodar ; this tahsil is under the charge of the Agricultural Assistant, Phillaur.

[Minister for Development.]

STATEMENT II.

Statement showing the work done by the Department of Agriculture, Punjab, in Nakodar Tahsil, during the years 1934-35 to 1936-37.

	1934-35.	1935-36.	1936-37.	REMARKS.
1	2	3	4	5
	Acres.	Acres.	Acres.	
<i>Area under Major Crops—</i>				
Sugarcane { Total ..	5,782	5,944	7,036	
{ Improved ..	1,594	2,190	3,341	
Wheat { Total ..	78,582	86,091	79,990	
{ Improved ..	69,006	75,100	64,001	
Cotton { Total ..	8,551	8,837	9,331	
{ Improved ..	1,212	1,358	1,146	(A)
Fodders { Total ..	22,313	22,955	22,876	
{ Improved, i.e. Berseem, etc.	6,500	8,000	9,000	
Number of Seed Agencies	7	8	9	
	Mds.	Mds.	Mds.	
Improved seeds sold (B) { Wheat ..	1,344	1,340	2,698	
{ Berseem ..	3	6	8	(C)
{ Cotton ..	21	34	51	(A)
{ Groundnuts ..	2	8	8	
{ Others ..	5,000	5,000	5,020	
Village Farmers' Associations	67	67	67	
Number of manure pits	300	440	600	
Number of improved furnaces	60	89	101	
Number of improved imple- ments purchased by samins. dars. { Ploughs ..	5	10	16	
{ Fodder cut- ters. ..	325	350	400	
{ Others ..	65	80	108	

	1934-35.	1935-36.	1936-37.	REMARKS.
1	2	3	4	5
	Acres.	Acres.	Acres.	
Area cleared of { Pohli	4,325	4,001	3,263	
{ Kutra	500	40	700	
{ Rats	100	80	100	(D)
Ber trees grafted ..	..	..	1,345	Includes figures for Phillaur Tehsil also.
Demonstration Plots sown	65	43	84	

N.B.—(A) Due to shortage of water in the wells, the general practice is to sow cotton with the break of monsoons. The varieties recommended by the Department when sown so late do not fare well; hence, the activities of the Department with regard to the improved varieties of cotton have been confined to those areas only where water shortage is not acute.

(B) The improved varieties have spread to such an extent that it is unnecessary for the Department to sell its seed. During the season, however, very large number of sales are arranged between the growers through the Department.

(C) The local requirements of Berseem seed are produced from within the Tehsil.

(D) Represents the area over which demonstrations of controlling rats were given. In addition campaigns were conducted under the auspices of the Department at such places where the zamindars agreed to pay the cost of poison and provide labour.

STATEMENT III.

Statement showing the work done by the Department of Agriculture, Punjab, in Phillaur Tahsil during the years 1934-35 to 1936-37.

	1934-35.	1935-36.	1936-37.	REMARKS.
1	2	3	4	5
	Acres.	Acres.	Acres.	
Area under Major Crops—				
Sugarcane { Total ..	8,473	9,785	10,771	
{ Improved ..	6,150	8,356	9,873	
Wheat { Total ..	71,209	78,063	57,810½	
{ Improved ..	63,000	72,200	54,315	
Cotton { Total ..	6,379	6,247	6,011	
{ Improved ..	1,744	1,827	1,425	(A)
Fodders { Total ..	18,660	19,255	19,613	
{ Improved, i.e., Berseem, etc.	8,500	10,500	11,000	
Number of Seed Agencies ..	5	7	7	

[Minister for Development.]

		1934-35.	1935-36.	1936-37.	REMARKS.
1		2	3	4	5
		Mds.	Mds.	Mds.	
Improved seeds sold (B)	Wheat ..	4,406	4,620	6,857	(C)
	Berseem ..	5	9	10	
	Cotton ..	33	60	54	
	Others ..	4,142	4,008	4,770	
Seed Producing Societies	.. ..	2	2	..	
Village Farmer's Associations	.. ..	57	70	77	
Number of Private Farms	.. ..	..	..	1	
Number of manure pits	.. ..	160	250	400	
Number of improved furnaces	.. ..	115	153	155	
Number of implements purchased by zamindars.	Ploughs ..	16	10	18	
	Fodder cutters ..	425	450	500	
	Others ..	115	130	140	
		Acres.	Acres.	Acres.	
Area cleared of	Pohli ..	48,254	40,585	27,050	(D)
	Rats ..	..	50	..	
Ber trees grafted	.. ..	..	..	1,345	} Include figures for Narkodar Tehsil also.
Demonstration Plots sown	.. ..	65	43	84	

N. B.—(A) Due to shortage of water in the wells, the general practice is to sow cotton with the break of monsoons. The varieties recommended by the Department, when sown so late, do not fare well; hence, the activities of the Department with regard to the improved varieties of cotton have been confined to those areas only where water shortage is not acute.

(B) The improved varieties have spread to such an extent that it is unnecessary for the Department to sell its seeds. During the season, however, very large number of sales are arranged between the growers through the Department.

(C) The local requirements of Berseem seed are produced from within the Tehsil.

(D) Represents the area over which demonstrations of controlling rats were given. In addition campaigns were conducted under the auspices of the Department at such places where the zamindars agreed to pay the cost of poison and provide labour.

IMPROVEMENT OF CATTLE BREEDING IN JULLUNDUR.

***2387. Mian Abdul Rab :** Will the Honourable Minister of Development be pleased to state the steps he has taken or proposes now to take to improve cattle breeding in the Jullundur district, and particularly in the Beit ilaqa of the said district ?

The Honourable Chaudhri Sir Chhotu Ram : Continuous attention is being given to the improvement of cattle in the Jullundur district. Every year a large number of pedigree Hissar bulls are purchased from the Government Cattle Farm, Hissar, out of District Board Funds and the animals are located at suitable centres. At present 267 bulls are working in the district. Two hundred and three are the property of the District Board and the remaining 64 have been let loose by private breeders with the approval of the Civil Veterinary Department. It is hoped that the strength of bulls for the district, on the basis of 1 bull for every hundred cows, will be completed within the next 2 or 3 years. In response to His Excellency the Viceroy's Scheme for Cattle improvement in India, a sum of Rs. 20,000 has been subscribed in this district. Arrangements are now afoot to bring about the proper looking after of the bulls. As soon as this is assured, the question of an increase in the number of bulls in the district will be taken up. Castration work is also going on continuously with a view to eliminating all the scrub animals in villages. In the year 1936-37, 19,860 castrations were performed. The Civil Veterinary Department is now busy in the formation of cattle breeding societies around each bull. Breeding and the milk records also are being introduced. The work of registration of good cows is also progressing.

2. The Beit ilaqa of the district is receiving equal attention. In all the Beit villages, where a sufficient number of good cows is available pedigree bulls are being supplied by the Civil Veterinary Department from the District Board funds. But it is very difficult to supply a bull in all the villages as the number of cows in the Beit ilaqa is very small, the cows are of very poor quality, the cattle are under-nourished and the tract is the home of contagious and parasitic diseases. Moreover, the people of this tract care more for the keeping of buffaloes than of cows. Therefore the Civil Veterinary Department is concentrating more on buffalo-breeding in this area. Where the conditions of cattle improvement are favourable, pedigree bulls are being supplied at the same time.

RECOMMENDATION OF A MEMBER FOR NOMINATION TO THE MUNICIPAL COMMITTEE, RAIKOT.

***2388. Chaudhri Muhammad Hassan :** Will the Honourable Minister of Public Works be pleased to state whether it is a fact that a member who remained absent from the meetings of the Raikot Municipal Committee, district Ludhiana, for three consecutive months on two occasions, is again going to be recommended for nomination by the Deputy Commissioner in Ludhiana ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : The question of nomination of members on the Municipal Committee of Raikot has not yet been considered by the Deputy Commissioner, Ludhiana, as general elections have not so far been held.

LIQUOR SHOPS IN THE CITY OF AMRITSAR.

***2389. Sardar Hari Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the Government is going to open ten more liquor shops in the city of Amritsar; if so, reasons for the same;
- (b) whether he is aware of the strong protests made by a representative meeting of the citizens of Amritsar against the said proposal;
- (c) whether the Amritsar Municipality was consulted before the said decision was reached;
- (d) whether the Government has received any representations on the subject from citizens of Amritsar and its Municipality?

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

(b) Yes. The protests appear to be based on unfounded rumours and misunderstanding.

(c) As there was no proposal for the opening of any shops there was no occasion for the consultation of the Municipal Committee.

(d) I would refer the honourable member to the *communiqué* issued in the *Tribune* of 9th March, 1938, a copy of which is laid on the table. A representation from the Temperance Society and a representation from the Municipality have been received. The Minister for Revenue is meeting a deputation at Amritsar on the 8th April, 1938.

Tribune, dated the 9th March, 1938. Sale of Country Liquor at Amritsar.

(From the Director, Information Bureau, Punjab).

Lahore, March 7.—It has been alleged that the excise authorities at Amritsar had given permission to five more restaurants to sell country liquor. This is absolutely incorrect. It will be recalled that with a view to checking the evil practice of drinking in premises supposed to be restaurants, the Punjab Government issued a notification in August last whereby consumption of liquor on such premises is to be forbidden in Lahore and Amritsar on the 1st April 1938. It was found necessary, however, for the convenience of the public especially those who did not reside in the cities to exempt a strictly limited number of respectable *dharmas* after careful selection, viz., 7 in Lahore and 10 in Amritsar, from these orders and in those places consumption, not sale, of liquor will continue to be permitted. It will be seen therefore that far from permitting new premises for the sale of liquor the Government is in fact forbidding the consumption of liquor in hundreds of places where it was consumed before.

TRIAL BORING IN AMBALA DIVISION.

***2390. Khawaja Ghulam Samad :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether with a view to introducing tube wells scheme in the Ambala division trial boring was done in any district of Ambala division;
- (b) whether the water obtained by boring was chemically tested in order to know whether the water so found in the lower strata of earth could serve the purpose of irrigation?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No. The work is about to be started.

(b) Does not arise.

PROVINCIALIZATION OF ROADS IN AMBALA DIVISION.

***2391. Khawaja Ghulam Samad :** Will the Honourable Minister of Public Works be pleased to state district-wise—

- (a) whether any roads in Ambala division have been provincialized ;
- (b) if so, which of these ;
- (c) if not, whether any scheme of provincialising any of the district board roads in Ambala division is under contemplation of the Government ; if so, which of these ?

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

(b) In 1937-38—

				<i>Miles.</i>
Ambala-Naraingarh	..	..	..	18
Rupar-Chandigarh	..	..	..	81
From 1st April, 1938—				
Rohtak-Jhajjar	..	..	..	21
Pipli-Pehowa	..	..	..	20
Karnal-Indri	..	..	..	5
		Total	..	95

(c) Does not arise.

BUILDING OF A JHEEL ON MORN HILLS FOR SUPPLYING WATER TO AMBALA DIVISION.

***2392. Khawaja Ghulam Samad :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether the Government contemplated to build a jheel on Morni Hills for the purpose of supplying water to zamindars of Ambala district for irrigation ;
- (b) whether any survey was made for that purpose ;
- (c) the costs incurred by the Government in connexion with this scheme ;
- (d) whether it is under consideration of the Government now ;
- (e) the reasons for dropping this scheme ;
- (f) whether the Government is prepared to consider that scheme ;
- (g) the papers, if any, relating to the scheme may kindly be laid down on the table of the House ?

The Honourable Dr. Sir Sunder Singh Majithia : (a), (b), (d) and (f) No.

(c) and (e) Do not arise.

(g) None.

NUMBER OF OFFICIALS IN DEPUTY COMMISSIONERS' OFFICES.
AMBALA DIVISION.

***2393. Khawaja Ghulam Samad :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the number of officials district-wise and community-wise in the offices of Deputy Commissioners of Ambala division in all grades, viz., (i) 30—1½—60/2—70 grade, (ii) 40—2—80/2—90 grade, (iii) 75—5—125 grade;
- (b) the number of head vernacular clerks, community-wise in Ambala division;
- (c) the number of stenographers as in (b) above?

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

APPOINTMENT OF MUSLIM OFFICERS TO AMBALA DISTRICT.

***2394. Khawaja Ghulam Samad :** Will the Honourable Premier be pleased to state—

- (a) since how long the posts of (i) senior sub-judge, and (ii) revenue assistant have not been held by Muslims in Ambala district;
- (b) whether a Muhammadan permanent district and sessions judge or deputy commissioner has ever been posted to the Ambala district; if not, why not?

The Honourable Major Sir Sikander Hyat-Khan : I must decline with regret to answer questions which savour of communalism on the floor of the House. I am sorry to have to adopt this attitude but I consider it necessary in the public interest to establish a convention in connection with such questions. My colleagues and I will, however, always be prepared to examine any particular instance of disproportionate representation which honourable members may bring to our notice in a more informal way.

BUILDING OF A SLAUGHTER HOUSE BY TOHANA TOWN
COMMITTEE.

***2395. Khawaja Ghulam Samad :** With reference to the reply to question No. *1686-C.¹, will the Honourable Minister of Public Works be pleased to state whether there is any small town committee other than Tohana, in the province, where a slaughter house is built on such a large area of land such as 14 bighas and 17 biswas;

- (a) the reasons for which such a large area is acquired for construction of slaughter house at Tohana;
- (b) whether he is aware of the fact that the site proposed to be acquired for the purpose noted above is very costly and contains brick kilns;

- (c) whether he is also aware of the fact that the proposed site being adjacent to the abadi of the town the existence of a slaughter house there would affect adversely the health of inhabitants of the town ;
- (d) will the Honourable Minister be pleased to state whether the Government is contemplating to give in exchange another piece of land to the proprietors equal in area to the site in question instead of giving a nominal price ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) I regret that the required information is not available and Government consider that the time and labour involved in collecting it will not be commensurate with the usefulness it will serve.

(a) (i) The Town Committee of Tohana proposes to build two slaughter houses ; one for goats and sheep and the other for cows and buffaloes. As it is essential that the two slaughter houses should be at some distance from each other, the acquisition of a large area of land is necessary.

(b) No ; the land in question is Ghair Mumkin Pazawa and is not very costly. It contains a few brick kilns.

(c) No : Government do not consider that the construction of slaughter houses on the land will adversely affect the health of inhabitants of the town. In fact this land was under the management of the Committee and was being used as a place for slaughtering animals even before the acquisition proceedings were started.

(d) No.

PATWARIS, ETC., IN AMBALA DIVISION.

***2396. Khawaja Ghulam Samad :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the number of patwaris community-wise and district-wise in Ambala division enlisted during the last 10 years ;
- (b) the number of kanungos in the same manner as in (a) above ;
- (c) the number of Muslim patwaris dismissed in Ambala division district-wise during the past ten years ;
- (d) the number of Muslim patwaris appointed in place of dismissed patwaris ;
- (e) the present number of patwari candidates community-wise and district-wise in Ambala division ?

The Honourable Dr. Sir Sundar Singh Majithia : The information is not readily available and Government thinks that its collection will involve labour, time and expense out of all proportion to its value.

Besides this question savours of communalism and I regret I decline to answer such questions in the public interest, but I am ready to examine any particular instance of disproportionate representation which the honourable member may bring to my notice in a more informal way.

COMPULSORY PRIMARY EDUCATION IN AMBALA DIVISION.

***2397. Khawaja Ghulam Samad :** Will the Honourable Minister of Education be pleased to state—

(a) whether primary education has been made compulsory in Ambala division ;

(b) if not, when it is likely to be made compulsory ?

The Honourable Mian Abdul Haye : (a) Compulsory education has already been introduced in 878 rural and 24 urban areas in the Ambala division.

(b) Does not arise.

**REPRESENTATION OF GUJARS OF SIWALIK RANGE REGARDING
RESTRICTIONS IMPOSED UPON THEM FOR CATTLE
GRAZING.**

***2398. Khawaja Ghulam Samad :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that certain restrictions have been imposed upon Gujars and other tribes residing in valleys of the Siwalik range ;

(b) whether it is a fact that these people have repeatedly represented to Government to relax the rules and allow them reasonable concessions regarding grazing of cattle, etc. ;

(c) the action taken or intended to be taken by the Government on the representations mentioned in part (b) above ?

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

(b) The concessions asked are not reasonable. They are calculated to result in very great harm.

(c) Government has issued a notification clarifying the situation, a copy of which is placed on the table of the House.

Notification.

The Siwalik Hills which have become destitute of vegetation not only fail to provide an income to the people but have become a positive danger to the neighbouring tract. Government and the enlightened inhabitants of the area are aware that by closure and enforcement of Section 4 or 5 of the Chos Act, these areas can be restored so as to cease to be a danger to others and to produce vegetation. Doubt has been expressed whether grass and other forest produce regenerated in these areas, as a result of closure, will belong to Government or to the proprietors.

It is THEREFORE, NOTIFIED FOR GENERAL INFORMATION that all such forest produce will accrue to the present proprietors and not to Government. The applications of the Chos Act in no way whatever confers on Government or takes away from the people any right to any property or to the fruits of such property. Its effect is only on the management of the property. All the increase in grass and timber will belong to the owners of the soil.

OPENING OF AN INTERMEDIATE COLLEGE AT AMBALA OR PANIPAT.

***2399. Khawaja Ghulam Samad :** Will the Honourable Minister for Education be pleased to state whether it is a fact that several requests, oral and written, have been made by the Muslims of the Ambala division to the Government to open a Government Intermediate College in Ambala City or Panipat; if so, the action proposed to be taken on them ?

The Honourable Mian Abdul Haye : Representations have been made for opening a Government Intermediate College at Ambala but Government is not in favour of starting any more Intermediate Colleges in the province.

NUMBER OF MUSLIM NON-AGRICULTURIST NAIB-TAHSILDARS AND
EXCISE SUB-INSPECTORS RECOMMENDED BY DEPUTY COMMISSIONERS, AMBALA DIVISION.

***2400. Khawaja Ghulam Samad :** Will the Honourable Minister of Revenue be pleased to state the number of naib-tahsildars and excise sub-inspectors belonging to statutory agricultural tribes recommended by the Deputy Commissioners, Ambala division, during the last 15 years ?

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

UNSATISFACTORY ARRANGEMENTS FOR SEATING, ETC., IN THE COURTS
OF AMBALA DIVISION.

***2401. Khawaja Ghulam Samad :** Will the Honourable Finance Minister be pleased to state—

(a) whether his attention has been drawn to the fact that no satisfactory arrangements exist in most of the Courts of Ambala division for seating and protecting the litigants from scorching sun-shine and rains ;

(b) if so, the action the Government proposes to take in the matter ?

The Honourable Mr. Manohar Lal : (a) No complaints have been brought to the notice of Government.

(b) Does not arise.

PERCENTAGE OF MUSLIM EXTRA ASSISTANT COMMISSIONERS.

***2402. Khawaja Ghulam Samad :** Will the Honourable Premier be pleased to state the percentage of Muslim extra assistant commissioners in the province in the cadre ?

The Honourable Major Sir Sikander Hyat-Khan : The information is given in the consolidated statement showing how communities are represented in the various departments.

PERCENTAGE FIXED FOR NON-AGRICULTURISTS IN VARIOUS GOVERNMENT SERVICES.

***2403. Khawaja Ghulam Samad :** Will the Honourable Premier be pleased to state whether any percentage in Government Civil Service, gazetted, non-gazetted, ministerial and non-ministerial has been fixed for non-agriculturists (Hindus and Muslims) in the province ?

The Honourable Major Sir Sikander Hyat-Khan : The attention of the honourable member is invited to Punjab Government resolution No. 4572-S., dated the 3rd October, 1919, laid on the table of the House in reply to question No. 12 put on the 10th November, 1919 (Proceedings of the Legislative Council of the Punjab, 1919, volume X, pages 314 and 345). The honourable member can make his own deductions regarding the percentages for recruitment of non-agriculturists.

TAHSILDARS, NAIB-TAHSILDARS AND EXCISE SUB-INSPECTORS RECRUITED
FROM AMBALA DIVISION.

***2404. Khawaja Ghulam Samad :** Will the Honourable Minister for Revenue be pleased to state—

(a) community-wise and district-wise (a) the names, (b) father's names and (c) castes of candidates recommended and accepted for the posts of tahsildars, naib-tahsildars and excise sub-inspectors during the last ten years in Ambala division ;

(b) the percentage of non-agriculturists in each district of the said division ?

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

NOMAD ODS.

***2405. Khawaja Ghulam Samad :** Will the Honourable Premier be pleased to state whether the Government has taken any steps towards settling the nomad Ods ?

The Honourable Major Sir Sikander Hyat-Khan : The question whether any special measures are necessary and possible to control the movements of the grazier Ods is under consideration; but if the honourable member has in mind that the Ods should be settled on Government land I can say at once that there is no likelihood of any such scheme being adopted.

LANDS TO BE LEASED OUT ON TEMPORARY CULTIVATION ON HAVELI
PROJECT.

***2406. Khawaja Ghulam Samad :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether any lands on Haveli Project are designed to be leased out on temporary cultivation ;

(b) if so, on what terms ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) and (b) No scheme of colonization has yet been worked out in detail.

NAMES OF DISTRICT AND SESSIONS JUDGES, SENIOR SUB-JUDGES AND DEPUTY COMMISSIONERS IN THE AMBALA DISTRICT.

***2407. Khawaja Ghulam Samad :** Will the Honourable Premier be pleased to state the names of district and sessions judges, deputy commissioners, and senior sub-judges, who discharged the duties of these posts during the last 15 years in the Ambala district ?

The Honourable Major Sir Sikander Hyat-Khan : The time and labour involved in collecting the information will not be commensurate with the results obtained.

LAND UNDER CULTIVATION IN THE AMBALA DIVISION.

***2408. Khawaja Ghulam Samad :** Will the Honourable Minister of Revenue be pleased to state district-wise—

- (a) the area in acres of land under cultivation in the Ambala division ;
- (b) how much of this area is irrigated by the canals ;
- (c) how much is *chahi* ;
- (d) how much is *barani* ;
- (e) the area of canal and *chahi* land cultivated by Muslims ;
- (f) the names of canals which flow in the Ambala division ?

The Honourable Dr. Sir Sundar Singh Majithia : The information is not readily available and Government thinks that its collection will involve labour, time and expense out of all proportion to its value.

PUNISHMENT TO THE COLLEGE CLERK BY THE PRINCIPAL, INTERMEDIATE COLLEGE, ROHTAK.

***2409. Pandit Shri Ram Sharma :** Will the Honourable Minister of Education be pleased to state—

- (a) whether the Government is aware of the fact that the present Principal of the Government Intermediate College, Rohtak, punished his college clerk some time ago ;
- (b) the nature of the punishment and the authority and rule under which it was awarded ;
- (c) whether an appeal was preferred to the Assistant Director of Public Instruction by the clerk in question and its result ;
- (d) whether an amendment to the rules concerned was notified in the *Gazette* on the 24th December, 1937, with retrospective effect ;
- (e) whether it is a fact that the notification was made after the appeal of the clerk was received in Assistant Director of Public Instruction's office ;

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(f) whether the said clerk has since been transferred to Bhera High School under the orders of the Assistant Director of Public Instruction ;

(g) whether the Inspector of Schools, Rawalpindi division, was consulted in this matter ; if not, why not ?

The Honourable Mian Abdul Haye : (a) Yes.

(b) The clerk has been reduced by three steps to a lower stage in the time scale of his post (Rs. 40—2—80/2—90) by the Principal, Government Intermediate College, Rohtak, under rule 11 read with Appendix 'C' of the Punjab Education Department (Subordinate Officers) Clerical Service Rules, 1936, promulgated with Punjab Government (Ministry of Education) notification No. 21061-Z, dated the 30th September, 1936,¹ copy placed on the table.

(c) No. The clerk only enquired whether he could appeal against the orders of the Principal.

(d) Yes ; but this amendment was issued to supply a *bona fide* omission and if the honourable member compares the penalties prescribed in column 2 against item Nos. 1—8 with those given in the same column against items Nos. 9—13 of the Appendix quoted he will see that the amendment was necessary.

(e) The amendment was made after the clerk made the enquiry mentioned at (c).

(f) The clerk was transferred to the Government High School, Bhera under the orders of the Director of Public Instruction.

(g) No. When a transfer is considered necessary in the interests of public service it is not necessary for the head of the department to consult the officer in whose office or domain a change is caused by such transfer.

MOBILE POLICE FORCE LOCATED IN VARIOUS VILLAGES OF FEROZEPORÉ DISTRICT.

***2410. Master Kabul Singh :** Will the Honourable Premier be pleased to state—

(a) the number of horses purchased for the Mobile Police Force, district Ferozepore, located in the various villages in March, 1933 ;

(b) the number of the horses taken to the police headquarters Ferozepore after the withdrawal of that Mobile Force on 31st March, 1935 ;

(c) whether any of these horses were put to sale ; if so, what was their number and what was the amount so obtained ;

(d) whether any of these horses were kept by the police department for further use ; if so, what was their number ;

(e) the number of the beds, boxes, tables and chairs purchased for the Mobile Forces at the costs of the villagers concerned ;

(f) whether the articles mentioned in (e) above were taken to the police headquarters Ferozepore after the withdrawal of the

¹ Kept in the library.

Police Force in March, 1931; if so, how they were disposed of;

- (g) the number of the police constables kept at the police lines Ferozepore as Contingency Reserve and whether any horses were supplied to them?

The Honourable Major Sir Sikander Hyat-Khan: I regret that the answer to this question is not yet ready.

SUB-INSPECTOR OF POLICE, SADAR KARNAL.

***2411. Mian Muhammad Iftikhar-ud-Din:** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that the sub-inspector of police station Sadar Karnal, on 2nd January, 1938, insulted the national flag hoisted on the shop of Chaudhri Muhammad Husain, Secretary, Congress Committee, village Jandiala, district Karnal, and pulled it down, if so, the action taken or proposed to be taken against him?

The Honourable Major Sir Sikander Hyat-Khan: *First Part.*—No. *Second Part.*—Does not arise.

BRIDGE OVER DIPALPUR CANAL, LOWER SOHAG BRANCH.

***2412. Mahant Girdhari Das:** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether he is aware of the fact that at R. D. 102, Dipalpur Canal, Lower Sohag Branch, the public is put to great inconvenience in crossing the canal as there is no bridge at the said place;
- (b) whether it is a fact that estimates for a bridge at the above place were prepared some time back;
- (c) if so, the reasons why the construction of the bridge is being delayed?

The Honourable Dr. Sir Sundar Singh Majithia: (a) and (b) No. (c) Does not arise.

GATES ON CANAL INSPECTION ROADS ON THE DIPALPUR AND KHADIR CANALS.

***2413. Mahant Girdhari Das:** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the gates on canal inspection roads on the Dipalpur and Khadir canals are kept closed;
- (b) whether it is a fact that no gate-keepers are kept at some of these gates;
- (c) whether it is a fact that several hours notice is necessary if a person with a permit wishes to go on these roads;
- (d) the reasons why gate-keepers are not permanently provided to open the gates whenever necessary?

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

(b) Yes.

(c) Yes.

(d) Action is being taken to maintain gate-keepers.

ARRESTS IN CONNEXION WITH NON-PAYMENT OF HAI SIYAT TAX.

***2414. Sardar Hari Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that many arrests have been made and are being made in district Gujrat for non-payment of haisiyat tax ;
- (b) whether it is a fact that four persons were arrested on the ground that there were warrants for the arrest of their relatives and that the said four persons were later let off by the Deputy Commissioner ;
- (c) the present actual state of affairs in respect of (a) above and the action Government intend to take in the matter ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) to (c) Certain complaints have reached Government in this connection, and inquiries are being made from the local officers as to the actual facts.

EXPENDITURE ON "WORK-CHARGED ESTABLISHMENT" OF HAVELI PROJECT.

***2415. Sayad Mubarik Ali Shah :** Will the Honourable Minister of Revenue be pleased to state the total amount of money spent in connexion with the Haveli Project up to 1st February, 1938, on the "Work-charged establishment" in different divisions of the said scheme and the amount of wages out of it paid to (i) Muslims and (ii) non-Muslims, separately ?

The Honourable Dr. Sir Sundar Singh Majithia : The total amount of money spent upto 1st February, 1938, on the Work-charged Establishment in the various Divisions of the Haveli Project and the amount of wages paid out of it is as tabulated below :—

Name of Circle-Division.					Total.
					Rs.
1st Haveli Project Circle—					
Trimmu Division	..	..	..	..	1,23,475
Main Line Division	..	..	..	..	3,827
Rangpur Division	..	..	..	..	2,746
Quarries Division	..	..	..	..	3,610
2nd Haveli Project Circle—					
Multan Division	..	..	..	..	9,268
Shujabad Division	..	..	..	..	3,598
Nili Bar Circle—					
Pakpattan Division (Montgomery—Pakpattan Link)	..			..	513
Total					1,46,237

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

WATERLOGGING OF LANDS IN CHINIOT TAHSIL.

***2416. Sayad Mubarik Ali Shah :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that considerable land has been destroyed by waterlogging in the villages round about Rajoa in Chiniot tahsil of Jhang district and the owners and inhabitants of these villages have suffered much loss ; if so, whether Government intends to take any steps to help the poor people concerned mentioned above and, if not, why not ?

The Honourable Dr. Sir Sundar Singh Majithia : Government has no information of the exact area affected by waterlogging in Rajoa, but is aware that the water-table is rising in this area. The matter is being investigated but I am not in a position to commit Government to any action at this stage except to state that the matter will be fully investigated.

COLONIZATION OF LANDS ON HAVELI PROJECT CANALS.

***2417. Sayad Mubarik Ali Shah :** Will the Honourable Minister of Revenue be pleased to state when does the Government propose to commence colonization operations of the lands which are to be irrigated by the Haveli Project canals ?

The Honourable Dr. Sir Sundar Singh Majithia : So far as at present could be anticipated the Haveli Project will, it is hoped, be sufficiently far advanced to permit of the commencement of colonization operations in the year 1940-41.

CONTRACTS BY TENDERS.

***2418. Sayad Mubarik Ali Shah :** Will the Honourable Minister of Revenue be pleased to state, with reference to the answer to a supplementary question by Sayad Amjad Ali Shah to my question No. *313,¹ dated 6th July, 1937, and question No. *124,² dated 28th June, 1937, as to which of the two statements made by him represents the correct position ?

The Honourable Dr. Sir Sundar Singh Majithia : Both the replies referred to by the honourable member are correct. Tender that was accepted for the brick kiln for headworks of the Haveli Project was the lowest suitable tender.

¹Volume I, page 1053-54.

²Volume I, page 690.

AMENDMENT IN THE NORTHERN INDIA CANAL AND DRAINAGE ACT.

***2419. Sayad Mubarik Ali Shah :** Will the Honourable Minister of Revenue be pleased to state what steps, if any, the Government has already taken or proposes to take to appoint a committee to suggest necessary amendments in the Northern India Canal and Drainage Act and evils thereunder in accordance with the terms of the resolution passed by the Punjab Legislative Assembly in its sitting held on 20th January last ?

The Honourable Dr. Sir Sundar Singh Majithia : The honourable member is referred to the reply given to question No. *1857¹.

DISTRICT AND SESSIONS JUDGES POSTED TO SARGODHA.

***2420. Sayad Mubarik Ali Shah :** Will the Honourable Premier be pleased to state—

- (a) the total number of the district and sessions judges posted to the Sargodha Civil Division during the last 15 years ;
- (b) their number community-wise ;
- (c) how many of them belonged to the statutory agricultural tribes ?

The Honourable Major Sir Sikander Hyat-Khan : I must decline with regret to answer questions which savour of communalism on the floor of the House. I am sorry to have to adopt this attitude, but I consider it necessary in the public interest to establish a convention in connection with such questions. My colleagues and I will, however, always be prepared to examine any particular instance of disproportionate representation which honourable members may bring to our notice in a more informal way.

APPLICATION OF WATER RATES OF SCHEDULE B TO SOME VILLAGES IN JHANG DISTRICT.

***2421. Sayad Mubarik Ali Shah :** Will the Honourable Minister of Revenue be pleased to state the steps Government intend to take to bring the villages in the Jhang district which are irrigated by the Lower Jhelum canal and which have so far not been brought under schedule " B " of water rates, under the said schedule ; if no steps are intended to be taken the reasons for the same ?

The Honourable Dr. Sir Sundar Singh Majithia : Government does not intend to take any steps for reasons given in reply to part (b) of question No. *1536².

MR. RAM KISHAN, A STATE PRISONER.

***2422. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that one Mr. Ram Kishan, a State prisoner, is suffering from tuberculosis and heart trouble ;

¹Volume III, pages 221-22.

²Volume II, pages 944-45.

- (b) whether it is a fact that recently he has been having fever daily ;
- (c) his present weight and weight on admission ;
- (d) whether he has refused to have medical treatment by way of protest against the treatment of jail authorities ;
- (e) whether the question of his release has recently been considered ; if so, with what result ?

The Honourable Major Sir Sikander Hyat-Khan : The State prisoner named was released on the 18th March and the question put by the honourable member no longer arises.

MR. SHER JANG, A POLITICAL PRISONER IN THE LAHORE CENTRAL JAIL.

***2423. Sardar Hari Singh :** Will the Honourable Minister of Finance be pleased to state—

- (a) whether it is a fact that one Mr. Sher Jang, a political prisoner in the Lahore Central Jail, is suffering from heart trouble ; if so, the exact nature of his disease and the medical treatment he is receiving ;
- (b) his present weight and weight on admission ;
- (c) the date when his release is due ?

The Honourable Mr. Manohar Lal : (a) Sher Jang complains of palpitation and irregular action of the heart. His heart was examined by Lieutenant-Colonel Amir Chand, I.M.S., and Khan Bahadur Dr. Yar Muhammad Khan in 1936 and 1937. They have both reported that he has no organic disease of the heart. He is suffering from Sinus Arrhythmia for which no special treatment has been recommended. He has been given tonics to improve his general health.

(b) His present weight is 132 lbs. His weight on admission was 150 lbs. His weight at the time of his transfer to the Lahore Central Jail from the Multan New Central Jail on the 20th February, 1936, was 140 lbs. His standard weight is 119½ lbs.

(c) Under ordinary circumstances his release should take place some time in August, 1938.

SALE OF " GANDHI PARK " AT KHANEWAL FOR PURPOSES OF BUILDING A SERAI.

***2424. Sardar Hari Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that a public park, popularly called " Gandhi Park " at Khanewal had some time ago been sold with the sanction of Government to a certain person for the purpose of building a serai there ; if so, why ;
- (b) whether he is aware that the said park was used by the public for purposes of recreation ;
- (c) whether it is a fact that people of the town have recently addressed representations to the authorities protesting against the sale

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of the said land and requesting that the park be acquired back under the Land Acquisition Act; if so, the action, if any, taken thereon?

The Honourable Dr. Sir Sundar Singh Majithia: (a) *First part.*—Yes: except that only by a considerable stretch of imagination could the dusty wind-swept space in question be called a “park.”

Second part.—Because one of the needs of the town is a serai; and this building was offered as a charity.

(b) No.

(c) Yes. The matter is under consideration.

STRICTURES PASSED BY THE HIGH COURT AGAINST POLICE IN
CROWN *versus* FAUJOO AND NAINOO.

***2425. Sardar Hari Singh:** Will the Honourable Finance Minister be pleased to state whether it is a fact that severe strictures against the police have recently been passed by the High Court in the murder case Crown *versus* Faujoo and Nainoo; if so, the action taken or proposed to be taken in the matter in the light of those strictures.

The Honourable Mr. Manohar Lal: Government have not seen the judgment, but suitable action will be taken when the matter is brought to their notice by the High Court in the normal course.

WALLAITI RAM OF AMRITSAR, AN EX-MARTIAL LAW PRISONER.

***2426. Sardar Hari Singh:** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that one Wallaiti Ram of Amritsar, a member of the Congress Socialist Party and an *ex*-Martial Law prisoner, is being daily or frequently called in the thana by the police at Amritsar where he is ordered to sit down till the evening;

(b) whether it is a also fact that police men of the said thana call at his house every night to record his presence;

(c) if answers to (a) and (b) above be in the affirmative, grounds for the same?

The Honourable Major Sir Sikander Hyat-Khan: (a) and (b) No.
(c) Does not arise.

SARDAR TEJA SINGH SWATANTAR, M.L.A. A STATE PRISONER
IN CAMPBELLPUR JAIL.

***2427. Sardar Hari Singh:** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that Sardar Teja Singh Swatantar, M.L.A., a State prisoner in Campbellpur jail has been lying ill for some time; if so, for how long;

- (b) the nature of his malady ;
- (c) his weight on admission and his present weight ;
- (d) whether the question of his release has recently been considered ; and, if so, with what result ?

The Honourable Major Sir Sikander Hyat-Kyan : (a) and (b) No. His blood pressure was lately found to be unduly high, and this is being treated. Otherwise his health is good.

(c) On admission 165 lbs. : now 177 lbs.

(d) The cases of all State prisoners are reviewed at frequent intervals. It is not proposed to release this prisoner at present.

PUBLIC WELLS AND ACHHUTS.

***2428. Chaudhri Jugal Kishore :** Will the Honourable Minister of Public Works be pleased to state whether it is a fact that the *Achhuts* are not allowed to take water from such wells as are situated on district board roads or are within municipal limits or are built by Government and from which the Hindus, the Muslims and the Sikhs take water ; if so, what steps Government intend to take in the matter ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : The question is too general and it would involve considerable time and labour to collect the necessary data for a reply. But if the honourable member has any specific instances in mind, I will be only too glad to look into them.

BELIEF TO THE ZAMINDARS OF UNA TAHSIL.

***2429. Rai Hari Chand :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the land of the majority of zamindars in the Una tahsil has been rendered uncultivable by the river action ;
- (b) if so, whether Government intend to give them any relief ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) There has been more gain than loss by the action of the river Sutlej since the last settlement of 1913-14. Two thousand nine hundred and forty-six acres of land were recovered as compared with 2,064 acres swept away.

(b) Does not arise.

CIVIL SURGEONS BELONGING TO NOTIFIED AGRICULTURAL TRIBES.

***2430. Rai Hari Chand :** Will the Honourable Minister of Education be pleased to state whether it is a fact that there is not a single civil surgeon belonging to the notified agricultural tribe in the province ; if so, the action the Government intend to take in the matter ?

The Honourable Mian Abdul Haye : No. There are at present two civil surgeons in the Punjab who are members of notified agricultural tribe.

**RELIEF TO ZAMINDARS OF BELA RAMGARH AND BELA HARSA IN
TAHSIL UNA.**

***2431. Rai Hari Chand :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether he is aware of the fact that the villages Bela Ramgarh and Bela Harsa are surrounded by the river Sutlej on all sides in tahsil Una, district Hoshiarpur, and a considerable area of these villages has been swept away and is still being swept away by the river Sutlej every year in the rainy season ;
- (b) if the answer to (a) be in the affirmative, what steps Government intend to take to afford relief to the inhabitants of these villages ?

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

Second part.—Since the last settlement, Bela Ramgarh has lost 73 acres and recovered 93 acres of land and village Bela Harsa has lost 55 acres and recovered 109 acres. This shows that both villages have recovered more land than has been lost by fluvial action.

(b) Does not arise.

PUBLIC PROSECUTORS.

***2432. Rai Hari Chand :** Will the Honourable Minister of Finance be pleased to state—

- (a) the number of Hindu public prosecutors in the province ;
- (b) the number of Hindu agriculturists among them ;
- (c) if the number of Hindu agriculturists is very small, the action the Government intends to take to give them an adequate representation ?

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

(b) One.

(c) Government cannot undertake to arrange representation for particular tribes and castes.

S. ISHAR SINGH, BABAR AKALI PRISONER.

***2433. Shrimati Raghubir Kaur :** Will the Honourable Finance Minister be pleased to state—

- (a) the age of S. Ishar Singh, Babar Akali, imprisoned for life who is at present in Multan Central Jail ;
- (b) whether it is a fact that he has finished about fifteen years, including three years remission in jail (due to good conduct) ;
- (c) when he is likely to be released ?

The Honourable Mr. Manohar Lal : (a) Forty years.

(b) Yes.

(c) The case is under consideration.

ACQUIRED LAND OF VILLAGES ALAMPUR AND BAHADURPUR,
DISTRICT AMBALA.

***2434. Lala Duni Chand :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that in 1914 or thereabout the Canal Department had acquired a considerable amount of land belonging to the villages Alampur and Bahadurpur, tahsil Rupar, district Ambala, for the purpose of putting up stone dams against the floods on rush of Sutlej river ;
- (b) whether it is true that a large area of the above-mentioned acquired land lying between the dams is rented every year by the Canal Department ;
- (c) whether it is true that at the time of acquiring the land there was an understanding between the Canal Department and the owners of the acquired land that the same will be restored to them when no more needed ;
- (d) whether the Government is aware of the fact that on account of the encroachment of the Sutlej river the cultivable land of the said villages has been much reduced in area ; if so, the action the Government intends to take in the matter ?

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

(b) Yes.

(c) No.

(d) No, does not arise.

RELIEF FOR THE VILLAGES KHERI AND JHINJRI, DISTRICT
HOSHIARPUR.

***2435. Rai Hari Chand :** Will the Honourable Revenue Minister be pleased to state whether he is aware of the fact that a vast area of villages Kheri and Jhinjri in tahsil Una, district Hoshiarpur, had been swept away by the river Sutlej since 1930 ; if so, the action the Government intends to take to grant some relief to the inhabitants of these villages ?

The Honourable Dr. Sir Sundar Singh Majithia : *First part.*—Since 1930 the village Jhinjri has lost 27 acres out of a total of 210 acres, and village Kheri only 9 out of a total of 519 acres of land.

Second part.—The loss is not such as to call for any relief.

POSTING OF SUB-DIVISIONAL OFFICERS TO DALHOUSIE.

***2436. Mian Abdul Aziz :** Will the Honourable Premier be pleased to state—

- (a) the number separately of European and Indian sub-divisional officers posted to Dalhousie during the last thirty years ;
- (b) the name of the prospective sub-divisional officer to be posted to Dalhousie during the next summer ;
- (c) whether it is a fact that during the last eight years no Indian sub-divisional officer has been posted to Dalhousie ; if so, the reasons therefor ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Twenty-six Europeans and 4 Indians.

(b) Mr. B. S. Grewal, I.C.S.

(c) Yes ; the appointment is not made on racial considerations ; but with regard to efficiency and administrative convenience ; it is on these considerations and not on racial grounds that the Indian officer named in (b) above is being appointed to Dalhousie next summer.

BLOCKING OF SUFAID BEIN RUNNING BETWEEN GOBINDPUR AND BALON VILLAGE.

***2437. Master Kabul Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether he is aware of the fact that Sufaid Bein (white rivulet) running between Gobindpur and Balon village in police station, Banga, tahsil Nawanshahr, district Jullundur, has been blocked up ;

(b) whether he is aware that the villagers concerned have made repeated representations to Government for the proper drainage arrangement of the said rivulet ;

(c) if the answer to any of the above be in the affirmative, whether the Government is prepared to take any action ; if so, what ?

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

(c) A new drain has been dug.

SURROUNDING OF SARDAR RATTAN SINGH BY POLICE.

***2438. Sardar Mula Singh :** Will the Honourable Premier be pleased to state whether it is a fact that for surrounding Sardar Rattan Singh the police employed the Achhuts of the place ?

The Honourable Major Sir Sikander Hyat-Khan : It would be difficult after this lapse of time to ascertain the full facts, but it is on record that rewards were paid to three Chamars for assistance in the operations.

SCALE OF PAY OF SWEEPERS EMPLOYED IN VARIOUS GOVERNMENT DEPARTMENTS.

***2439. Sardar Mula Singh :** Will the Honourable Finance Minister be pleased to state—

(a) the scale of pay of sweepers employed in various departments of Government ;

(b) whether they are Government servants and entitled to earn pension ; if not, why not ?

The Honourable Mr. Manohar Lal : (a) Generally Rs. 13 per mensem, but this is subject to the condition that the maximum rate prevalent in each district should be laid down by the deputy commissioner and should be followed by the heads of other departments.

(b) Sweepers employed by Government are Government servants, but they come under the category of unskilled menial Government servants and their pay is charged to contingencies. In order to qualify for pension a Government servant must hold a substantive office on a permanent establishment. Government servants whose pay is charged to contingencies do not hold a substantive office on a permanent establishment. They are, therefore, not pensionable.

NOMINATION OF ACHHUTS TO DISTRICT BOARDS IN THE PUNJAB.

***2440. Sardar Mula Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) the number of those Achhuts who have been nominated to each district board in the Punjab since 1st April, 1937 ;
- (b) whether the Government intends to reserve any seats for them in each district board ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) Since the 1st April, 1937, Government have nominated members only on two district boards, namely, the District Boards of Jhelum and Ludhiana. No one belonging to the scheduled castes was appointed on the former Board but on the latter Government did appoint one.

- (b) No such proposal is under consideration at present.

LOCAL MUNICIPAL HOSPITAL, JAGADHRI.

***2441. Lala Deshbandhu Gupta :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that the financial condition of Jagadhri Municipal Committee is not satisfactory ;
- (b) whether owing to want of sufficient funds Jagadhri Municipal Committee is not able to keep the requisite standard of efficiency in maintaining the local Municipal Hospital ; if so, the action the Government intends to take in the matter ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) The income of the committee is sufficient to cover its ordinary annual expenditure.

- (b) No. The hospital is maintained satisfactorily.

NEHRI RATES IN MUZAFFARGARH DISTRICT.

***2442. Mian Fazal Karim Bakhsh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that lands in the Muzaffargarh district are assessed to nahri rates ; if so, the reasons therefor ;
- (b) whether it is a fact that the revenue patwaris are bound to follow the record of the canal mirabs in recording the class of soil for the purposes of assessing this rate ;

[Mian Fazal Karim Bakhsh.]

(c) whether it is a fact that the zamindars are not informed of this recording of the class of soil and are given no chance to protest against this arbitrary recording of the class of soil ;

(d) if the reply to the above be in the affirmative, will the Government be pleased to state whether there are any rules to regulate the classification of land in this district ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, because the lands are irrigated by canals.

(b) No, except in the case of *do-nahri* irrigation, which is recorded by canal mirabs as the irrigation proceeds.

(c) No.

(d) Rules on the subject are contained in paragraph 27 of the *dastur-ul-amal* of the district.

ADJOURNMENT MOTION.

EXTERMENT OF MR. A. K. GHOSH.

Sardar Sohan Singh Josh (Amritsar North, Sikh, Rural) : I beg leave to move that the House do now adjourn to discuss a definite matter of urgent public importance, namely, the order served by the Punjab Government on 27th March, 1938, under section 3 of the Punjab Criminal Law (Amendment) Act, 1935, on Mr. Ajoy Kumar Ghosh at Lahore to quit the Punjab within 24 hours and not to return to it for a period of 12 months.

Mr. Speaker : Leave to discuss the following adjournment motion is sought, namely, the order served by the Punjab Government on 27th March, 1938, under section 3 of the Punjab Criminal Law (Amendment) Act, 1938, on Mr. Ajoy Kumar Ghosh at Lahore to quit the Punjab within 24 hours and not to return to it for a period of 12 months.

Is there any objection to the leave being granted ?

No objection was taken.

Mr. Speaker : The honourable member has the leave of the House to move the motion. When shall we take it up ?

Diwan Chaman Lall : Mr. Speaker, may I draw your attention to rule 23 which I think is quite clear—

If the Speaker is of opinion that the matter proposed to be discussed is in order, he shall read the statement to the Assembly and ask whether the member has the leave of the Assembly to move the adjournment. If objection is taken, the Speaker shall request those members who are in favour of leave being granted to rise in their places, and if not less than thirty members rise accordingly, the Speaker shall intimate that leave is granted and that motion will be taken at the conclusion of the business of the day or at some other hour on the same day.

I do not think that the term 'at the conclusion of the business of the day' should be interpreted in the manner in which it is sought to be interpreted in the House of Commons, because that procedure is not equivalent to the procedure we have here in the Punjab.

Mr. Speaker : What was done the other day?

Diwan Chaman Lall : Yes, that is why I think we may clarify the position. 'At the conclusion of the business of the day or at some other hour on the same day' can only mean this, after the conclusion of the business of the day. For instance, suppose you are sitting the whole day, according to the rules. It may be possible that honourable members may be so tired that they would like to take some rest and meet again, as has happened in the central legislature once or twice. That is to say, business has been taken up after the ordinary hour has expired, at night time. In the House of Commons no adjournment can take place without interruption of business. That is a different position altogether. There the adjournment is an interruption of business. Not so here. Here the adjournment motions are taken up at the conclusion of the day's business and therefore the words in the rule, namely 'or at any other hour on the same day' should be read to mean 'after the conclusion of the day's business.'

Mr. Speaker : The language of the rule is very wide. Under it an adjournment motion can be clearly taken up at the conclusion of the day's business or at any other hour before the conclusion of the business of the day. Last time the adjournment motion was taken up at 5-30 P.M.

Diwan Chaman Lall : Before you give your ruling, may I submit that as this is a non-official day you may be pleased to grant this much privilege to the Opposition, that they may be allowed to take up this adjournment motion after the conclusion of the day's business, as it is very seldom in a year that the Opposition get a non-official day for the purpose of bringing forward their bills or resolutions. You may be pleased to consider whether it would be taking away the privilege which belongs to the Opposition which is seldom at the disposal of the Opposition under the rules. You may therefore be pleased to hold that this adjournment motion should be taken up either after the conclusion of the day's business or at any time to-morrow.

Premier : If the business to-day does not finish before 5-30 P.M., we may take up the adjournment motion at 5-30, but if the business finishes earlier we may take it up as soon as the business is finished.

Mr. Speaker : The adjournment motion will be taken up after the business of the day is finished or at 5-30 P.M., whichever is earlier.

THE PUNJAB ANTI-PHOOKA BILL.

Diwan Chaman Lall (East Punjab, Non-Union, Labour) : Sir, I beg to move—

That the Punjab Anti-Phooka Bill be referred to a select committee consisting of—

Mir Maqbool Mahmood,
Dr. Gopi Chand Bhargava,
Lala Duni Chand.
Raja Ghazanfar Ali Khan,
Sardar Sampuran Singh.
Nawab Sir Muhammad Hayat Khan Noon,
The Honourable the Minister-in-charge,
Nominee of the Honourable the Speaker, and
the Mover.

[Diwan Chaman Lall.]

May I add three more names, namely, the Advocate-General, Thakur Ripudaman Singh and Sardar Hari Singh?

Mr. Speaker : The motion moved is—

“ That the Punjab Anti-Phooka Bill be referred to a select committee. ”

The names of the members of the committee I shall put to the House later.

Rai Sahib Lala Gopal Das (Kangra North, General, Rural) : Sir, I beg to move that—

“ The Punjab Anti-Phooka Bill be circulated for the purpose of eliciting public opinion thereon by the 1st of July, 1938. ”

Sir, my object in moving this motion is that at the present moment a Bill of similar nature has been introduced in the central legislature and I understand it shall be passing through final stages soon and if that Bill is passed, it will be an all-India measure. If it is going to be an all-India measure, would it then be desirable to pass such a measure for this province? I may assure my honourable friend Diwan Chaman Lall that I am not at all opposed to this Bill. I am entirely with him and my only object is that if the Bill is passed by the Central Legislative Assembly and if there is any shortcoming in that Bill, probably my worthy friend would be in a better position to meet those shortcomings and bring forth an appropriate Bill for this province to meet its requirements. With these remarks I beg the House to accept my motion.

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

That the Punjab Anti-Phooka Bill be circulated for the purpose of eliciting public opinion thereon by the 1st of July, 1938.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : I rise to support the amendment moved by my friend Rai Sahib Gopal Das and I want to request my honourable friend opposite, the mover of the Bill, to accept this motion. As has been explained by Lala Gopal Das the central legislature is at the moment discussing a similar measure and I might point out to the House that that measure was introduced as soon as this Bill was introduced by my friend opposite. So the initiative in this matter was taken by the Punjab which was only proper and we do not wish to lose this credit which the Punjab deserves for initiating this very useful and desirable measure, but, as pointed out by Lala Gopal Das, if the central legislature passes a measure, that must prevail and our measure must naturally give way to it. But there may be some lacuna or there may be defects in that Bill and therefore by the time Diwan Chaman Lall's Bill comes back after circulation, if the central Bill is passed, we will be able to judge it in the light of that legislation to see whether any amendments or additions are necessary. I merely want to emphasize the point that initiative was taken by Diwan Chaman Lall before any initiative was taken by the central legislature.

Diwan Bahadur Raja Narendra Nath (East Punjab Landholders) : I hope my honourable friend realises and appreciates the spirit in which this motion has been made by Rai Sahib Lala Gopal Das. It is in a spirit of

sympathy and not of opposition, as pointed out by the Honourable Premier. The introduction of the Bill was allowed in the Punjab in the first instance and now the stage has come when it would have been referred to a select committee had it not been for the fact that a Bill on similar lines has been introduced in the Central Assembly. In such a case I believe there would be no further discussion and my honourable friend the mover of the motion for reference to the select committee will appreciate our sympathy and spirit in which the motion before the House has been moved (*hear, hear*).

Diwan Chaman Lall : I am always ready and willing to appreciate the sympathy shown by my honourable friend Raja Narendra Nath and I am always willing to appreciate any gestures that come from this Government in regard to ameliorative measures, and the suggestions made by my honourable friend the Premier certainly deserve every attention on my part and on the part of my party. My only point is that no initiative is going out of the hands of this House if this measure is referred to a select committee. Suppose the central legislature, while this measure is before the select committee in this House, passes a measure on similar lines which may be a comprehensive measure, then there is nothing to prevent us, after the select committee has reported, from withdrawing that measure from the purview of this House or so amending that measure that it would be desirable in the interests of the province. If this measure goes to the select committee all that happens under the rules is this that the principle of the measure is accepted by the House. That is the very reason why I have not put down any particular time limit to the report of the committee. If I had put down a limit that by such and such time the select committee should report, it would have been a different thing altogether. The committee can take its time and the committee may report after the central legislature has passed its own measure. Then we would be in a position to see what we ought to do. Circulating a measure of this kind has a certain significance. It means that we are not quite sure about the extent of public opinion behind a measure of this nature. I do not want that particular stigma to attach to this measure which would be attached to it, if my honourable friend's motion which under the rules is a dilatory motion is to be accepted. What would happen is this that people would turn round and say that we are not quite sure that public opinion is with us. I want to assert that public opinion is with us in this measure that we duly accept the principles of this measure and we want therefore to send it to a select committee and let it take its own time. What is this measure, Mr. Speaker, that we are asking should be placed before the select committee? A similar Bill is also before the Bengal legislature and I do not know whether it is the Ministry who moved it or any private gentleman or the Government that has sponsored it and I do not know whether they have withdrawn it or circulated it for the purpose of eliciting public opinion thereon merely on the ground that the central legislature has promised to undertake legislation of this nature. We are not quite certain that legislation undertaken by the central legislature will meet the requirements of the Punjab. We are not quite certain that it will and therefore it becomes incumbent on us to hand this measure over to a select committee. Let this select committee take some time over it. No harm will thereby be done either to the provisions of this measure in the

[Diwan Chaman Lall.]

central legislature or to the provisions of this Bill or to the interests of those who want this cruel inhuman and barbarous practice to be put an end to.

This particular measure may be divided up into six portions. First of all there is the definition as to what is Phooka. Phooka is a most horrible and cruel practice by means of which milk is extracted from milch cows by methods which are barbarous.

Mr. Speaker : The matter before the House is the Rai Sahib Lala Gopal Das's motion for amendment. At this stage the honourable member should not discuss the provisions of the Bill.

Diwan Chaman Lall : I am not going into the merits of the motion at this stage. The only reason why I wanted to rise and oppose this motion for circulation, as I have already stated, was this that no object can be gained by circulating it and the result would be, as I have already stated, that a stigma would attach to this measure and the motion may be misunderstood whereas reference to a select committee would not be misunderstood because the House would be committed to the principle underlying this measure and that is the reason why without going into the merits of the measure at this stage, I wish to draw the attention of the House, through you, to the undesirability of circulating a measure of this nature and the desirability of handing it over to a select committee.

Mr. Speaker : After hearing Diwan Chaman Lall's remarks, is Rai Sahib Lala Gopal Das prepared to withdraw his motion ?

Rai Sahib Lala Gopal Das : No, Sir. I would like to press my motion.

Mr. Speaker : The question is—

That the Punjab Anti-Phooka Bill be circulated for purposes of eliciting public opinion thereon by the 1st of July, 1938.

The Assembly divided : Ayes 87, Noes 33.

AYES.

Abdul Hamid Khan, Sufi.
Abdul Haye, The Honourable Mian.
Abdul Rahim, Chaudhri (Gurdaspur).
Afzaali Hasnie, Sayed.
Ahmad Yar Khan Daulatana, Khan Bahadur Mian.
Ahmad Yar Khan, Chaudhri.
Akbar Ali, Pir.
Ali Akbar, Chaudhri.
Amjad Ali Shah, Sayad.
Anant Ram, Chaudhri.
Badar Mohy-ud-Din, Qadri, Mian.
Bhagwant Singh Rai.
Chhotu Ram, The Honourable Chaudhri Sir.
Dasaundha Singh, Sardar.

Faiz Muhammad Khan, Rai.
Faiz Muhammad, Shaikh.
Faqir Chand, Chaudhri.
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.
Few, Mr. E.
Ghazanfar Ali Khan, Raja.
Ghulam Qadir Khan, Khan Bahadur.
Ghulam Rasul, Chaudhri.

Ghulam Samad, Khawaja.
 Gopal Das, Rai Sahib Lala.
 Gopal Singh (American), Sardar.
 Gurbachan Singh, Sardar Sahib
 Sardar.
 Hans Raj, Bhagat.
 Hari Chand, Rai.
 Het Ram, Rai Sahib Chaudhri.
 Indar Singh, Sardar.
 Jagjit Singh Man, Sardar.
 Jagjit Singh Bedi, Tikka.
 Jahangir Khan, Chaudhri.
 Jalal-ud-Din Ambar, Chaudhri.
 Jugal Kishore, Chaudhri.
 Khizar Hayat Khan Tiwana, The
 Honourable Nawabzada Major.
 Manohar Lal, The Honourable Mr.
 Maqbool Mahmood, Mir.
 Mubarik Ali Shah, Sayed.
 Muhammad Akram Khan, Khan
 Bahadur Raja.
 Muhammad Azam Khan, Sardar.
 Muhammad Faiyaz Ali Khan, Na-
 wabzada.
 Muhammad Hassan, Khan Baha-
 dur Makhdum Sayed.
 Muhammad Hayat Khan Noon,
 Nawab Malik Sir.
 Muhammad Hussain, Sardar.
 Muhammd Hussain, Chaudhri.
 Muhammad Jamal Khan Leghari,
 Nawab Sir.
 Muhammad Nurullah, Mian.
 Muhammad Sarfraz Khan, Chaudhri.
 Muhammad Sarfraz Khan, Raja.
 Muhammad Yusuf Khan, Khan.
 Mukand Lal Puri, Rai Bahadur Mr.
 Mushtaq Ahmad Gurmani, Khan
 Bahadur Mian.

Muzaffar Khan, Khan Bahadur
 Captain Malik.
 Muzaffar Khan, Khan Bahadur
 Nawab.
 Narendra Nath, Diwan Bahadur
 Raja.
 Nasir-ud-Din, Chaudhri.
 Nasrullah Khan, Rana.
 Nawazish Ali Shah, Sayed.
 Nur Ahmad Khan, Khan Sahib
 Mian.
 Pir Muhammad, Khan Sahib Chau-
 dhri.
 Pritam Singh Siddhu, Sardar.
 Ram Sarup, Chaudhri.
 Ranpat, Chaudhri.
 Riasat Ali, Khan Bahadur Chau-
 dhri.
 Roberts, Professor W.
 Sahib Dad Khan, Khan Sahib
 Chaudhri.
 Santokh Singh, Sardar Sahib Sardar.
 Shah Nawaz, Mrs. J. A.
 Shah Nawaz Khan, Nawab Khan.
 Sham Lal, Rai Bahadur Chaudhri.
 Sikander Hyat-Khan, The Honour-
 able Major Sir.
 Sita Ram, Lala.
 Sohan Lal, Rai Sahib Lala.
 Sumer Singh, Chaudhri.
 Sundar Singh Majithia, The Hon-
 ourable Dr. Sir.
 Suraj Mal, Chaudhri.
 Talib Hussain Khan, Khan.
 Tara Singh, Sardar.
 Tikka Ram, Chaudhri.
 Wali Muhammad Sayyal Hiraj,
 Sardar.

NOES.

Abdul Aziz, Mian.
 Barkat Ali, Malik.
 Bhagat Ram Choda, Lala.
 Bhagat Ram Sharma, Pandit.
 Bhim Sen Sachar, Lala.
 Chaman Lall, Diwan.
 Chanan Singh, Sardar.
 Deshbandhu Gupta, Lala.
 Duni Chand, Lala.
 Duni Chand, Mrs.

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.
 Krishna Gopal Dutt, Chaudhri.
 Lal Singh, Sardar.

Muhammad Abdul Rahman Khan,	Ram Narain Virmani, Seth.
Chaudhri.	Rur Singh, Sardar.
Muhammad Hassan, Chaudhri.	Sahib Ram, Chaudhri.
Muhammad Iftikhar-ud-Din, Mian.	Sant Ram Seth, Dr.
Mula Singh, Sardar.	Shri Ram Sharma, Pandit.
Prem Singh, Mahant.	Sohan Singh Josh, Sardar.
Raghubir Kaur, Shrimati.	Sudarshan, Lala.

THE PUNJAB TENANCY (AMENDMENT) BILL.

Khan Muhammad Yusuf Khan (Rawalpindi Sadar, Muhammadan, Rural) : I beg to move—

4 P.M.

That leave be granted to introduce the Punjab Tenancy (Amendment) Bill.

Mr. Speaker : Motion moved is—

That leave be granted to introduce the Punjab Tenancy (Amendment) Bill.

Premier : I merely want to point out that there is no intention of opposing this motion.

Mr. Speaker : That stage has passed.

The question is—

That leave be granted to introduce the Punjab Tenancy (Amendment) Bill.

The motion was carried.

Khan Muhammad Yusuf Khan : I introduce the Punjab Tenancy (Amendment) Bill.

THE REPEAL OF SEDITION BILL.

Lala Duni Chand (Ambala and Simla, General, Rural) : Sir, I beg to move—

That leave be granted to introduce the Repeal of Sedition Bill.

Mr. Speaker : The motion moved is—

That leave be granted to introduce the Repeal of Sedition Bill.

Premier : I object to the leave being granted.

Lala Duni Chand : Sir, perhaps honourable members sitting on the Government benches are smelling too much in this Bill. I shall try my best to convince them that it is a perfectly innocent and harmless Bill. When the Indian Penal Code was enacted in 1860 it was not thought necessary to put this section on the statute book at that time. Lord Macaulay, one of the greatest jurists that England has produced, did not think it necessary to put this section on the statute book. It was ten years later that this section 124-A was brought forward and put in the Indian Penal Code. I know that from 1870 almost up to 1890 no use was made of this section. It practically remained a dead letter up to 1890. The first sedition case I am aware of which was started under this section was against *Bangobosi* newspaper. That was the first case started under section 124-A, and after that there was

the Tilak case. I submit that there is no use of this section in normal times and I would say there is no need for it even in abnormal times. So far as normal times are concerned, the Government has got various stronger weapons in their armoury and it is quite unnecessary to resort to section 124-A. It does not involve any overt acts. It has nothing to do with violence. All that it has to do is with freedom of speech and freedom of expression. In abnormal times the Government could not make much use of it. We know that in abnormal times thousands of people committed offences deliberately under section 124-A, but the Government could not dare to bring prosecutions under that section. Since the inauguration of the new Government, the retention of this section on the statute book has become all the more unnecessary. The Government benches are not tired of declaring again and again that since the 1st April, 1937, a truly people's Government has been established. It is the people's Government that is functioning in this country. If it is people's Government, what objection should that people's Government have to the criticisms that may be made by the people from time to time? What is sedition? It is nothing but the criticisms of the present Government. The people's Government should have no objection to that kind of criticism. If the honourable members will go into the history of section 124-A, they will find that it has undergone several changes. At one time the word 'disaffection' that is used in this section, was a subject-matter of good many legal interpretation. One school of legal thought considered that the word 'disaffection' merely meant lack of affection. If there was any lack of affection on the part of a man towards the Government, then he was guilty of sedition. That was too much to be entertained. There was an amending Act which stated that the word 'disaffection' was used in the sense of positive hostility or positive disloyalty towards the Government. I submit that interpretation put upon section 124-A has undergone different changes. What was sedition 20 years ago was not sedition 10 years ago and what was sedition 10 years ago is not sedition now. I am aware of a ruling of the Patna High Court where certain accused were acquitted on the ground that what was considered as sedition 10 years before, it was too much to say that it is sedition now. All that I want is that there should be freedom of expression and there should be freedom of speech. I am not going to ask for repeal of other laws that the Honourable Premier has got in his armoury. There is the Criminal Law Amendment Act and there are so many other repressive laws. Let him be satisfied with these laws. I may invite the attention of the Honourable Premier to one very important point. I suppose he knows that section 124-A, of the Indian Penal Code and section 108 of the Criminal Procedure Code have been repealed by the North-West Frontier Province Government. If that Government can lead the way, there is no reason why the Honourable Premier should not accept that lead. From the scientific point of view and from the popular point of view, really there is nothing that the Honourable Premier or other Government members should be afraid of. Again, this new Government has also proclaimed that so far as it is concerned, it does not stand in the way of the people giving expression to their ideas and some time the Government has laid down and very often has made a declaration that it is not going to start prosecution under section 124-A, unless there is an incitement to violence. If there is no incitement to violence, in that case, the Honourable Premier need not resort to

[L. Duni Chand.]

section 124-A. There are many other offences such as treason, conspiracy and there are so many offences in the Indian Penal Code which can protect the Punjab Government. The Honourable Premier need not be afraid on that score. I know that as there are many Bills to be taken up by the House to-day, I do not propose to make a lengthy speech, I shall content myself with what I have said.

I would say a word with regard to section 108 of the Criminal Procedure Code. An innovation has come into existence only recently in that section also. When these sections have undergone a great change, there is no reason why the Honourable Premier should not consent to the removal of these two sections from the statute-book. I shall be grateful to him if he consents to that.

Premier (The Honourable Major Sir Sikandar Hyat-Khan) : Sir, I would have been delighted to accommodate my honourable friend opposite had I been convinced that the time had come to repeal this particular section of the Indian Penal Code. My honourable friend has said that it was no longer necessary to have resort to this particular provision in the Indian Penal Code. I wish that were the case. My honourable friend must be quite ignorant of the conditions prevailing in the province or else he wants to throw dust in the eyes of others if he considers that the situation in the province is such as to make it unnecessary to have resort to these weapons. He said that they had repealed this particular provision in the Indian Penal Code in the North-West Frontier Province. I am very glad that they have done so. I am a close neighbour of the people of the North-West Frontier Province. If my honourable friend can secure for me the same conditions here and the same atmosphere, he may be sure that I would not lag behind that province in repealing that particular provision to which he objects.

Lala Deshbandhu Gupta : Join the Opposition benches and you will have similar conditions here.

Premier : My honourable friend says, 'Join the Opposition benches and you will have similar conditions here.' I wish that was true of this province and of several other provinces. My honourable friend is aware that the big brothers in other provinces have not repealed this particular provision and it is the younger brother who has done so because of the special circumstances in that province. I can assure him that people there, although they are martial in their outlook they are sturdy and physically strong, but they are also mentally much more clean than, I am sorry to say, people in several other provinces (*cheers*) and that is why the Government in the North-West Frontier Province has been able to repeal that particular provision in the Indian Penal Code.

Lala Deshbandhu Gupta : Will the Punjab Government follow if the big brothers also do the same?

Premier : I do not think I am prepared to follow anybody. I am always to give lead to other provinces. (*Hear, hear*). My honourable friend said that now we have got responsible Government and therefore it is hardly necessary to have these weapons in our armoury. Why should he object to these weapons in our armoury? If you have got a responsible

Government and a representative Government, you may be assured that these weapons will not be used unless it is absolutely necessary to use them and those cases will be most judiciously considered before they are applied to them. If you want yourself to do away with these weapons which you have got, you might find yourself in difficulty later on. My honourable friend is perfectly aware that conditions in this province, unhappily, are such that no patriotic person can look with equanimity on the prevailing conditions of this province. My honourable friend is aware of a very recent incident, to which I might refer as it has created a great deal of sensation in the province, an incident which requires the closest attention of all peace-loving citizens. The situation, unfortunately, is going from bad to worse merely because a certain section wants to force its will.

If that were to be allowed my honourable friend opposite, the mover of the Bill, will admit that all political life in this province will become impossible. Until such conditions, as I have already stated, are brought about in the province, I think it is not only futile, I would say it is criminal to ask us to amend the present law which has nothing to do with those honest political workers who go about preaching their political creed. It is merely a weapon to punish those or penalise those who do not observe the laws of the game. It is for them that these provisions are meant, and so long as those persons exist and I am sorry to say that their number is quite large judging from the various instances which I have given it would be unfair to press the Government to take that action. Everybody in this House knows that so far as the applications under the provisions of the Indian Penal Code are concerned, I have issued instructions that local authorities should not take action until they get orders of the Government and I can also assure my honourable friend that orders in these cases are passed after very careful consideration and after the Government is fully satisfied that it is necessary to apply those provisions. I can assure my honourable friends that I have dealt with dozens and dozens of such recommendations in which this particular provision is applied. The cases are rejected either by officers in between or eventually by myself, and in view of this assurance and in view of the circumstances which I have mentioned I am sure my honourable friend would not press his motion.

Mr. Speaker : The question is—

That leave be granted to introduce the Repeal of Sedition Bill.

The motion was lost.

THE PUNJAB LAND REVENUE (AMENDMENT) BILL.

Diwan Chaman Lall (East Punjab, Non-Union Labour) : Mr. Speaker, 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) : I object to the leave being granted.

Diwan Chaman Lall : Sir, the aims and objects of this measure which we are proposing have been detailed on page 2 of the Annexure attached to this Bill, and the aims are very simple. It is sought by this measure to exempt from taxation the small petty cultivating classes who are unable to bear the burden of land revenue that is at present levied from them. Further the possessor of a small income derived from other sources excepting land is exempt under the law from the payment of income-tax. The limit for taxation purposes in these cases was reduced during the depression to an income of Rs. 1,000 per annum. As far as this measure is concerned, it seeks to exempt those who have holdings of five acres of irrigated and 12 acres of unirrigated land, that is the very small cultivator in the Punjab whose holdings are such as may be considered to be practically uneconomic. This is a measure of relief which we desire to bring to the small cultivators of the province. Since this Government is a zamindara Government, I take it that it is a Government which will act in the interests of the small cultivators. But if my honourable friend's Government is a zamindara Government which acts in the interest of the big landlord, then I take it that my honourable friend's objection to the Bill would have some significance and some meaning. But it is possible that my honourable friend may say that although we are a zamindara government we do want to do good to the small cultivators of the province whose income is as meagre as about one anna a day, and if that is so, then, to ask those people, as my honourable friend is asking them, to pay taxation on this very meagre income, is equivalent to trying to extract blood out of stone. That is what is happening in the Punjab. If my honourable friend has the interests of the small cultivators at heart, I am certain he will give his blessing to this measure rather than oppose it as all such measures are being opposed by this Government at the original introduction stage. It is perfectly true that my honourable friend is going to lose a lot of money if he gives his consent to this measure. A great deal of money is going to be lost, but it is a point for my honourable friend to consider that detailed economic inquiries have shown that where the average income of a cultivator is Rs. 154 a year, economists consider it to be the bare, not subsistence allowance, but bare starvation allowance for the cultivator and his family. In the Punjab I submit, although the province may be getting richer, which is doubtful, yet the actual cultivator is a very indigent person whose income, as I have already stated, may be said to be one anna per day. I ask my honourable friend if his fear is, as is naturally thought, that a great deal of revenue will go out of the hands of the Government as a result of this remission given to the cultivator classes of the lower grade, then, is it not for him to find ways and means of taxing the richer classes who can bear the burden of taxation? It cannot be denied that there are avenues of approach in the matter of taxation which have not been tried by this Government or by its predecessors. It cannot be denied that the avenues of approach, if therefore tried by him, will yield the necessary amount of taxation for the purpose of carrying on the Government of this province. If his arguments which he will possibly advance on the floor of this House have any significance on the ground that this Government is a zamindara Government then those arguments can only be accepted if he believes in the principles underlying this measure. I want to ask my friends, those

great champions of the zamindar class who sit there behind my honourable friend, who day in and day out talk about rural interests, the interests of the small cultivator, I want to ask them when the voting takes place to walk with me to the lobby and support the measure which is calculated to protect the interests of the small cultivators. My honourable friends are always willing to say, we have the interests of the small cultivating classes at heart. They have a very large heart, Mr. Speaker, and that interest seems to get lost in the folds of that great heart. They are quite ready to pass resolutions to show that they support the interests of the small cultivators of the Punjab. But have they any real sympathy with the poor cultivators? Nothing of the kind. The present Government is a Government that looks after the interests of big landlords, of rich industrialists, of the bankers of this province, and it only pretends to look after the interests of the small cultivating class.

The Honourable Chaudhri Sir Chhotu Ram who has been saying time and again in his speeches, 'I am a poor man, I know about the woes of the poor man,'—let me ask my honourable friend what he has done during the solid year that he has been in office to protect the interests of the small man? (*Interruption*). I hear a sort of murmur from my honourable friend just now 'more than you have done,' (*Interruption*) 'more than what the United Provinces have done'. I am holding no brief for the United Provinces at the present moment. When my honourable friend says that he has done more than what the United Provinces have done, I challenge him now to tell me what during this one year he has done for the poor cultivating classes in the Punjab. Let him get up—or let him through one of his colleagues—as he cannot speak under the ruling you have given—let him through his colleague, the Honourable Revenue Minister, explain to us what he has done in the interests of the poor man, for the poor cultivating classes in whose interests this measure is being brought. It is all very well, Mr. Speaker, for honourable members on the Treasury benches to talk about the interests they have evinced and they are evincing for the cultivating classes in the Punjab. The substance of it all boils down to this, that honourable members get the highest salary paid to any minister throughout India. (*An honourable member*: Throughout the world.) My honourable friends are drawing to-day what in the olden days the Prime Minister of Great Britain used to get and this is the manner in which they are wanting to protect the interests of the small cultivating classes. My honourable friends can talk a great deal about it, but when the occasion comes for testing them, then they will be found wanting and if they deny that fact let them vote for this measure, let them support this measure and prove to the country that they are quite willing to protect the interests of the small cultivating classes.

Mr. Speaker, I have already dealt with the reasons for bringing this measure before the House. I have already stated that if it is a question of money my honourable friend can find money elsewhere by taxing the richer classes. Let me assure my honourable friend there is not one man sitting on these benches who has some sort of stake in the country, who would not welcome high taxation of the richer classes, both agricultural and otherwise (*hear, hear*) in the interests of the poorer classes. We will

[Diwan Chaman Lall.]

give my honourable friend every support that he desires if he has the courage to bring forward that taxation, for, that taxation would mean taking money out of their own pockets, out of the pockets of their supporters, out of the pockets of the big landlords and the rich industrialists who form the zamindara Government of the province. Therefore, you may take it from me that such measures will never be sponsored by my honourable friends opposite. But what they will do is this, oppose measures for the benefit of the smaller working classes of the Punjab, whether they are industrial or agricultural. Here we have this particular class of holders of land of 5 acres irrigated, holders of land of 12 acres unirrigated, who get a starvation living out of their holdings and I am asking my honourable friends not to burden these particular classes with further taxation but to take courage in their hands and remove this burden from their shoulders to the greater glory of the people of the Punjab. (*Hear, hear*).

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia) : Sir, with the eloquence of my honourable friend opposite I, a poor undergraduate, have no comparison. (*An honourable member* : Let him have a rich heart. But as regards my sympathy with my brethren, the poorer classes, I may make mention of one or two points that require consideration by my friends opposite.

Dr. Sir Gokul Chand Narang : On a point of order. What is the meaning of addressing the chair ? Does it mean that the face of the speaker should also be turned to the chair ? Because if he does so, we on this side can hardly hear him. (*An honourable member* : Why is he anxious to see the face of the honourable member ?) (*Laughter*).

Mr. Speaker : I hope the honourable members will agree that I also am entitled to hear the speaker. (*Laughter*) "Addressing the chair" does not mean that the speaker must face the chair, when speaking. The chair has to be addressed only formally. I may be allowed to add, however, that if the honourable members are anxious to hear the Revenue Minister, they will allow me also to enjoy the advantage they claim for themselves.

Minister for Revenue : I am obliged to you for giving me permission to speak to the other side of the House as well, because I was afraid of being pulled up by you sometimes. (*Laughter*).

Mr. Speaker : Of course. If the honourable member does not address the chair, he will be pulled up. (*Laughter*).

Minister for Revenue : With all my sympathy for my poorer brethren who have to till the land and eke out their living, I want my honourable friends opposite and the mover of the motion to realise what will be the effect if to-morrow all these holdings are split up into smaller fragments against which we have been fighting in the past. There in the consolidation of holdings a good deal of money has been spent, to bring about consolidation of holdings which have undergone fragmentation by the breaking up of bigger holdings on the death of the owner and which have thus become uneconomic. Where will be the end to this fragmentation if we put a limit to the holdings to make them free as my honourable friend has proposed ?

The second thing I want to point out is that we have appointed a committee which is presided over by Mr. Darling and which has been going about the country collecting evidence and taking all precautions to see what is the best method of dealing with the situation. With your permission I may read the terms of reference to that committee—

Whether a practicable scheme can be devised by which the principles of income-tax assessment can be applied to the assessment of land revenue and in particular whether all or any of the following incidence of income-tax assessment are capable of adoption:—

- (a) minimum below which the net assets of land shall not be liable to assessment.
- (b) an estimate of net assets for every revenue payer, a graded scale—mind you this is the particular point I want my honourable friends to keep in mind—a graded scale of assessment the rate increasing with net assets, a special rate of assessment on incomes—

Another point which I want my honourable friends to keep in mind—

Exceeding a certain sum on the analogy of super-tax and the rates of assessment to vary from year to year according to the legislation embodied in a Finance Bill.

This is the reference to that committee and I claim that this is a wide enough reference to include every sort of enquiry that can be made to give relief to my brethren who happen to possess a smaller area of land. The mover of this motion wants to anticipate the findings of that committee and it is on that score that I object to this Bill being taken into consideration at the present juncture. There may be time after the committee has made their report and after that report has been taken into consideration to bring in a measure of this kind for the relief of smaller people who will be affected by this Bill.

Diwan Chaman Lall : By that time the Government will have resigned.

Minister for Revenue : No.

Dr. Shaikh Muhammad Alam : Turned out.

Minister for Revenue : My honourable friend may rest assured that we will not be interrupted in our programme and we will go very carefully into the report of the committee and if necessary take all steps for the relief of the poor agriculturists. Their relief is absolutely necessary. I admit that and I hope the time will not be far off when we will be able to give relief to these brethren of mine who happen to own small areas.

Dr. Shaikh Muhammad Alam : May I ask a question through you, Sir?

Minister for Revenue : I am not going to give way.

Dr. Shaikh Muhammad Alam : You never do it.

Minister for Revenue : I will not.

Dr. Shaikh Muhammad Alam : You dare not.

Minister for Revenue : I may tell my friends who say that this Government is only meant to look after the interests of the bigger zamindars, that the total number of people who are paying revenue above Rs. 500 is only 2,620 out of about 84 lakhs of people who pay land revenue. Is it then correct to say that this Government is for the purpose of affording relief to only 2,620 people? We are here to look after the interests of people who are small land-owners and to whom our heart goes out in sympathy.

Dr. Shaikh Muhammad Alam : For neither of them.

Minister for Revenue : My friend says neither, because his pockets are full and because they are filled by these people. That is why he says neither. I may assure my honourable friends and I trust that they will believe me that it is not for the bigger zamindars that we are here. We are here for the zamindars as a whole and we will do our best to afford help and relief wherever it is possible for us to do. During the discussion on demands I think I gave sufficient evidence of what we have been able to do for the zamindars of this province and I do not think I will be justified in repeating what I said only two days back on the subject. I believe the House knows of the sympathy, the practical sympathy, we can give to the peasant. It is not the lip sympathy and it is not the kind of sympathy which some people have got for the zamindar classes. We have here petty zamindars, small zamindars who have small bits of land of their own and take other bits to eke out a living, while in the United Provinces there are big zamindars, a province where the eyes of my friends are always fixed. There they are always trying to bring big zamindars to the low level of the zamindars here. I have no quarrel with them there and my duty here as Minister in charge of the Department and as a representative of the people who have sent me to this House is to see that my friends who have a small area of land and who eke out their living somehow or other are properly looked after and their interests are safe-guarded. First of all, we do not know what will be the effect of this measure on the provincial finances. My honourable friend has anticipated me in this matter.

Mr. Speaker : Please avoid repetition.

Minister for Revenue : I am simply giving reasons and arguments to meet the reasons advanced by my friend on the subject. We have to look to that side of the question as well, when we look to the interests of the smaller fry. It is on that score that I object to the Bill being taken up now. There will be time enough for us to take up such a measure later on after the report of the committee is in our hands.

Mr. Speaker : The question is—

That leave be granted to introduce the Punjab Land Revenue (Amendment) Bill.

The Assembly divided : Ayes 33 ; Noes 85.

AYES.

Abdul Aziz, Mian.
Barkat Ali, Malik.
Bhagat Ram Choda, Lala.
Bhagat Ram Sharma, Pandit.
Bhim Sen, Sachar, Lala.
Chaman Lall, Diwan.
Chanan Singh, Sardar.
Deshbandhu Gupta, Lala.
Duni Chand, Lala.
Duni Chand, Mrs.
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.
Krishna Gopal Dutt, Chaudhri.
Lal Singh, Sardar.
Muhammad Abdul Rahman Khan,
Chaudhri.
Muhammad Alam, Dr. Shaikh.
Muhammad Hassan, Chaudhri.

Muhammad Iftikhar-ud-Din, Mian.
Mula Singh, Sardar.
Partab Singh, Sardar.
Raghubir Kaur, Shrimati.
Rur Singh, Sardar.

Sahib Ram, Chaudhri.
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 (Gurdas-
pur).
Abdul Rahim, Chaudhri (Gurgaon).
Afzaalali Hansie, 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.
Balbir Singh, Rao Bahadur Captain
Rao.
Bhagwant Singh, Rai.
Binda Saran, Rai Bahadur.
Chhotu Ram, The Honourable
Chaudhri Sir.
Dina Nath, Captain.
Faiz Muhammad Khan, Rai.
Faiz Muhammad, Shaikh.
Faqir Hussain Khan, Chaudhri.
Farman Ali Khan, Subedar-Major
Raja.
Fateh Jhang Singh, 2nd-Lieut.
Bhai.
Fateh Khan, Raja.
Fateh Muhammad, Mian.
Fateh Sher Khan, Malik.
Fazl Ali, Khan Bahadur Nawab
Chaudhri.
Fazal Karim Bakhsh, Mian.
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.
Het Ram, Rai Sahib Chaudhri.
Indar Singh, Sardar.
Jagjit Singh Man, Sardar.
Jahangir Khan, Chaudhri.
Jalal-ud-Din, Amber, Chaudhri.
Khizar Hayat Khan Tiwana, The
Honourable Nawabzada Major.
Manohar Lal, The Honourable Mr.
Maqbool Mahmood, Mir.
Muhammad Azam Khan, Sardar.
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 Jamal Khan Leghari,
Nawab Sir.
Muhammad Nurullah, Mian.
Muhammad Sarfraz Khan, Chaudhri.
Muhammad Sarfraz Khan, Raja.
Muhammad Wilayat Hussain Jeelani,
Makhdumzada Haji Sayed.
Mushtaq Ahmad Gurmani, Khan
Bahadur Mian.
Muzaffar Khan, Khan Bahadur
Captain Malik.
Muzaffar Khan, Khan Bahadur
Nawab.
Narendra Nath, Diwan Bahadur
Raja.
Nasir-ud-Din, Chaudhri.
Nasrullah Khan, Rana.
Nawazish Ali Shah, Sayed.
Pir Muhammad, Khan Sahib Chau-
dhri.

Pritam Singh Siddhu, Sardar.
 Ram Sarup Chaudhri.
 Ranpat, Chaudhri.
 Riasat Ali, Khan Bahadur Chaudhri.
 Ripudaman Singh, Thakur.
 Roberts, Professor W.
 Sahib Dad Khan, Khan Sahib Chaudhri.
 Santokh Singh, Sardar Sahib Sardar.
 Shah Nawaz, Mrs. J. A.
 Shah Nawaz Khan, Nawab Khan.
 Sham Lal, Rai Bahadur Chaudhri.

Sikandar Hyat-Khan, The Honourable Major Sir.
 Sita Ram, Lala.
 Sultan Mahmud 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.
 Walli Muhammad Sayyal Hiraj, Sardar.

At this stage Mr. Speaker left the chair and it was occupied by the Deputy Speaker.

THE PUNJAB HEALTH INSURANCE BILL.

Diwan Chaman Lall (East Punjab, Non-Union Labour): Sir, I beg to move—

That leave be granted to introduce the Punjab Health Insurance Bill.

Deputy Speaker : Motion is—

That leave be granted to introduce the Punjab Health Insurance Bill.

Minister for Education : I object to leave being granted.

Diwan Chaman Lall : My honourable friend, as he did on a previous occasion, objects to leave being granted to consider this Bill. I need not at this stage, in view of the other measures that are before us, dilate at length upon the necessity for a measure of this nature except to say one or two things which I think would be of interest and guidance to honourable members when they consider this problem afresh. One of the things is this that a committee set up by the previous Government came to the conclusion that a measure of this nature might be tried. I see no reason why, to assure the health of the province, steps should not be taken in pursuance of this legislation which I am moving before the House to-day. This measure seeks to create an insurance fund to be subsidised by the State to a certain extent, but principally to be subsidised by the employer and the worker. It has a limited scope and the object is that some measure of medical relief should be made available free of charge on a large scale to those persons who to-day are unable really to support themselves in case they want medical relief. Insurance against sickness is the principle underlying this measure, that is to say if a worker falls ill during the course of occupation he will be able to obtain subsistence allowance and he will be able to obtain a certain amount of medical relief out of this fund, and doctors will be provided as they are provided in Great Britain under the panel system. I may add that the President of the Indian Medical Association has given his blessings to a measure of this nature. Both in the interest of the medical profession as well as in the interest of

5 P.M.

the physique of the people the President of the Indian Medical Association has found it necessary to give support to a measure of this nature. The health of the province, Mr. Speaker, needs very careful investigation by competent authorities. It is gradually deteriorating. The appalling figures of venereal disease and the appalling figures of tuberculosis are such that unless the State takes a hand to provide medical relief under an insurance scheme. I am afraid we shall tread the path of extinction as a virile race.

Now the second principle underlying the measure is that it is a compulsory measure. Every person in certain occupations would be compelled to contribute towards this fund for the purpose of creating a health insurance scheme which would be available to those who are members of the fund. There are other measures which other countries have adopted; but this measure is of a compulsory nature. If this measure is accepted by the Government I see no reason why they should not accept this scheme; if it is not acceptable to Government then this compulsory scheme could be altered by them into a voluntary scheme for a trial period. Personally I am against all voluntary schemes. No good in the present circumstances can be done by hoping for the best. This seems to be the motto of the members opposite to hope for the best and to wait until something turns up which may compel their hands to do something. I want them to take this measure, consider it carefully come to a definite conclusion, set up an expert committee—if they like, a select committee—and let that committee examine it from an expert point of view both financial and medical. What I have against my honourable friends is that they do not even consider a measure of this nature. May I ask my honourable friends, suppose leave is given to consider this measure, suppose this measure is introduced. Suppose this measure goes to the select committee or is circulated for eliciting public opinion thereon, what would my honourable friends lose? If these steps are taken and if they find that they cannot thereafter support the measure, opposition can be raised by them at that stage; they will lose nothing—neither money nor prestige. We would have an advantage if these steps are taken, we would be able to see how public opinion reacts towards a measure of this nature and we would be able to gather expert opinion in regard to this measure, and would be able to consider the implications of such measures as are to be found in other civilised countries of the world and draw the necessary inspiration, and guidance from the experience of those countries. But this *non-possumus* attitude on the part of the Government, I fail to understand. Even their predecessors the great bureaucracy were not quite so hard-hearted (*hear, hear*) and would allow non-official measures to be considered on the floor of the House, send them up for eliciting public opinion or refer them to select committees, and then at the final stage the bureaucracy used to take necessary steps; if they did not agree with the provisions of the measure either to promise their own measure or else to reject the measure. But my honourable friends go a step further than the dictators of the old period. Under the new dictatorship the Unionist party considers that no useful purpose can be served by discussing a measure of this nature either on the floor of the House or amongst the public. That is my complaint against them. I have not the slightest doubt that if

[Diwan Chaman Lall.]

honourable members instead of merely opposing a measure of this nature were to consider the social problems carefully with the eyes of experts, with knowledge behind them and with the desire—which is the most important thing—to do good to the province they would adopt the method I am suggesting should be adopted ; but I am sorry to say that honourable members opposite have either not given due attention to a measure of this nature or have not considered their own responsibility towards the health of the people of the province and therefore they have taken this step in the past which they are taking now, namely opposing at this stage to leave being given. I do submit that it is possible my honourable friends may raise a plea that there is not enough money for such purposes—it is possible. Then I would submit that is again a problem in regard to which my honourable friends would be able to gain a great deal of experience, a great deal of knowledge and a great deal of light, if they would allow public opinion to react towards the measure, if they allow a committee to be set up—a select committee let us say—which would go into the measure and suggest, if the funds available to the Punjab Government are not sufficient, a voluntary scheme which might be acceptable to my honourable friends. Under a voluntary scheme there is no possibility of my honourable friend putting his hand in his own pocket and drawing out some money for the purpose of this scheme. It would be left to the people who join this particular scheme, when they provide necessary funds for it. Why cannot my honourable friend allow this measure to be debated on the floor of the House and allow this particular step to be taken at that stage when he finds that the funds required for a scheme like this are beyond the competence of the Punjab Government? I have not been able to get a reply so far. I shall wait with great anxiety to hear the speech of my honourable friend and to understand the position. Is he or is he not willing to accept this measure? This measure is a measure which is found in operation in many civilised countries. This measure is a measure which will alleviate the conditions of the poverty-stricken masses of the Punjab.

One word more before I sit down. Some misunderstanding arose on the last occasion regarding the report of the Royal Commission on Labour with regard to this particular measure. May I remind my honourable friends that there has been a misreading of that report. The committee set up by the predecessors of my honourable friends, did actually recommend the consideration of a measure like this. Even the bureaucratic Government of the olden days—because to-day also we are under the regime of that Government—even the bureaucratic Government of the olden days recommended that such a scheme should be considered and might be feasible. When this measure has been carefully considered, I do not see any reason why it should not come before a select committee for expert analysis of the problem and then let my honourable friends over there take this attitude of opposition if they so choose? But until that stage is reached, any opposition to this measure speaks the mind, which is absolutely deaf to all appeals for the betterment of the people of this province. (*Cheers.*)

Minister for Education (The Honourable Mian Abdul Haye): Sir, it was nearly two months back, in January last, that a Bill somewhat of similar nature was sought to be introduced by the Honourable Leader of the Opposition. That child was accompanied by the adopted father, as I described him on that day, but to-day the child is accompanied by the natural father. I, however, regret that I must refuse its admission and in doing so I have no desire to traverse the grounds which I covered on the last occasion. I would briefly indicate my points on the basis of which I oppose this motion. The first and the foremost is that before we undertake a legislation of this nature we must have before us the relevant material and relevant data. We have not got that relevant data before us and this is one of the difficulties, which was pointed out in the report of the Royal Commission on Labour. Secondly, even if we have a relevant data and material before us we have not got an estimate of cost. If it is intended that by virtue of a legislation of this nature the agriculturists should also benefit, my submission is that the cost would be exorbitant and we have not got available funds. I may point out to the honourable member, that a measure of this nature will not accrue for the benefit of the agriculturists in this province, because the Punjab is the province of peasant proprietors and home industries. In the case of peasant proprietors and home industries, the employer and the employed is usually the same person. I have also indicated on a previous occasion that, besides, the Royal Commission on Labour, whenever and wherever this matter has been given consideration, the result has always been that in India, none of the provinces can afford to contribute towards a scheme of this nature. I refer to Mr. Hingorani, who was very keen about this matter and who adumbrated his scheme before the members of the House of Lords and the House of Commons in England and when that scheme was sent to India, the conclusion to which various provinces in India came was that they had not the requisite funds. Then, Sir, I may also point out that recently Mr. Harold Butler, Director of National Labour Office, who came to India on tour, after going to various provinces, came to the conclusion that in the present state of things in India, a legislation of a progressive nature was not possible. If, however, some other scheme on a voluntary basis, provided it would not involve great expenditure on the part of this Government, is brought forward, I shall be very glad to give my earnest consideration. From this let it not be understood that we are forgetful of our duty towards labourers. I may point out for the information of this House that recently we have issued orders and we have taken a big step for expanding the sphere of industrial hygiene work. The Punjab Government has now appointed municipal and district board medical officers of health as additional factory inspectors all over the province and they are required to inspect and visit those factories and mines and render assistance. In this connection good work is being done. A specially trained officer of the Public Health Department has been deputed to supervise the work of those health officers so far as factories and mines are concerned. A fair idea of the degree to which the work in this sphere has now been extended during the past year can be obtained from the following figures, namely, that in 1936, only 17 factories were inspected by health officers. But in the last year, 1937, the number of factories which have been inspected, is no less than 186. With these words I oppose the motion.

Deputy Speaker : The question is—

That leave be granted to introduce the Punjab Health Insurance Bill.

The motion was lost.

THE PUNJAB PROHIBITION OF MALBA BILL.

Lala Duni Chand (Ambala and Simla, General, Rural) : Sir, I beg to move—

That leave be granted to introduce the Punjab Prohibition of Malba Bill.

Deputy Speaker : Motion moved is—

That leave be granted to introduce the Punjab Prohibition of Malba Bill.

Minister for Revenue : Sir, I object to leave being granted.

Lala Duni Chand : Sir, I may at the very out-set invite the attention of the House to the statement of objects and reasons in which I have said as follows :—

It is widely felt grievance of agriculturists all over the Punjab that Malba which is neither sanctioned by any law nor rule is realised in every village and the refusal to pay it is punished by the officials in many ways. The Government members have been forced when questioned in the Legislative Assembly to admit that there is no legal sanction behind the realisation of Malba and that it is only recognised by practice. The large sums of Malba that are realised all over the province are spent on doubtful and even objectionable purposes. All efforts of the Opposition in the present Assembly have failed to persuade the Government to take stringent measures to stop this illegal exaction. It is necessary that the agriculturists whose plight is very miserable should be relieved from this unjust burden. The demand is being made in all the rural constituencies for abolition of the practice of levying and realising Malba. It is in the fitness of things that the proposed Bill should become law of the land at the earliest.

Sir, the Government may be able to throw dust in the eyes of the people of this province regarding other matters, but it will be impossible for them to throw it in regard to this matter. Just a short time ago the Honourable Premier showered an amount of assurances upon us. I assure the honourable Government members that we are not going to accept any of those assurances unless they are accompanied by some tangible act. Ever since the inauguration of the present Government in office this question has been agitated on the floor of this House. In the first meeting of the Assembly this question was raised in exercise of the right of interpellation. I invite the attention of the Honourable the Revenue Minister to question *24¹ that related to this matter. As many as 24 or 30 supplementary questions were put, and as many as a dozen or more members took part in asking those supplementary questions. That shows the amount of feeling that has existed from the very beginning on this question and that feeling has been exhibited from time to time. Sardar Hari Singh and several other members have been agitating this question on the floor of this House, but the replies of the Government Members have been characterised always either by evasiveness or by denial of truth (*A voice : Question*). They seem to be ignorant of the feelings that exist in the province regarding the levying of this illegal exaction. Two positions have been taken up by Government which have failed to convince the House. The Honourable the Premier has got up and has tried to show the reasons for the levying

of malba. He has told us that undoubtedly there is no law sanctioning the levying of malba, but there is the practice and usage behind it. I want to tell him that it is the first duty of a legislature to abolish all those usages and practices that are immoral and that are very bad. Even the customary law does not recognise those customs which are immoral or unjust. It is the function of a legislature to abolish by law all such usages and customs in this country. There was the custom of *suttee*. (A voice: Does he mean that that was abolished by law?) There are many other immoral and unjust practices which have been abolished by law. The other argument is that the people freely contribute to the malba. Let the Government in its own way test the willingness of the people. It will be very easy to find that out by circulating this Bill for eliciting public opinion. It will be very easy to get the opinion of the people of villages whether they are prepared to contribute to this fund. I do know that a cry will come from every part of the province that they are not prepared to tolerate it any longer.

I have given an unanswerable answer to the two positions that have been taken up by the Government. They can neither take shelter behind the ancient custom nor can they take support from the statement of a willing contribution to the common fund. There are two kinds of malba that are realised. There is one kind called *kutchra* malba and it is distributed whenever a particular sum is required for any purpose, whether doubtful or objectionable, and people are forced to contribute to it and the sum is distributed among all. There is another kind called *pucca* malba. As regards that a particular percentage on the land revenue is fixed and that percentage is realised from all people by force. The Honourable the Minister for Revenue has been saying very often that no complaints have been made regarding the malba. The truth of the matter is that he does not want to take any cognizance of the petitions, complaints and grievances that are brought to his notice and to the notice of his subordinate officers from time to time. I have given an indication of the feelings of the House when first this question was agitated on the floor of this House and a very large number of members of the House took part in asking the supplementary questions. This Bill is the touchstone on which we want to test the good faith and the sincerity and the earnestness of the Government members. Therefore I do not want to prolong my speech. I want that their earnestness and their good faith may be put to the test. From my own point of view this is a kind of Magna Charta for the agriculturists. The Government members have been saying, 'we are putting so many crores of rupees into the pockets of the agriculturists.' You are taking a few lakhs every year in the form of malba. Let us see whether you are going to give up this sum of a few lakhs to the agriculturists for whom you have been showing so much interest.

I hope that the House will grant me leave to introduce this bill.

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia): I need not take much time of the House because this very question was discussed only a few days ago on the floor of this House during the discussion on demands. My friend has just now said that Government takes this money into its own pockets. I do not know where that information is from. He said that Government takes this cess from the zamindar,

[Minister for Revenue.]

but my friend knows very well that he is on very weak grounds when he makes a charge against the Government. Government has nothing to do with this matter as regards the collection of a common cess which is a sort of customary thing which has been going on for ages and which my friend the proposer of the Bill wishes to take away. He has been telling this House that thousands of applications have been sent to me. I told him the other day that no applications had been received by me and that they must have been received by the settlement officers wherever the settlement is taking place. It is for the people of the villages to say that they are against the imposition of a cess which is gathered under section 3 (10) of the Land Revenue Act, which I read out the other day to the House. It is for them to say whether they want the cess to be continued or not. It is not for the Government to say, but it is for the village people to make a request to the settlement officer.

Deputy Speaker : It is now 5-30 p. m. The Assembly will now take up the motion for adjournment.

MOTION FOR ADJOURNMENT.

EXTERMENT OF MR. A. K. GHOSH.

Sardar Sohan Singh Josh (Amritsar North, Sikh, Rural) (*Punjabi*) :
I move—

That the Assembly do now adjourn.

The adjournment motion that I wish to place before the House relates to the order of the Punjab Government served on Ajoy Kumar Ghosh under section 3 of the Criminal Law Amendment Act of 1935. It was served on Ajoy Kumar Ghosh on March 27, 1938, between 10 and 11 A. M. After the service of this order Mr. Ghosh spontaneously remarked : " This is the Punjab ; this is the Unionist Government." By saying this he meant that the action of the present Government had reminded him of the Martial Law days when it used to be said ironically : " This is the Punjab ; outsiders not allowed." By this remark Mr. Ghosh implied further that he found absolutely no difference between the Punjab of to-day and the Punjab under the Martial Law. Sir, this is the text of the order :—

Order under section 3 of the Punjab Criminal Law (Amendment) Act, 1935.

No. 9. (18) S. B., whereas in the opinion of the Governor of the Punjab there are reasonable grounds for believing that Ajoy Kumar Ghosh, son of Sachindra Nath Ghosh, of Roti Godown, Cawnpore, has acted and is about to act in a manner prejudicial to the public safety or peace, or in furtherance of a movement prejudicial to the public safety and peace.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Punjab Criminal Law (Amendment) Act, 1935, the Governor of the Punjab is pleased to direct that the said Ajoy Kumar Ghosh shall, before the expiry of 24 hours from the time of the service of this order, remove himself from the jurisdiction of the Province of the Punjab and shall not return thereto ;

And, further, in exercise of the power conferred by sub-section (2) of section 3 of the said Act, the Governor of the Punjab is pleased to direct that this order shall remain in force for a period of 12 months.

By order of the Governor of the Punjab,

J. D. PENNY,

Chief Secretary to Government, Punjab.

DATED LAHORE :
The 18th February, 1938.

Now, it is particularly interesting to observe that this order which was served on Mr. Ghosh on the 27th of March was actually issued on 18th February, 1938. It is a fact that on the 18th of February Mr. Ghosh was in Bombay serving, as usual, the cause of the labourers. I wonder, therefore, whether the Punjab Government had dreamt a dream about his prospective visit, so that they had an order of extermination ready in hand before Mr. Ghosh had even thought of coming to the Punjab. This case, at least, throws some light on the way the Government machinery moves in this province.

May I quote a few extracts from the statement issued to the Press by Mr. Ghosh immediately after the service of this order. He said :

"On the face of it the order is absurd. On the 18th February when the order was issued I was in Bombay and had no intention of coming to the Punjab. Yet the Punjab Government by some mysterious process came to the conclusion that I was a danger to public peace and shall not be allowed to stay in the Province.

"I have no doubt that the order is meant to convey a threat to all socialists who are coming to the Punjab in connection with the All-India Congress Socialist Party Conference. No socialist, no self-respecting man, can obey such outrageous and absurd orders. I have, therefore, decided to defy the order and face the consequences. The Unionist Government hopes to isolate Punjab from the progressive forces outside the province by these methods. It is very much mistaken if it thinks that it can succeed....."

These are some of his observations and before he left he talked to me in a similar vein. I beg to submit that Mr. Ghosh is not an ordinary man. He is a socialist leader, a genuine friend of the field and factory workers. In Cawnpore every child knows him and loves him. He is a prominent member of the Congress and is a great asset to the Congress Socialist Party. He is on the editorial staff of a well-known Bombay Socialist paper called the "National Front". This means that he can go to Bombay whenever he likes and that the Government of that presidency does not regard his presence as prejudicial to public peace. The United Provinces Government apparently holds the same view about him, because it allows him full freedom to go and live in his native place, Cawnpore. Even in Bengal the Government of Mr. Fazl-ul-Huq does not place any restrictions on his movements whenever he goes there. An Honourable Minister was just saying that the Punjab gives a lead to other provinces. My submission is that the Punjab does give a lead, but only in the matter of tyranny and repression, as is amply borne out by the treatment meted out to Mr. Ghosh.

(At this stage Mr. Speaker resumed the chair.)

Now, I beg to submit the reason why Mr. Ajoy Kumar Gosh came to the Punjab. He was one of those political workers who had been implicated in the Lahore Conspiracy Case. It was the same case in which the late lamented Sardar Bhagat Singh, Mr. Dutt and their other comrades were involved. Later on Mr. Ghosh was declared by the Tribunal not guilty of the offence alleged to have been committed by him and was released. Mr. Ghosh had certain objectives in paying his recent visit to the Punjab. Firstly, he intended to renew his friendship with his erstwhile colleagues and old comrades. Secondly, he visited the Punjab to make propaganda work in favour of the All-India Congress Socialist Party Conference which is going to be held in Lahore on the 11th, 12th and 13th instant. He wanted to make it a success. Moreover, it was his intention to bring about unity amongst the socialist workers of the Punjab. These were the main offences

[S. Sohan Singh Josh.]

of Mr. Ajoy Kumar Gosh which inspired terror in the mind of the present Government and which resulted in serving an externment order on him. It is a great pity that the present Government, in order to curtail the civil liberties of the political workers resorts to such drastic measures. I would like to submit that ever since the inauguration of the new Reforms such notices and externment orders have become a matter of daily occurrence. Is it not strange that in 1935-36, when the white bureaucracy was at the helm of affairs only one political worker Massani by name was externed from the province, while in the regime of the Unionist Government some eight or nine men have been externed from the Punjab since April, 1937, last? I fail to understand the reason why the present Unionist Government has unnecessarily become so touchy in the matter. I submit on the strength of my personal knowledge and observation that a great many orders of externment have been served on political and social workers since 1st April, 1937. In the Simla session also I had vehemently protested against the action of the Government taken against Mr. S. V. Ghate. Although the poor fellow is a midget and is hardly 5 feet high, yet our all powerful Government was so much afraid of him that it served him with an order of externment to keep him off from the Punjab. But as soon as Mr. Ghate reached Lahore he was arrested and interned in the Lahore Fort. Later on he was sent off to Delhi by train. There is another instance worth citing. Sometime ago Mr. Karam Singh Dhoot was rotting in jail. On the occasion of the last budget session held at Simla the Government promised to release certain political prisoners of the Punjab. As a result of the promise Mr. Karam Singh Dhoot, the state prisoner, was released no doubt, but he too was served with an order of externment and made to quit the Punjab within 24 hours. It is said that at present the poor fellow is whiling away his time in Delhi. Then, there is another instance of Mr. Bhagwan Singh Longowalia. He had been doing very useful work in connection with the Riasti Praja Mandal for the last ten years in the Punjab. He was also excluded from the province at the instance of some wirepullers. Again, Mr. Dulla Singh, a state subject of Patiala, also fell a victim to the caprice of the present Government. I hope the honourable members of this Assembly have not yet forgotten the treatment meted out to Professor Ranga by the Government. In February last my honourable friend, Sardar Hari Singh moved an adjournment motion in the House to discuss a matter of urgent public importance involved in the externment of Professor Ranga from the Punjab. I would like to submit another instance in this respect. A similar order has been recently served on Shrinati Satyawati to the effect that she could not enter the jurisdiction of the Punjab.

Sir, my humble submission is that the Criminal Law Amendment Act was enacted simply to meet an emergency, i.e., to say, to suppress the civil disobedience movement. Later on in 1935 it was further amended. We were under the impression that the Unionist Government, which is always boasting of being a popular and national Government, would make this Act a dead letter and would never make use of any of its clauses against political workers holding different views from them. We had thought that the so-called representative Government of the Punjab would never deem it fit to resort to such repressive measures under this Act. But to

the contrary it has brought into operation those worm-eaten Acts which had been lying under the heap of official files and which had not been used so freely even by the previous Government.

I would like to inform the House that last night Mr. Jalal-ud-Din Bokhari—a congress socialist worker from Bombay—was also arrested and I think Mr. Usaf Mehr Ali has also met the same fate. Although the latter was due here to-day yet we find that he has not reached Lahore so far. So this is the way in which the present Government imposes restrictions on the free movements of the political workers. Does it in the circumstances lie in the mouth of the Unionist Government to proclaim from the house tops that it places no restraint on the civil liberties of any individual? With these words, Sir, I commend my motion to this House for acceptance.

Mr. Speaker : Motion moved is—

That the Assembly do now adjourn.

Lala Deshbandhu Gupta (South-Eastern Towns, General, Urban) : In seconding the motion that has been moved by my honourable friend Sardar Sohan Singh Josh, I am reminded of an Urdu couplet—

نہ تپچے کی اجازت ہے نہ فریاد کی ہے
گھت کے مر جاؤں یہ مرضی میرے صیاد کی ہے

In this couplet I think the policy of the Unionist Government which they have been following for the last one year has been aptly described. Day in and day out we find that the Honourable Premier has been issuing, as he has admitted to-day on the floor of this House, internment orders, externment orders and sanctioning prosecutions without number. We do not know how long this ugly state of affairs will continue. The only justification for such externment and internment orders can be that a real emergency exists in the province. I want to know whether Government is prepared to confess that there has been a constant state of emergency existing in this province for the last 12 months. They should know that emergency ceases to be an emergency if it becomes a permanent feature. It will only show that the Unionist Government is not competent enough to manage the affairs of this province, if they continue to have recourse to these emergency measures every day (*hear, hear*). Let them admit their failure to manage the affairs and we will have no quarrel with them. These persons who are sought to be turned out of the province or interned in the Punjab, it is an open secret, that they have brought no trouble to other provinces, where they can move about and work freely. Leave aside the Congress provinces, there is Bengal, there is even Sind a minor province, Burma as well as Delhi, a centrally governed area, where no restrictions are placed on the movements of these persons. If these people can live there without any danger to the peace or safety of the province, I want to know from the Honourable the Premier, who calls himself a champion of the civil liberties of the people, who sometimes boasts that he is also a protector of the liberties of the people and the freedom of the province, whether he can justify that claim in the light of these painful facts? Is he aware of the fact that these very people whom he wants to turn out have been living peacefully in other provinces

[L. Deshbandhu Gupta.]

whose governments have taken no objection to their activities? Is it not, in other words, a sad admission on the part of the Honourable Premier that they are not capable of managing their affairs? I would suggest to them that instead of taking recourse to these extraordinary and emergency laws, they should invite their neighbours who are running the administration in seven provinces to run the administration of the Punjab as well (*hear, hear*) if they find it so difficult to run the government on those admirable lines. Is it not a farce to talk of the political freedom of the country when even the civil liberties in this province are at stake? I challenge the Honourable Premier to compare the figures of prosecutions, externments and internments of his regime even with the figures of the days of his own predecessors. I am sure he will find that the so-called Unionist Government has far excelled in the number of prosecutions, etc., even their bureaucratic predecessors. When this state of affairs exists I ask and I ask in all humility (*A voice: Why?*) whether it is not a question for the Government to consider seriously. Let me warn them that if they go on behaving like this, they would be digging their own graves. They want to show to the world that they are very good administrators, they want to prove it to other provinces that they are leaders and pioneers in launching big movements or beneficent movements, but I want to ask whether, in the light of the record of such repression and practically throttling all civil liberties in the province, they can raise their heads before the bar of public opinion. Let me tell them that they will be judged by their actions and not by their words. They may go on harping on their much talked of solicitude for the people, but I repeat that public opinion will judge them by their deeds and misdeeds and in their case it is nothing but a number of misdeeds from top to bottom. What a painful contrast do we notice when we compare our province with several other provinces! Innocent ladies, who could not be expected to endanger the safety even of a village, are asked to leave the province or are ordered not to enter the province without showing any regard even to the fact that they have got their relations here, and in some cases their husbands working in the province. I want to know whether it is not cruel on the part of the Government to shut away respectable ladies from their husbands. What will you call a Government which cannot safeguard the legitimate right of a woman to live with her husband? I want to know whether such a Government is worth the name. (*Cries of shame, shame from Opposition benches.*) (*Premier: It is unparliamentary.*) And then, Sir, is there any justification for serving an order of externment for a period of twelve months? Does it not show that the Government is so incapable that they apprehend a state of emergency to continue for twelve months? I have not heard of an emergency lasting for twelve months. I know that a socialist conference is going to take place here and the Premier and his colleagues are mighty afraid of the decisions of this conference or they cannot stand the exposure which perhaps this conference would make of the Unionist Government. If that was the apprehension they could have taken measures to stop the entry of the socialist leaders for a week or so. Why did they pass orders of externment against Shrimati Satyawati for twelve months? I fear that it is at the bidding of the Delhi Government or the Central Government that they are trying to extern people for such long periods from this province. (*Hear, hear.*) If this

is not so, I want to know the justification for serving an order of externment for twelve months. Sir, I support the motion and conclude by saying—

مے خود چھلک جائیگا ہر لیغ دو میخانہ کو

Their sins themselves will dig their grave and they will soon know it to their grief that these very measures which they think are measures for protecting the Unionist Government will bring about their destruction nearer. (*Loud applause.*)

Khan Bahadur Chaudhri Riasat Ali (Hafizabad, Muhammadan, Rural): Sir, it is very strange that to-day again objection has been taken to an action of the Government of the day. It has been said on the floor of this House that externment orders or internment orders are things which are not worthy of a government which is holding the reins of this province. They are comparing the circumstances which exist in other provinces. I am not aware of the circumstances prevailing there, but comparisons are always odious and if they will refer to certain set of circumstances which prevail in a certain locality, there will always be justification and you will agree that circumstances do vary from province to province, not only that, but from district to district and in some cases from tahsil to tahsil. If certain circumstances existing in a particular locality demand a special measure, there is nothing unreasonable on the part of the Government to bring forward that measure whether in the form of a legislation or in the form of an executive measure. Everybody here knows that prevention is always better than cure. There is nothing illogical in having preventive measures because it is the first and primary duty of a Government to shun or to avoid any trouble which might bring horrors to the whole of its population. My friends daily talk of liberty. Paradoxical though it might seem, liberty is restraint. You can have liberty only to the extent to which you respect the rights of others. You are aware that in England in certain cases police magistrates have been convicting people for the simple reason that at a certain hour of the night they have played on their own pianos. When liberty interferes with the rights of others, certainly action is taken and I would submit that there is nothing illogical in that. What happens after all when this conflagration takes place? It is only the man with a stake, it is only the average citizen who suffers and if the Government foresees and takes steps to stop such a conflagration, there is nothing wrong about that. When there was civil disobedience in this province, how much of provincial wealth was wasted at that time, how many special jails were erected, how many special public prosecutors and special tribunals were set up which led to huge waste of money! It was loss of the national wealth and if the Government thinks that there should not be loss of life and loss of national wealth and there should be no damage done to the provincial exchequer once again, then that result can only be obtained by adopting a preventive measure like this. I, therefore, do not see any harm in its adopting that measure.

Chaudhri Krishna Gopal Dutt: What are the courts there for?

Khan Bahadur Chaudhri Riasat Ali: We must remember the degree at which our political thermometer reads. We must remember with what sort of political electricity, if I may call it, our atmosphere is charged.

[K. B. Ch. Riasat Ali.]

Where is the harm done if the Government has taken any action in order to save the innocent and the peaceful citizen? After all, we are not aware of all the facts which the Honourable Premier or the members of his cabinet know. I think he will bring those circumstances before the House through you on which he most surely will justify the action which has been taken by the Government.

Another thing which has been said is that in the United Provinces or Madras or Bihar nothing of the kind has happened. Those people who are reading the newspaper daily remember that in Madras action was taken against a certain man under the Criminal Law Amendment Act. (Voices: Which man?) I do not want to quote names.

Diwan Chaman Lall: Will my honourable friend permit me to put a question? (*Interruption.*)

Khan Bahadur Chaudhri Riasat Ali: Action was taken against those people who were set at liberty and they were served with notices that unless they behaved properly they would again be put behind the bars. (Voices: *Speak louder please.*) (*Diwan Chaman Lall rose from his seat.*)

Mr. Speaker: The honourable speaker has not given way. So, please wait till he finishes his speech.

Lala Deshbandhu Gupta: The honourable member is making an incorrect statement.

Khan Bahadur Chaudhri Riasat Ali: Another grievance placed before the House by my honourable friend has been that prosecution figures have swelled more than ever during the time of the last Government. Again I would submit that it is our own duty more than the duty of the State to create such an atmosphere that there should be no necessity for Government to take such special measures. We are as much duty bound to create a healthy and peaceful atmosphere throughout the length and breadth of the province as the State. The burden is not only on the shoulders of the Premier and his Cabinet, but each one of us should try to create an atmosphere which will help the Government. It is only then that no necessity will be felt for taking such measures. Another remark was made that the Government of the day would be judged by its misdeeds. There is no objection to that: I think the Government is prepared to stand that trial any day. Government is not afraid because there is not a single deed which can be called misdeed. It always does the right thing at the right moment. Those sitting on this side of the House are not shy and are quite prepared to be judged by their actions. It will be the greatest duty of the State to preserve peace and tranquillity of the province and if our deeds are not judged by certain persons who have special convictions, due to the angle of vision from which they see things, then we are not to blame. There is always an honest difference of opinion and if in the interest of the people Government has taken this action in order to preserve peace and tranquillity of the province I see no harm in it even if there are certain gentlemen who condemn the action of the Government.

Pandit Shri Ram Sharma (Southern Towns, General, Urban) (*Urdu*): Sir, in these days we have to deal with a third-rate brown bureaucracy here in the Punjab. Prior to the year 1919 a first rate bureaucracy was in power

not only in the Punjab but also in the rest of India. But it was the Punjab bureaucracy that banned the entry of Mahatma Gandhi into this province. When we think of those days we remember that the entry of such eminent persons as Mahatma Gandhi, Bal Gangadhar Tilak and Bipin Chander Pal into the Punjab was banned on various occasions. Later on a second rate bureaucracy stepped in 1921. Now after 1st April, 1937, a third rate bureaucracy assumed power in the Punjab. The previous bureaucratic Governments banned the entry into the Punjab of such eminent persons as Mahatma Gandhi, Bal Gangadhar Tilak and Bipin Chander Pal. The present bureaucratic Government also did not like to lag behind. They in their turn served externment orders on Professor Ranga, Ajoy Kumar Gosh, and Shri-mati Satiawati. I may submit that the present bureaucratic Government is maintaining the glorious traditions of their fore-runners. We see every day that orders are issued to the effect that such and such persons should leave the Punjab within twenty-four hours and should not enter again for a period of one year. My honourable friends over there while sitting inside their rooms issue such orders in the name of peace and tranquillity of the province and they are constantly using the worn out expression "public peace and tranquillity" when issuing such orders. We on this side of the House have been tired of moving these adjournment motions again and again, but my honourable friends opposite never feel anything when they issue such orders. On the other hand after every two hours we do hear on the floor of this House the remark that the Punjab is giving a lead to other provinces. I am not well versed in the English language (*A voice*: You know very good English) but still I can say that the Punjab is not giving a lead rather it is *leading*.

Syed Amjad Ali Shah: On a point of order. Is that word parliamentary?

Mr. Speaker: It is not a dignified expression.

Pandit Shri Ram Sharma: If this word is unparliamentary I would like to withdraw it. But I may submit that in Urdu this word is not regarded as objectionable. If, however, this word pinches the Government I would take it back.

The second point that I would like to urge is that my honourable friends over there claim that their government is a zamindar government, a kisan government and they even go a step further and say that it is the government of the poor zamindars. But what do we find here? Only those persons are forbidden to enter the Punjab who are the real benefactors of the poor zamindars. If we take into consideration their activities and their services we would be convinced of the fact that they are the real leaders of the zamindars. But my honourable friends over there condemn them as disturbers of the peace and tranquillity of the province and bring allegations against them that they are literally spreading fire of agitation throughout the province.

Premier: In fact you are fanning the fire.

Pandit Shri Ram Sharma: I may submit that externment orders are served on those persons who have really reserved their services for the sake of the zamindars. Professor Ranga paid a visit to my own district, which may be called a district of developments and no peace was disturbed.

Mir Maqbool Mahmood : On a point of order. Is the honourable member discussing the adjournment with regard to Professor Ranga or Mr. Gosh ?

Pandit Shri Ram Sharma : Sir, I am not discussing about Professor Ranga. I am trying to make it clear that the other day the Government committed a blunder of which we are now complaining. I may submit that it is the Unionist Government who force the people to commit political crimes. When the Government commit such mistakes, we have to bring such mistakes of theirs to the notice of this House.

I was submitting that Mr. Ajoy Kumar Ghosh to whom the adjournment motion now before the House relates, is a great friend and a sympathiser of the zamindars. Another comrade, I mean Shrimati Satyawati had come to attend a conference of the peasants that was being held at village Madina in Rohtak, the home district of the Honourable Minister for Development. Thousands of peasants had gathered there in order to hear the message of the latter. But it is a thousand pities that she was also served by the Punjab Government with a notice to quit the province. I am making mention of these cases in order to show that besides Mr. Ghosh, there were several others also who have been served with notices of externment by the Punjab Government. I am constrained to remark that it has become a habit with the Punjab Government to gag those persons who feel for their country and intend to lead it to the right path of nationalism.

Now, Sir, Delhi is a province which is still under the same old bureaucratic regime. It has no Assembly of elected representatives of the people of the province. There the Chief Commissioner is the administrative head, and yet you will be surprised to know that no restrictions are ever placed on these political workers there. There the political workers more freely carry on their activities and there are not so many arrests or trials in a court of law or externments from the province. (*Cheers*). But as soon as a political worker enters the limits of the Punjab, a great hue and cry is raised to the effect that his presence will be prejudicial to the public interests, and will also jeopardise the peace and tranquillity of the province. It is nothing short of a surprise to see that when Shrimati Satyawati is at Delhi, it remains unperturbed and no breach of peace and order is apprehended, but as soon as she sets her foot on the land of five rivers, the danger of revolution becomes imminent.

As I have already stated, we have to deal with a third rate brown bureaucracy which commits absurdities that no other civilised country would like to do. Besides, I may point out that our province has earned a very bad name for things that are going on here and as a result of which this adjournment motion has been moved. I emphatically remark that our present Government is responsible for this state of affairs. Again, my honourable friends on the ministerial benches rush to cite instances of Madras and the United Provinces, without caring to ascertain as to what is actually happening there. I may state for their information that in Madras a political worker was tried in a court of law and was sentenced to imprisonment. Even the High Court there confirmed that sentence and rejected his appeal. But in spite of all this the Government of Madras, on their own responsibility, released that political prisoner on the ground that circumstances had changed

in the country. I would ask the honourable members opposite that they should first ascertain the correctness of facts before they cite them in the House. Sir, I do not want to take much of the precious time of the House.

Premier : And you cannot do that.

Pandit Shri Ram Sharma : May be, but Government should not prevent people from giving expression to their views, although they are at liberty to exten them or put them behind the bars. With these words I close my remarks.

Maulvi Ghulam Mohy-ud-Din (Sheikhupura, Muhammadan, Rural) : Mr. Speaker, we on this side of the House are at one with honourable members on the other side, when they say that freedom and liberty should be the rule of the day. Surely, they will find us second to none in our love for freedom, but they shall in order to judge us have to take a dispassionate view of facts. If they would take a dispassionate view of the working of the Government, certainly, they would not be blaming it of any such deed. Do we not find and do they not tell us every day that conferences are being held everywhere in the province which thousands and thousands of Congress men attend ? Has the Government ever done anything to put an obstacle in the way of those conferences ? (*A voice : Yes*). Certainly not. I am afraid that my honourable friends are incapable of taking a dispassionate view. They tell us in season and out of season that they are out to smash this Government even if it be the best. Do we not find that every person, who has nothing to do in other provinces, comes straight to the Punjab and with what object ? With the object of creating trouble. If this is to be so—I am confident that my honourable friends cannot lay their hands on their hearts and say that it is not so—then, shall any Government be worth the name if it does not defend itself ? I shall ask my honourable friends just to have a bird's eye view of the happenings in other provinces. Are not such measures being adopted there ? I do not blame those Governments. I have every admiration for those Governments and I think they would have proved weak if they had not adopted these measures. (*A voice : Which Government ?*) Congress Government in the United Provinces, Bihar, etc.

Mr. Speaker, my friends believe in creating troubles in the Punjab in the words of a great poet. (*A voice : Is it the poetry of Bradlaugh Hall ?*) Certainly, the heart is the same, the tone is the same and the spirit is the same. I would not be too long. If I be allowed to describe the coming of these gentlemen to the Punjab in season and out of season for the purpose of creating trouble I may quote that Persian poet who said—

ہر بلائی کے آسمان آید—گرچہ ہر دیگران قضا باشد
ہر زمین نا رسدہ سے درسد—خانۂ انولی کہا باشد

I would be only too glad, if these gentlemen who have patriotic spirit, who have got the love of freedom, come to the Punjab and make every effort to cultivate a healthy spirit of freedom among the Punjabis. Then surely you will find the Government welcoming them. One word more and I have done. (*A voice : Khuda na kare*) (*prolonged laughter*). I was submitting that if Government adopt this action, it merely shows that they really care for the maintenance of law and order, and I would submit in

[M. Ghulam Mohy-ud-Din.]

the end that if this is really the thing which we are accused of, then I may remind my honourable friends of this verse—

ابن کفار (مسرت که در شهر شما نیز کنند

Mrs. Duni Chand (Lahore City, Women, General) (*Urdu*): Sir, I have risen to lend my wholehearted support to the adjournment motion moved by my honourable friend Sardar Sohan Singh Josh. The policy of the Punjab Government with regard to the externment orders that are being so frequently served on the political workers is quite unintelligible. There is no reason why the arrival of a single man wholly unarmed into the Punjab should alarm the Government which has huge military and police forces at its back. For instance, I fail to understand how the entry of my sister Satiawati into the Punjab could jeopardise the peace of the province. But it is strange that our Government apprehend danger from a member of the weaker sex. Again, when Ajoy Kumar—a small statured man—came here the Punjab Government was unnerved. I cannot help observing that if the Unionist Government is really so cowardly and weak, then it is foredoomed to failure. (*Cheers*). It transpires from the cowardice of the Government that their foundation is weak and they are afraid of every unfavourable circumstance. I may also venture to suggest that if the Unionist Government feels too weak to cope with the situation it should honourably retire from office in favour of the Congress. Everybody enjoys freedom of speech and action in the Congress governed provinces unless he commits an offence and thereby forfeits his privilege. Besides, prisoners are being released in the seven Congress provinces while their number is being enhanced in the Punjab. It appears that the Punjab Government is getting alarmed at the growing power of the Congress and has become so nervous that we should try to encourage it by passing a resolution of sympathy for it. It is very strange that our Government should be frightened at the very news of a political worker coming into the Punjab while they are fully aware of the fact that if any one violates the law he can be tried in a court and sent to jail.

Now let us consider for a while what is the reality of that peace which is jeopardised as soon as a political worker from outside sets his foot on the sacred land of the five rivers. May I take it that the Government means by peace that peaceful atmosphere in which no public man should dare utter a word of sympathy for the starving millions? If that is peace, we are all determined to disturb such a peace. It is the birth right of every Indian to demand food and clothing. That is what the Congress stands for. Money should not be allowed to pass into the hands of a few individuals but the whole population of the province should be permitted to benefit by it. In this connection I would like to suggest that the salaries of the low-paid servants should be increased and the fat salaries of the high officers be reduced. But I am afraid the Government is not in a mood to accept these reasonable demands of the Congress. We earnestly desire to ameliorate the conditions of the poverty-stricken masses and whenever we raise our voice in favour of this demand the Government feels terrified. (*Cheers*).

With these few words I strongly support the adjournment motion and resume my seat.

Mir Maqbool Mahmood (Parliamentary Secretary) : Sir, on a motion of the type which we are discussing to-day both sides of the House have to speak under certain difficulties. On such delicate matters the convention in the Parliament is that ordinarily much of gun and powder and much of unpleasantness is avoided by negotiations between leaders on this side and on that side behind the Speaker's chair, and I hope that we in this province also will try to set up a convention and resolve that such delicate matters which cannot in public interest be discussed threadbare on the floor of the House may be talked out behind the Speaker's chair.

Lala Deshbandhu Gupta : No response from that side.

Mir Maqbool Mahmood : My honourable friend says, no response from this side. This is an interruption exactly like one which on a similar occasion was cited in the United Provinces Government and that time this statement came from the non-Congress opposition against the Congress ministry. I am tempted to quote the famous remarks of Mr. Gladstone that Opposition must oppose whether the other side is right or wrong. (*An honourable member* : It is wrong). On a matter of this nature, it is due to this House, it is due to the province, that we should approach it dispassionately and with due sense of our responsibility. Let me, at the outset make it clear that it is not pleasant for any Indian, for any patriotic Indian—and I submit that the Honourable Premier is second to none in patriotism—to take action curtailing the liberty of one of his countryman without the ordinary processes of law—and I hope I am revealing no secrets or state when I say that there have been many occasions when the Honourable the Premier had to put his foot on departmental suggestions for taking action. (*Laughter from Opposition and cheers from Ministerial benches*). When he is forced reluctantly to take action, he is entitled to fairplay and consideration from the other side of the House. It has been said that in the Punjab we have had recourse to the Criminal Law Amendment Act, which has not been used in other provinces. Let us examine the position. Firstly, as I said on another occasion, I do not wish to wound the delicate susceptibilities of my friends opposite by referring to what has been done in Congress provinces. Suffice it to say that when occasion came they have used the law in a greater measure in certain circumstances than we have done. (*Question*). Let me remind my honourable friend who questions the fact that we have not so far made criminal intimidation a cognisable and non-bailable offence as they have done in Bombay. I do not blame them. It is the right of every Government which is worth its name, especially if it is to save the special power of the Governor coming into operation and thereby save the honour and dignity of the province, to take strong action wherever such action is demanded. Now what is the position here in regard to the Punjab? We have three or four special features which should not be ignored. My submission is that we are dealing here with, I am proud to say, a martial and inflammable material, a warring nation. We are a nation of soldiers. (*Laughter from the Opposition*).

Diwan Chaman Lall : Look at the soldier, look at the soldier. (*Loud laughter*).

Mir Maqbool Mahmood : If my honourable friend would read the history of democratic countries, the history of countries in and outside Asia,

[Mir Maqbool Mahmood.]

he will find that it is the spirit not the flesh which makes a good soldier. I am sure that my friend Diwan Chaman Lall who is a light-weight like myself will yield to none in the fighting spirit when the time comes.

The second submission which I wish to make is that the Punjab and the Berar in the Central Provinces are the only provinces in the whole of India where you have peasant proprietors. While my friends of the socialist classes who preach mass action might safely do so in other provinces, the position is quite different in the Punjab here and the duty of my honourable friend, the Premier is greater than others; he is to safeguard the rights of the peasant proprietors of the Punjab. He will be failing in his duty if he were not to take prompt action against the exploitation of these masses and thereby prevent bloodshed and unpleasantness. Thirdly, Punjab, has a non-Congress Government. It is a Government which has the support of the zamindars. It is a Government which has the support of the reasonable stable elements of our province. That being so, I submit that it is but natural that people who want to upset the stable Government should have their eyes set against us and that they should come here with the avowed object of creating trouble. We have to see, in the words of Mr. De Valera, that we who by the verdict of the electorate have been sent here to protect the shrine of democracy must prove worthy of it.

Chaudhri Krishna Gopal Dutt : No, this is wrong. Your policy before the electorate was different.

Mir Maqbool Mahmood : It is always pleasant to have an interruption from my honourable friend and the sweetness of his voice has been heightened by his recent European tour. Coming to the merits of the adjournment motion it is to a great extent a question of trust in the man who is at the head of the Government. Now, who is that man? Whatever may be your differences with him, you cannot deny that he has always shown with his courage, with his integrity, that in the service of the province, he stands second to none—(Hear, hear)—a man who within a few days of his taking up his office released the Martial Law prisoners and who even a few days back had the courage to declare that whatever the Viceregal and other pronouncements might be, he shall not stand in the way of the due exercise of the powers of ministers in other provinces—a man who had the courage of his conviction to stand up on a most controversial subject like the Shahidganj and to take a position which would do honour to the greatest of patriots in any country—more than that, a man who has not so far agreed to apply here certain provisions of the Criminal Law Amendment Act which can be applied by mere notification—and last but not least, a man who tolerantly allowed his officers to sit quiet while he and his friends were being abused in public meetings. Surely when a man like him, is reluctantly forced to take action on a matter of this nature, he is entitled to the fullest trust and support of this House. Now in what circumstances has he taken such action? The House knows that during the last few months we have had evidence which give indication of criminal violent conspiracy. We have had the bursting of a bomb and persons apprehended have given clue to serious disclosures. I hope and trust that the good sense of the honourable members on both sides of the House will contribute to see that we have peace and order in the province. But let us not forget that the man who sits in

that place at the helm of the Government has to see whether he should wait for fire to set up in the province leading to disturbance of the ordered progress of the Punjab or whether he should have the courage, the courage demanded of a real patriot, when time comes to take the necessary and timely action, however unpleasant it may be, and face it.

Lala Deshbandhu Gupta : Do you want the peace of the grave ?

Mir Maqbool Mahmood : My honourable friend asks whether we want the peace of the grave. I can tell him it is much better to have the peace of the grave than lawlessness of life. We want peace, but we do not want riots and violent curtailments of liberty. These riots are against the best traditions of the Punjab. It is very easy and pleasant for anyone to come forward and talk high and glib-tongued politics, but it requires a brave man to take upon himself an unpleasant duty, particularly in these days of charitable and uncharitable propaganda. And when it is Sir Sikander who has to do so, both sides of the House are duty bound to give him the credit which is his due. Let me make it clear that we on this side of the House feel more than others, our moral and legal responsibility that no action of this sort is taken without fullest justification and in the last resort we hope and trust that whenever the Premier has to set his ink on an order of this nature, he will realise as he does, his and our grave responsibility in the matter. With these words I oppose the motion.

Diwan Chaman Lall (East Punjab, Non-Union, Labour) : Sir, my honourable friend, Mir Maqbool Mahmood, is always able to command the ear of this side of the House not only because he is invariably eloquent, but because the arguments that he so cleverly advances on occasions like this merit some consideration on the part of the Opposition. The problem that we are confronted with to-day is a very simple one. A particular gentleman by virtue of the use of extraordinary powers given into the hands of the Prime Minister, has been excluded from the Punjab for no reasons given either in public or on the floor of this House. My honourable friend should remember that the reason why we object to the use of these extraordinary powers is because throughout history, throughout the centuries tyranny and oppression have utilized exactly similar powers that my honourable friend has utilised. What did the Bourbons do ? What did they do in the middle ages ? What did they do during the Stuart period in Great Britain ? The same arguments have been advanced by governments who have wanted to utilize these special powers against people who are inconvenient or people who are opposed to their own political creed. The result has been what we have witnessed to-day. The honourable members who now form the Government would have been the first to object to the use of these powers had they been in the Opposition, but to-day we hear fulsome praise of those gentlemen who make use of these powers namely the Prime Minister and his colleagues. There sits on those benches one honourable member who is now a Minister in this Government. I refer to the Honourable Chaudhri Sir Chhotu Ram. On the occasion of the introduction of a similar measure in the year 1932 what did my honourable friend Sir Chhotu Ram say in regard to this particular provision in the law which has been used to exclude those gentlemen regarding whom we have brought before this House an adjournment motion. My honourable friend said then that this was a very

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wide measure to adopt, that it would be wrong to make use of the power given and that almost anybody could be roped in under the provisions of section 3 of that Act. (*Minister for Development* : I never said this). My honourable friend says he did not say this. May I remind him as to what he actually did say ? You will find my honourable friend saying—

“ Any member of this House who goes out on his campaign of election and begins to preach certain things, may find himself within the orbit of this unnecessarily comprehensive law.”

But my honourable friend now says that he did not say that. He goes on to say—

“ There is one section to which I may refer in this connection. It says that whenever Local Government is satisfied that any person has acted, is acting or is about to act in a manner prejudicial to the public peace and safety he can be arrested, detained and subjected to certain very irksome restraints. If he disobeys these restraints he renders himself liable to serious punishment. I think the wording is very general and vague and unless it is improved or some sort of proviso is added to protect those who are engaged in constitutional agitation to have certain grievances removed it will be very difficult to support the passage of this Bill. I will just give an instance”.

And he goes on to give an instance of people who may be bound down when they are engaged in the ordinary course of constitutional activity. My honourable friend then said—

“ What is there under this law to prevent my being arrested and detained on the report of the Deputy Commissioner that I have been preaching a subject which will inflame the minds of the general population, will stir up discontent and disaffection, and will ultimately imperil the tranquillity of his district”? (*Cheers*).

These were the opinions of one honourable member of the Cabinet. I want to ask my honourable friend if that was his opinion, has he altered his opinion, merely because he belongs to those benches as a Minister of the Crown ? May I take it that my honourable friend the Premier has also changed his opinion since those days ? It is all very well for my honourable friend Mir Maqbool Mahmood to say Sir Sikander should be relied upon, I have the greatest regard, respect and affection for him personally. It is said “ let us trust everything to Sir Sikander.” Well, the Punjab did trust everything to Sir Sikander and the Punjab knows it is the worst province in India, probably in any democratic country in the world from the point of view of repression. (*Cheers*). What did my honourable friend say on the floor of this House ? He said in justification of this measure that this power was being taken for no other purpose but for the existence of two very serious movements, the civil disobedience movement and the terrorist movement. I will read from the speech which he himself delivered.

Premier : I did not move the Bill.

Diwan Chaman Lall : I am very sorry, I thought it was Sir Sikander, but I find that it was Sir Henry Craik who moved the Bill, the old, long-lost friend whom the Unionists will be feasting in a few days. Sir Henry Craik said that these powers will be utilized for two purposes one, the terrorist movement and secondly the civil disobedience movement and that it is because of the existence of these two movements that this special emergency legislation would be utilized. I ask my honourable friends, is there any

civil disobedience movement now that he is afraid of in the Punjab ? Is there any terrorist movement in the Punjab (*Voices : Yes*), that he is afraid of ? Let my honourable friend say courageously, openly and honestly that it is because of the terrorist movement that he has taken this action. Let him say that openly. I notice a significant silence. I say, Mr. Speaker, it is not so. It is not because of terrorism that he is making use of these particular emergency powers. He is making use of these, as he has himself said because these people might inflame the masses and preach a doctrine which is diametrically opposed to the doctrines preached by my honourable friend. It is exactly the fear that my honourable friend Chaudhri Sir Chhotu Ram had in his mind when he said that he himself might be roped in if he preached that doctrine to the masses. The trouble is this that these powers are going to be used against your own opponents merely because there are a certain set of socialists in the Punjab or outside the Punjab who wish to preach socialism and he desires to make use of these special emergency powers against them. I warn my honourable friend that the time will come when the creed that he preaches, the creed of wealth inspite of their protestations will lead them out of their office and it is possible that the Government which comes in, which is against their principles, which is a socialist Government may quite easily then make use of these special legislative measures against them (*A Voice : We will*). I sincerely hope it will not. The trouble is one of principle, one of honesty and decency in running the Government. Anybody can run a Government like this by the use of extraordinary powers. There is nothing strange or extraordinary about it. When it is their duty to use these extraordinary powers as for instance Hissar, do they take any action of any sort against those people who are responsible for allowing a situation like that to arise ? No. But because a socialist comes into the Punjab and preaches against the bigger landlords my honourable friend sees red and wants to make use of these special powers. There is, therefore, neither justification for the use of this legislation nor is there any decency or honesty about measures being taken against your opponents merely because they happen to be your opponents. The law says that 'if there are reasonable grounds for apprehension.' I ask my honourable friend, is he satisfied that there are 'reasonable grounds' apart from the reports of the police ? The cat was let out of the bag by my honourable friend, Mir Maqbool Mahmood, when he said that time and again the authorities are asking my honourable friend to take action under this emergency legislation but he time and again puts his foot down. Apparently sometimes, he goes to sleep and quite automatically he forgets to put his foot down and such instances do occur. It is because this Government is ridden with the old spirit of bureaucracy, because it is controlled by the old spirit of bureaucracy, that such action is being taken day in and day out. The extent of the imprisonments, of externments and internments is such that honourable members opposite, ought to be thoroughly ashamed of themselves for uttering one word about the Congress provinces. My honourable friend over there, Khan Bahadur Mian Ahmad Yar Khan Daulatana, the other day gained a few seers in weight, Mr. Speaker (*laughter*) by mention of the fact that in the province of Madras one gentleman had been arrested under section 124-A. Because one gentleman was arrested in Madras, therefore, my honourable friend saw it fit to send a long rigmarole to the press under the authority of the Secretary of the Unionist Party and congratulated himself

[Diwan Chaman Lall.]

that other provinces were also taking such action, but forgot the fact that that gentleman, after trial by the High Court, was released on the initiative of the Congress Government and it was the Congress Government who asked for his release inspite of the fact that he was arrested and sentenced by the High Court. Here, this is not a solitary instance that we are discussing to-day. This is the set policy on the part of my honourable friend and I ask him, in view of the origin of this particular legislation, has he any right to take these steps that he is taking against his political opponents? I, as a socialist (*hear, hear*)—my honourable friends over there are so ignorant unfortunately that they do not know their own political history. I happen to be one of those who were responsible for introducing the word 'socialism' into India. (*Hear, hear*). My honourable friends are not aware of that. My honourable friend calls himself a half socialist and I do not know what half-socialist is but mongrel political opinions and mongrel political policies have absolutely no decency about them. The result, is this. When their voice says liberty, their actions belie their voice and when their voice says freedom, their actions mean arrests under the Criminal Law Amendment Act. That is the tradition in which my honourable friends find themselves as the supporters of the creed of liberty but in reality as the perpetrators of the death-knell of liberty in this province. My honourable friends should remember that it is time that they revised their creed and allowed full liberty to those who are opposed to their political creed and did not continue this policy of repression because in the end it will be the duty of the Punjabee to rebel against this Government and utilise every power he has in order to uproot this Government if it continues with this tyrannical policy of repression. (*Loud applause*).

Premier (The Honourable Major Sir Sikander Hyat-Khan): Sir, a great deal of eloquence and a great deal of vehemence has been inflicted on this House to-day over a matter which did not deserve such energetic speeches from the opposite benches, nor deserved such expenditure of eloquence from any side of the House. What is all this hue and cry about, all this restiveness? Why all this excitement? (*Interruption*). Please do not disturb me. What have we done to merit all this? Do my honourable friends opposite think that we do these things or take action—, rarely even as we do—under this law merely to court adjournment motions, merely to hear the hard words of my honourable friend opposite, Sardar Sohan Singh Josh, who is a real socialist, and also my honourable friend Diwan Chaman Lall, who says he introduced the word 'socialism' in this country? Do we take action under this Act to hear something about communalism, something about the inequities of the present Government? Are we mad that we should try to court such adjournment motions? Then what is the reason? Let them coolly and calmly think why we have to take action though rarely under the Criminal Law Amendment Act or under certain sections of the Indian Penal Code. My honourable friends say that Mr. Ajoy Kumar Ghosh had no intention of coming to the Punjab and orders for his externment were signed in February when he had no intention of coming to the Punjab. But what are the facts? In spite of his intention of not coming to the Punjab we find Ajoy Kumar Ghosh very solidly and safely brought into the province. In spite of his intentions to the contrary he arrived here. I do not wish to divulge any

secret, but I think my honourable friends opposite will give credit to the authorities in the Punjab that inspite of Mr. Ajoy Kumar Ghosh having no intention of coming to the Punjab, he very much appeared in Lahore. The authorities here knew that he was coming to the Punjab and they also knew the reasons why he was coming to the Punjab. Let me tell my honourable friends that this is not the first time that Mr. Ajoy Kumar Ghosh had come to the Punjab. He came here on several occasions previously and during the past twelve months or so he paid two or three visits here. My honourable friends opposite will know that when he came here to smoothen the difficulties between two sections of the socialists and tried his best the Government did not then interfere and did not ask him to go back, because they thought that he was on a mission of peace and wanted to bring concord between the two warring elements of the socialists opposite. Government did not take any action then. He again came here to ratify a pact between my honourable friend who taught the word 'socialism' in India and some other gentleman.

Diwan Chaman Lall : Which pact? I do not even know the gentleman.

Premier : You do not know him? (*A voice :* 'How methodical?') Does my honourable friend know the Radical League?

Diwan Chaman Lall : I have heard of it.

Premier : Was there any attempt to bring about an agreement between the Radical League and another section of the socialists?

Diwan Chaman Lall : I do not know about that.

Premier : But we know about it just as we knew Mr. Ajoy Kumar Ghosh's intention to come here inspite of his declared intention not to come to Lahore. We did not take action against him then. Subsequently he again arrived here—and my honourable friend opposite would probably agree that it is a fact—to collect certain money for a certain election. That was a legitimate object and I did not in any way blame him for coming here to collect money for that purpose from gentlemen including my honourable friend opposite. The Government then did not take any action.

Sardar Sohan Singh Josh : You are labouring under a misapprehension.

Premier : I am not.

Sardar Sohan Singh Josh : He never came before.

Premier : This shows that he belongs to Ajoy Kumar Ghosh's section.

Lala Deshbandhu Gupta : May I know the dates on which he visited the province?

Premier : No, Sir. My honourable friends are aware that he visited the province previously. They cannot deny it. But we took no action against him. If we did not take action on two previous occasions, why did Government take action this time? The answer to that question can be better given by my honourable friend opposite than myself. I am afraid I may be at a disadvantage that I cannot disclose those secrets but I think my honourable friends, if they wanted to, would be in a position to do so. Supposing the reports of the police that there was going to be disturbance

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of peace and tranquillity in the province are not correct, what have we done ?

7 P. M.

Have we placed him behind the prison bars ? Did we in any way circumscribe his liberty ? No. Because we thought that his presence at this juncture was likely to lead to disturbance of peace and tranquillity in the province, we politely asked him to go back to his own province. If he was a very patriotic worker and if he was a great benefactor of the zamindars, as my honourable friends opposite put it, then there is plenty of scope for him in his own province—a province where the kisans are groaning under several burdens, as in the United Provinces. If there had been no scope for work for him there he could have come here and tried his luck in the Punjab, but there is bigger scope there than in the Punjab. My honourable friends will agree that the condition of the tenants and the kisans there is much worse than in the Punjab. Moreover I am very jealous of the reputation of my own province (*hear, hear*) and I do not see why an outsider should come and outshine my honourable friends opposite (*laughter*). Why are my honourable friends anxious to get Mr. Ajoy Kumar to do propaganda for socialism here ? Are they not capable of doing it themselves ? Is he not capable of doing the good work in other provinces ? If he is, he had better stay there and my honourable friends can go on doing the work here.

Lala Bhim Sen Sachar : What about Englishmen ? Have they not sufficient work in their own country ?

Mr. Speaker : I again request the honourable members not to interrupt the Premier.

Premier : I sent him to Delhi, because if I had not sent him away what would have been the alternative ? Let us take the other alternative. Supposing these reports which I had received were correct and he did commit an indiscretion, what was the alternative ? I would have had to sanction prosecution under section 124-A, or some other section. (*A voice : Why not ?*) My honourable friend says, why not ? Evidently he would have preferred to get the man imprisoned. Instead of that we politely requested him—(*A voice : You should have taken judicial action*). When we take judicial action my honourable friends say, “why are you doing this ? Other provinces are not doing it,” in spite of the fact that other provinces are doing things which should be much worse from their point of view. I do not blame those Governments for taking action ; they have promulgated the Criminal Law Amendment Act in Cawnpore, Benares and several other places. I do not blame them because no Government worth the name can allow the peace and tranquillity of the province to be disturbed. Then, my honourable friend mentioned Shrimati Satyawati. He said, if the Delhi province can allow her to make unbridled speeches, why could not the Punjab Government allow her to do so ? My honourable friend very conveniently ignored the fact that orders had been issued against her by the Delhi Government restraining her movements not for 12 months but orders had been issued by that Government restraining her from joining any public meeting and making any speeches. What did I do ? She has been making speeches and I examined those speeches personally, some of which were actionable. What was the alternative ? (*Interruptions*).

Mr. Speaker : I once more request the honourable members not to interrupt but to allow the Premier to proceed.

Premier : What was the alternative left ? If I had run her in under section 124-A, my honourable friends would have said " You have taken action against a patriotic lady, why should you take action against a lady ? She cannot do much harm." That is the line of argument which they would have adopted. I merely politely asked her to go back. (*A voice : You condemned her unheard.*) I am telling my honourable friends that I have personally examined her speeches and have taken legal advice with regard to those speeches. (*A voice : How to believe it ?*) I do not ask my honourable friend to believe me if he does not wish to believe me.

Mr. Speaker : If any honourable member interrupts again, I shall have to ask him to leave the House.

Premier : What I was saying is that I requested her to go out of the province. Instead of taking action under section 124-A, or under section 108 I requested her to go back to her province and do good work there if she was capable of doing any good work.

It was also said that we sent away Mr. Karam Singh or whatever his name. We sent him away after releasing him. Why did we release him ? We were not bound to do so ; it was not incumbent upon us to release him. Why did we release him ? Because we thought that his release would not prejudice the peace and tranquillity of the province, and that was the undertaking which I gave during the Simla session. What we did was that we merely asked him to go to his own home. The man was incarcerated for so many years and we requested him to go to his home, take rest and see how things are getting on before beginning to preach communism or whatever you call it.

Lala Deshbandhu Gupta : May I ask the Premier whether it is not a fact that Sardar Karam Singh is a resident of this province from where he was turned out ?

Premier : He is not a resident of this province ; he was a resident of an Indian State and he was requested to go to that Indian State. It was such instances my honourable friend quoted merely to pillory us.

Mr. Speaker : One minute more.

Premier : Interruptions were more than my speech. I shall try to be as brief as possible. Another point which was made against us was that this gentleman was very popular—'hardil aziz'—in other provinces. I accept my honourable friend's words that he is a popular and *hardilaziz* man. If he is popular in a particular place why should he not work there ? Why should he come to a place where he is not popular ? One honourable member said that we were champions of the civil liberty of the people here. I accept that compliment which he paid to me. I am a champion and guardian of the civil liberty of the people in this province. But that does not mean that I should allow people to come from outside and disturb the peace and tranquillity of this province ; my obligation extends not only to my honourable friends opposite, not only to those political workers who come here from other provinces, but I have a much wider obligation and my obligation is to the electorates here and to 235 lakhs of people in this province

[Premier.]

and it is my duty, so long as I am here, to see that their honour, their peace and their homes are safe and they can only be safe if we avoid violent upheaval in this province. My honourable friends know perfectly well what happened only a few days back in a political meeting. All this kind of things are allowed by my honourable friends opposite and they would have been the first to impeach me if this side of the House had done that kind of thing. But since it was their party which was responsible for that—(A voice : No).

Diwan Chaman Lall : On a point of order Sir. My honourable friend cannot refer to a case which is *sub judice*.

Premier : I am referring to the statement issued by my honourable friend opposite.

Diwan Chaman Lall : My honourable friend cannot make any personal reference specially when the matter is *sub judice*.

Mr. Speaker : No personal references please.

Premier : I was saying that the recent incident in the province makes it even more incumbent on the Government and on me to see that nothing happens in this province to disturb its peace and tranquillity or in any way to besmirch its fair name. It is for that reason that occasionally and very reluctantly we have to take preventive action, instead of drastic action which my honourable friends want me to take. (Cheers.)

(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 adjourn.

The Assembly divided : Ayes 27, Noes 65.

AYES.

Bhagat Ram Sharma, Pandit.
Bhim Sen Sachar, Lala.
Chaman Lall, Diwan.
Chanan Singh, Sardar.
Deshbandhu Gupta, Lala.
Duni Chand, Lala.
Duni Chand, Mrs.
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.
Krishna Gopal Dutt, Chaudhri.
Muhammad Hassan, Chaudhri.
Muhammad Iftikhar-ud-Din, Mian.
Mula Singh, Sardar.
Partab Singh, Sardar.
Raghubir Kaur, Shrimati.
Rur Singh, Sardar.
Sahib Ram, Chaudhri.
Sant Ram Seth, Dr.
Shri Ram Sharma, Pandit.
Sohan Singh Josh, Sardar.
Sudarshan, Lala.

NOES.

Abdul Hamid Khan, Sufi.	Manohar Lal, The Honourable Mr.
Abdul Haye, The Honourable Mian.	Maqbool Mahmood, Mir.
Afzaalali Hasnie, Sayed.	Mubarik Ali Shah, Sayed.
Ahmad Yar Khan Daulatana, Khan Bahadur Mian.	Muhammad Akram Khan, Khan Bahadur Raja.
Ahmad Yar Khan, Chaudhri.	Muhammad Azam Khan, Sardar.
Ali Akbar, Chaudhri.	Muhammad Faiyaz Ali Khan, Nawabzada.
Anant Ram, Chaudhri.	Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar.
Ashiq Hussain, Captain.	Muhammad Hayat Khan Noon, Nawab Malik Sir.
Badar Mohy-ud-Din Qadri, Mian.	Muhammad Hussain, Sardar.
Bhagwant Singh, Rai.	Muhammad Nawaz Khan, Major Sardar.
Chhotu Ram, The Honourable Chaudhri Sir.	Muhammad Nurullah, Mian.
Dasaundha Singh, Sardar.	Muhammad Sarfraz Khan, Chaudhri.
Faiz Muhammad Khan, Rai.	Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
Faiz Muhammad, Shaikh.	Muzaffar Khan, Khan Bahadur Nawab.
Faqir Hussain Khan, Chaudhri.	Narendra Nath, Diwan Bahadur Raja.
Fateh Muhammad, Mian.	Nasrullah Khan, Rana.
Fateh Sher Khan, Malik.	Pir Muhammad, Khan Sahib Chaudhri.
Fazl Ali, Khan Bahadur Nawab Chaudhri.	Pritam Singh Sidhu, Sardar.
Fazal Din, Khan Sahib Chaudhri.	Riasat Ali, Khan Bahadur Chaudhri.
Fazal Karim Bakhsh, Mian.	Ripudaman Singh, Thakur.
Few, Mr. E.	Roberts, Professor W.
Ghulam Mohy-ud-Din, Maulvi.	Santokh Singh, Sardar Sahib Sardar.
Ghulam Qadir Khan, Khan Bahadur.	Shah Nawaz, Mrs. J. A.
Ghulam Rasul, Chaudhri.	Shah Nawaz Khan, Nawab Khan.
Gopal Singh (American), Sardar.	Sham Lal, Rai Bahadur Chaudhri.
Gurbachan Singh, Sardar Sahib Sardar.	Sikander Hyat-Khan, The Honourable Major Sir.
Habib Ullah Khan, Malik.	Singha, Mr. S. P.
Hans Raj, Bhagat.	Sultan Mahmood Hotiana, Mian.
Harnam Das, Lala.	Sunder Singh Majithia, The Honourable Dr. Sir.
Harnam Singh, Captain Sodhi.	Talib Hussain Khan, Khan.
Jagjit Singh Man, Sardar.	
Jahangir Khan, Chaudhri.	
Jalal-ud-Din Amber, Chaudhri.	
Karamat Ali, Sheikh.	
Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.	

The Assembly then adjourned till 2 P.M., on Monday, 4th April, 1938.

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PUNJAB LEGISLATIVE ASSEMBLY.

2ND SESSION OF THE 1st PUNJAB LEGISLATIVE ASSEMBLY.

Monday, 4th April, 1938.

The Assembly met at the Council Chamber at 2 P.M. of the clock. Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS.

IMPOSITION OF TERMINAL TAX ON INDUSTRIALISTS OF BADAMI BAGH.

***2443. Sardar Hari Singh:** Will the Honourable Minister for Public Works be pleased to state—

- (a) under what authority terminal tax has been imposed by the local Government on the industrialists of Badami Bagh ;
- (b) whether it is a fact that the industrialists at Badami Bagh were free from this tax before the introduction of provincial part of the Government of India Act, 1935 ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana: (a) The attention of the honourable member is drawn to Punjab Government notification No. 33833, dated the 16th November, 1926, by which the tax was imposed on all scheduled articles imported into the municipality, and notification No. 2172-C-37/25433, dated 6th July, 1937, by which the by-laws fixing the terminal tax limits under section 188 (g), Municipal Act, were confirmed.

(b) It is a fact that the tax was not collected from this area before 1st April, 1937.

EXEMPTION FROM TERMINAL TAX.

***2444. Sardar Hari Singh:** (a) With reference to Government notification No. 2172-C-37/25434, appearing in the *Punjab Gazette*, dated July 9th, 1937, will the Honourable Minister of Public Works be pleased to state the reasons for the exemption mentioned therein ;

(b) whether the exemption will be continued on temporary basis or permanently ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana: (a) and (b) The exemption was made in the interest of industry as a temporary measure pending the consideration of the whole question of exemption in all its aspects.

EXEMPTING LAHORE FROM THE LEVY OF TERMINAL TAX.

***2445. Sardar Hari Singh:** Will the Honourable Minister of Public Works be pleased to state—

- (a) the reasons for exempting the whole of Lahore from the levy of terminal tax and its reduction by half on finished articles of iron ;
- (b) the net loss due to this exemption and reduction to the Municipality ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana: (a) Presumably the honourable member is referring to the total exemption of scrap iron and partial exemption of wrought iron from the payment of terminal tax in Lahore. Government approved of these exemptions purely in the interest of trade.

- (b) About Rs. 2,500 per annum.

EXEMPTION OF INDUSTRIALISTS OF BADAMI BAGH FROM THE LEVY OF TERMINAL TAX.

***2446. Sardar Hari Singh:** Will the Honourable Minister for Public Works be pleased to state whether the industrialists of Badami Bagh have requested the authorities to exempt them from the levy of terminal tax ; if so, the action taken in the matter ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana: Yes. The matter is still under consideration.

FORFEITURE OF KIRTI LEHAR'S ISSUE No. 3, VOLUME I.

***2447. Sardar Hari Singh:** Will the Honourable Premier be pleased to state—

- (a) the objectionable matter on account of which issue No. 3, Volume I, dated the 27th February, 1938, of the Gurmukhi "Kirti Lehar", Meerut, U. P., has been declared forfeited to His Majesty under Indian Press (Emergency Powers) Act, XXIII of 1931 in the Punjab ;
- (b) the date of receipt of the said issue by the Government and the dates of consideration and decision ;
- (c) whether it has been brought to his notice that the said issue has not been declared forfeited anywhere else in other parts of His Majesty's Indian Empire ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana): It is not in the public interest to answer this question.

Sardar Hari Singh: May I draw your attention to parts (b) and (c) of the question ? How could it be against the public interest to answer them ?

Mr. Speaker: The next question.

DISTRICT BOARD TEACHERS' UNION, DISTRICT JULLUNDUR.

*2448. **Sardar Hari Singh** : Will the Honourable Minister of Education be pleased to state—

- (a) whether it is a fact that the Jullundur District Board Teachers' Union, formed sometime in September or October last, recently applied to the Inspector of Schools, Jullundur, for recognition of their Union ;
- (b) whether it is a fact that the said Inspector has ordered the immediate dissolution of the said Union ; if so, on what grounds ;
- (c) whether the Department has instructions not to encourage unions of teachers ?

The Honourable Mian Abdul Haye : (a) Yes.

(b) Yes. An application for the recognition of the Union was received by the Inspector of Schools, Jullundur division, in 1936, and was forwarded by him to the Chairman, District Board, Jullundur, for consideration. The Chairman refused to accord recognition to the Union and issued orders to the effect that the district board teachers should abstain from taking part in the activities of any such associations, otherwise action would be taken against them. In the circumstances the application on the subject recently received by the Inspector was not forwarded to the Chairman, District Board, Jullundur.

(c) No. The Education Department is not competent to issue any orders in connection with the associations formed by the employees of local bodies.

Sardar Hari Singh : On what grounds did the Chairman of the District Board order the Union to be dissolved ?

Minister : I have no information.

Sardar Hari Singh : Will the Honourable Minister please state whether the policy of the Education Department countenances the district boards discouraging the formation of unions ?

Minister : The policy of Government is to allow these local bodies to function unhampered.

Sardar Sohan Singh Josh : May I know whether the Education Department is competent to allow them to form unions ?

Mr. Speaker : This question does not arise.

Sardar Hari Singh : Will the Honourable Minister kindly make it clear whether the policy of Government is against the unionisation of teachers ?

Minister : In the matter of forming unions of the teachers belonging to local bodies Government is not in a position to state anything.

Sardar Hari Singh : And with regard to teachers belonging to Government schools ?

Minister : That does not arise.

Diwan Chaman Lall : Why should the Inspector of Schools have taken this action ?

Minister : He has not taken any action.

Sardar Hari Singh : When Government is making large grants of money to the district boards annually for running these schools, is it not incumbent on the Government to control the conditions of service of teachers in those schools ?

Minister : No, Sir.

CONTROL AS REGARDS SPEED OF CARS DRIVEN ON THE MALL, LAHORE.

***2449. Sardar Hari Singh :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether complaints have been brought to his notice that the speeds of cars driving on the roads of Lahore, particularly on the Mall, far exceed the speed limit prescribed for them ;

(b) action taken or proposed to be taken in the matter to secure better control of speed in Lahore ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No such complaints have been received by Government. In regard to the fact, while cases of speeding in Lahore undoubtedly occur, the suggestion that motor vehicles are generally driven at speeds greatly in excess of the prescribed maximum appears to be an exaggeration.

(b) The police have been hampered in measures for enforcing the speed limit by the inadequacy of the present mobile patrolling staff, but even so the number of cases of reckless driving sent for trial during the last three months is over fifty.

Sardar Hari Singh : Will the Honourable Minister kindly state the speed limit on the Mall, Lahore ?

Minister : Thirty miles.

Sardar Hari Singh : And for Ministers' cars ?

Minister : The same speed limit as for others. They can go at 25 miles too. (*Laughter*).

Diwan Chaman Lall : Is it a fact that the Honourable Ministers are slow coaches ? (*Laughter*).

Minister : If we are slow, we are blamed for being slow. If we are fast we are told that we are too fast. (*Laughter*).

Sardar Hari Singh : What is the speed limit for the Honourable Minister himself ?

Minister : My car has never exceeded that speed limit.

Mr. Speaker : No question on personal matters.

PLACE OF THE COURT OF HONORARY MAGISTRATE, MAHATPUR.

***2450. Mian Abdul Rab :** Will the Honourable Minister of Finance be pleased to state—

(a) whether it is a fact that the place where the Honorary Magistrate, Mahatpur, holds his Court is Nakodar, as is given in the Civil List of the Punjab ;

- (b) whether it is also a fact that the said magistrate holds his Court at Mahatpur in his own house instead of at Nakodar; if so, reasons for the same?

The Honourable Mr. Manohar Lal : (a) No. This is a mistake in the List, which will be corrected.

(b) The honorary magistrate has for many years past with the permission of Government, held court in a room annexed to his residence at Mahatpur.

Mian Abdul Rab : May I know how long this mistake has been on the Civil List?

Minister : I could not say.

Khan Muhammad Yusuf Khan : There is no legal adviser at Mahatpur and therefore the litigant public is deprived of legal help.

Minister : Government is considering again the question of the appropriate location of the honorary magistrates' courts.

Khan Muhammad Yusuf Khan : Is it a fact that the jurisdiction of the magistrate's court extends to the whole tahsil?

Minister : I do not know. Probably the honourable member who put the question knows.

— — —

BORING DONE IN HOSHIARPUR AND JULLUNDUR.

***2451. Sardar Hari Singh :** With reference to the answer to question No. *1899¹, asked on 24th January, 1938, will the Honourable Minister of Revenue be pleased to state—

- (a) when the expert committee to examine and report on the whole of the complex problem arising from the drop of water-table in the Doaba (Jullundur and Hoshiarpur districts) is going to be appointed;
- (b) the terms of reference of the committee;
- (c) whether it is proposed to associate any non-officials with the committee?

The Honourable Dr. Sir Sundar Singh Majithia : (a) After the expiry of the present Assembly session.

(b) The terms have not yet been finally decided but these would naturally refer to finding out and to suggest ways and means of meeting the situation created by the serious drop in the water level in these two districts.

(c) Yes.

Sardar Hari Singh : May I ask the Honourable Revenue Minister to state what he means exactly by the expression 'expiry of the present Assembly session.' Does he mean termination of the session of the Assembly?

Minister : Yes.

Sardar Hari Singh : Is he aware that the session is not likely to terminate before next January ?

Minister : I mean termination of the session which is now going on.

Sardar Hari Singh : This session cannot terminate until it is prorogued.

Minister : Then let it be after January next if that suits my friend. (Laughter). I will speed up before that.

*2452—53.—Cancelled.

DEPARTMENTAL ACTION AGAINST GHULAM MOHY-UD-DIN, SUB-INSPECTOR OF POLICE.

*2454. **Sardar Hari Singh :** Will the Honourable Premier be pleased to state whether any departmental action is proposed to be taken against Ghulam Mohy-ud-Din, Sub-Inspector of Police, for severe magisterial strictures on his conduct as revealed in answers to question No. *10721 ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : The honourable member is asked to refer to the reply to his earlier question *1877^a communicated to him through the Honourable the Speaker.

TEXT BOOKS FOR MIDDLE AND PRIMARY SCHOOLS.

*2455. **Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister of Education be pleased to state—

- (a) whether it is a fact that by Circular Memo. No. 213-C. S., dated 18th June, 1937, from the Under-Secretary to the Punjab Government to the Divisional Inspector of Schools, instructions were issued that no change should be made in the text books prescribed for the primary and middle classes ;
- (b) whether it is a fact that the instructions contained in the above circular were confirmed in Circular No. 1074-C., dated the 12th January, 1938 ;
- (c) whether it is a fact that one of the books prescribed for 1937 for Middle classes was Maraqqa-i-Adab, Part I ; if so, the name of the publisher of this book ;
- (d) whether it is a fact that in the latest edition of Maraqqa-i-Adab, Part I, fifteen lessons which exist in the previous edition have been omitted and twelve new lessons added ;
- (e) (i) whether similar editions and omissions have been made in the case of the books printed under the following titles :—
 - (1) Maraqqa-i-Adab, Part II, 1938 edition,
 - (2) Maraqqa-i-Adab, Part III, 1938 edition,
 - (3) Maraqqa-i-Adab, Part IV, 1938 edition,
 - (4) Bahar-i-Adab, Part I, 1938 edition,
 - (5) Bahar-i-Adab, Part II, 1938 edition,

^aVolume II, pages 410-11.

^aVolume III, page 256, and Appendix.

- (6) Bahar-i-Adab, Part*III, 1938 edition,
 - (7) Bahar-i-Adab, Part IV, 1938 edition,
 - (8) Silsila Hisab, Part II, 1937-38 edition,
 - (9) Silsila Hisab, Part III, 1937-38 edition,
 - (10) Silsila Hisab, Part IV, 1937-38 edition,
 - (11) Silsila Hisab, Part V, 1937-38 edition,
 - (12) Silsila Hisab, Part VI, 1937-38 edition,
 - (13) Silsila Hisab, Part VII, 1937-38 edition,
 - (14) Silsila Hisab, Part VIII, 1937-38 edition,
 - (15) Arithmetic (Lala Tej Ram) Part II, 1938 edition,
 - (16) Arithmetic (Lala Tej Ram), Part III, 1938 edition,
 - (17) Arithmetic (Lala Tej Ram), Part IV, 1938 edition,
 - (18) Arithmetic (Lala Tej Ram), Part V, 1938 edition,
 - (19) Arithmetic (Lala Tej Ram), Part VI, 1938 edition,
 - (20) Hisab Algebra (Lala Tej Ram), Part VII, 1938 edition,
 - (21) Hisab Algebra (Lala Tej Ram), Part VIII, 1938 edition,
if so, the extent of the addition and omissions or alterations
made in each case with the name of the publishers ;
- (f) whether besides the books mentioned in part (i) of this question there are any other text books prescribed for the primary and middle classes in which similar additions and alterations or omissions have been made ; if so, the name of the publishers of each of those books ;
- (g) whether the Punjab Advisory Board for books in approving the 1938 edition of these books containing the alterations, omissions and additions alluded to in part (c) and (f) of this question kept in mind the direction contained in Circular No. 213-C.S., dated 15th June, 1937, and Circular No. 1074-C., dated 12th January, 1938, from Mr. Armstrong, to the Divisional Inspectors, if not, why not, and if so, how the approval came to be accorded ?

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

‘PHAG’ AS A PUBLIC HOLIDAY.

***2456. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that ‘Phag’ which is an important Hindu festival is not being observed as a public holiday in the Punjab this year ;
- (b) whether Government is aware that Hindu opinion is greatly agitated over the matter ;
- (c) whether it has been brought to his notice that Hindu lawyers and Hindu Government servants find it very difficult to attend

[L. Deshbandhu Gupta.]

the courts or their offices on account of Phag playing in the towns and are further debarred from participating in Phag celebrations themselves ;

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

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : (a) Yes. The Phag day has not frequently coincided with the local Sikh holiday of Hola Mohalla, but it does not appear ever to have been itself a notified holiday in this province.

(b) and (c) No.

(d) No action is contemplated. The honourable member will realise that Government have to be most jealous in allowing new holidays, the number of which is already a subject for criticism.

HOLIDAY FOR HARDWAR KUMBH FAIR.

***2457. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state—

(a) whether it is has been brought to his notice that this year Baisakhi day (18th April) is also the Hardwar Kumbh fair day which falls once in a century ;

(b) whether he is aware of the fact that lacs of Hindus from all parts of the province including Hindu lawyers and Government servants join the Kumbh fair at Hardwar ;

(c) whether Government are further aware that it will cause much inconvenience and in some cases make it impossible for Hindu lawyers and Government servants to join Kumbh Mela without 12th and 14th April being declared as public holidays ;

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

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : (a) and (b) Yes.

(c) and (d) The 13th, 15th, 16th, 17th and 18th April have been notified as public holidays, and orders have been issued to heads of departments, etc., suggesting that where the state of work permits casual leave should be granted for the 14th to any Hindu who applies for it in order to enable him to make the journey to Hardwar.

REMISSION OF LAND REVENUE IN LYALLPUR DISTRICT FOR DAMAGE TO TORIA CROPS.

***2458. 2nd-Lieutenant Bhai Fateh Jang Singh :** Will the Honourable Minister for Revenue be pleased to state—

(a) whether it is a fact that in the month of *Katik* last owing to the failure of the canal authorities of Gugera Branch, in the Lyallpur district, to supply water in time the wheat crop was cultivated at the end of the month of *Maghar*, nearly a month after the usual time ;

- (b) whether it is a fact that this failure to supply water in time has resulted in the toria crop suffering badly ;
- (c) if the answer to (a) and (b) above be in the affirmative, the relief proposed to be given to the zamindars as regards the remission of land revenue ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) In 1937, during the normal sowing time for wheat, the supplies available for the Upper Gugera Branch, Lower Chenab Canal (as for all other canals of the Northern Administration) were smaller than usual. This was however due to abnormally short supplies in the rivers, and for this the Irrigation Branch, Public Works Department, cannot be held responsible.

(b) Does not arise.

(c) Does not arise.

2nd-Lieutenant Bhai Fateh Jang Singh : May I enquire whether the reason given in the answer for the failure of the crop does not fall under the category 'natural causes' and as such it is entitled for some relief ?

Minister : I am afraid Government cannot take up that responsibility.

OUTLETS TO CHAKS ON THE GUGERA BRANCH IN LYALLPUR DISTRICT.

***2459. 2nd-Lieutenant Bhai Fateh Jang Singh :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that there is a scheme under contemplation according to which the present water outlets which supply water to chaks on the Gugera Branch Lower in the Lyallpur district are to be replaced by outlets of smaller size and the cause for which this action is intended to be taken ?

The Honourable Dr. Sir Sundar Singh Majithia : It is a fact that the outlets of some of the distributaries of the Lower Gugera Branch are to be re-adjusted in April, 1938. The occasion of this is the fact that outlets on the tails of the distributaries concerned have been receiving short supplies, by reason of the excess supplies consumed in the upper outlets ; a re-adjustment is obviously essential in the interest of those who have been receiving deficit supplies.

2nd-Lieutenant Bhai Fateh Jang Singh : May I know whether any recommendations have been received by the local authorities regarding the construction of a fall at the places where the outlets are to be re-adjusted ?

Minister : I am not quite sure whether the construction of a fall would be the remedy. But it is for the technical branch, the Engineering Department, to look into the matter and if the fall is possible and it will remedy this defect, I have no doubt the Irrigation Branch will take that action. But I must leave this matter to the decision of the technical department.

2nd-Lieutenant Bhai Fateh Jang Singh : Is the honourable member prepared to refer this question to the technical department ?

Minister : The technical department would certainly consider the question if the people concerned apply to them.

COMPLAINT AGAINST ONE JALAL DIN, AN OFFICIAL OF AMBALA JAIL.

***2460. Lala Duni Chand :** Will the Honourable Minister of Finance be pleased to state whether it is a fact that complaints against one Jalal Din, an official of the Ambala District Jail, have been made to the Superintendent of the said jail ; if so, with what result ; and the action the Government intends to take in the matter ?

The Honourable Mr. Manohar Lal : No complaints have been received by the Superintendent, Ambala District Jail, from any non-official against the temporary Assistant Superintendent Mian Jalal-ud-Din.

Lala Duni Chand : Have no complaints been made by the prisoners against this individual ?

Minister : No complaints have been received to my knowledge.

Lala Duni Chand : Will the Honourable Minister kindly see that enquiries are made from the prisoners if they have any complaints to make ?

Diwan Chaman Lal : The Honourable Minister's reply is that no complaints have been received from any non-official. Does it imply that complaints have been received from officials ?

Minister : No. I have replied to the question.

***2461. Cancelled.**

SALE OF A PLOT OF GOVERNMENT LAND TO SETH BHOJA RAM OF KHANEWAL.

***2462. Chaudhri Ahmad Yar Khan :** Will the Honourable Minister for Revenue be pleased to state---

- (a) whether it is a fact that a plot of land at Khanewal has been given away for nominal value to a certain Seth Bhoja Ram of Khanewal for the ostensible purpose of building a Bathing Ghat, if so, reasons for the same ;
- (b) whether it is a fact that the said Seth has built shops all round the Ghat and is deriving personal benefit from their rent ;
- (c) whether it is a fact that the said Seth has now been given another piece of land which is a part of a public park maintained by the Municipal Committee for the purpose of building a serai without consulting the Municipal Committee at all ; if so, reasons for the same ;
- (d) what action do the Government propose to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No. The land was sold at Rs. 1,500 per kanal, which was reported to be the market value of the land for the purpose for which it was sold.

(b) No. The allegation is incorrect.

(c) Another plot of Government land forming part of the open space on the site of road has been sold to Seth Bhoja Ram at full market price for building a public serai. Government had no information that the place was being used as a park. The Municipal Committee as such was not consulted because the land belonged to Government. The President was consulted in his capacity as Sub-Divisional Officer.

(d) The matter is under consideration.

CHAKBANDI AREA ON BAHALBA MINOR.

***2463. Pandit Sbri Ram Sharma :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the total chakbandi area including the area fit and unfit for irrigation on the Bahalba Minor in Rohtak division ;
- (b) how much out of the unfit area is actually being irrigated and from which moghas it is being irrigated ;
- (c) the reasons for not permanently including this actually irrigated area in the area fit for irrigation ;
- (d) whether the zamindars concerned have made repeated representations to the authorities to this effect ; if so, with what result ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) 4,873 acres including 2,551 acres not fit for irrigation.

(b) 51 acres from outlet at R. D. 8,000 R, but it appears to be unauthorised.

(c) This area was excluded originally as being uncommanded. There is at present no surplus water available for extension of irrigation on the Western Jumna Canal and this area cannot be included in the culturable-commanded area of the Chak.

(d) No. One petition was received in September, 1937, about land on outlet at R. D. 8,000-L., which is yet under investigation.

NARROWING OF THE HEAD OF BAHALBA MINOR IN ROHTAK DIVISION.

***2464. Pandit Shri Ram Sharma :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the last time when the head of the Bahalba Minor in Rohtak division was narrowed ;
- (b) whether it is a fact that it was done during the Rabi 1936-37 ; if so, under which rules ;
- (c) the volume of water allowed to this minor previous to and after narrowing it down ;
- (d) the number of moghas on it and whether they get a proper and sufficient supply of water ;
- (e) whether the zamindars concerned have made repeated representations to the authorities in this connection ; if so, with what effect ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) About the middle of January, 1937.

(b) Yes. The narrowing of the head was accompanied by raising of the water level of the Distributary by raising a fall and the authorized discharge of the minor was not changed. The work done was therefore in order.

(c) The authorized volume of water for the minor before and after narrowing was 5.1 cusecs.

(d) There are 8 outlets which get proper and sufficient water.

(e) Zamindars gave one petition in January, 1937 and another in January, 1938. Owing to silting up the Distributary does not now get full supply at the offtake of the minor which therefore gets 4.6 cusecs against 5.1 cusecs authorised. This slight defect is going to be removed by remodelling the Distributary in April next.

HONORARY MAGISTRATES IN ROHTAK, HISSAR AND GURGAON DISTRICTS.

***2465. Pandit Shri Ram Sharma :** Will the Honourable Minister of Finance be pleased to state the number and names of honorary magistrates aged above 60 years in the districts of Rohtak, Hissar and Gurgaon, separately, and the reasons why they are being retained ?

The Honourable Mr. Manohar Lal :

Rohtak.—Two—Rai Sahib Chaudhri Ghasi Ram and Mir Mehrban Ali.

Hissar.—One—Risaldar Thakar Bhagwan Singh.

Gurgaon.—Two—Khan Sahib Chaudhri Farzand Ali Khan and Rai Sahib Chaudhri Jugal Kishore.

Government ordinarily retain honorary magistrates up to the age of 65 years.

CIVIL AND VETERINARY HOSPITALS IN JULLUNDUR DISTRICT.

***2466. Mian Abdul Rab :** Will the Honourable Minister of Education be pleased to state the number of civil and veterinary rural hospitals separately in the Jullundur district and the total expenditure incurred thereon, in each tahsil of the district in case the number is inadequate for the requirements of the rural population of the Nakodar and Phillaur tahsils, the action that the Government proposes to take in the matter ?

The Honourable Mian Abdul Haye : A statement giving the required information is attached. So far as the civil dispensaries are concerned their number in the rural areas of all the tahsils except Jullundur is considered to be adequate according to the standard laid down by Government, viz., one dispensary for every 100 square miles or 30,000 population. In the Jullundur tahsil there are four rural dispensaries, which according to the prescribed standard there should be five. It is for the District Board, Jullundur, which is responsible for providing medical relief in rural areas, to open one more dispensary in Jullundur tahsil. With regard to veterinary

hospitals, I may say that their number in all the tahsils is adequate, but it cannot be increased unless the finances of the District Board, Jullundur, which is responsible for providing this kind of medical relief also in its area, allow to do so.

Statement showing the number of civil and veterinary rural hospitals and dispensaries in the Jullundur district and the total expenditure incurred thereon annually in each tahsil of the district.

Name of tahsil.	CIVIL DISPENSARIES.		VETERINARY HOSPITALS AND DISPENSARIES.	
	Total number.	Total annual expenditure for the year 1937.	Total number.	Total annual expenditure.
		Rs.		Rs.
Jullundur Tahsil ..	4	11,864	3	3,257*
Nakodar Tahsil ..	4	10,975	1	1,122*
Phillaur Tahsil ..	5	12,661	1	914*
Nawanshahr Tahsil	3	7,469	1	..

*These figures only represent the cost of pay and travelling allowance of Veterinary Assistants or Veterinary Assistant Surgeons attached to these hospitals or dispensaries, which is met from the provincial revenues. Besides this the District Board, Jullundur, which is responsible for the maintenance of veterinary hospitals, spends about Rs. 13,683 in a year on all the 12 rural and urban veterinary dispensaries maintained by it. Separate figures for rural and urban dispensaries are however not available.

***2467. Cancelled.**

DISTURBANCE AT A PUBLIC MEETING AT VILLAGE FATEWAL HELD UNDER THE AUSPICES OF DISTRICT CONGRESS COMMITTEE, AMRITSAR.

***2468. Sardar Hari Singh:** Will the Honourable Premier be pleased to state—

(a) whether his attention has been drawn to a press statement issued by two honourable members of this House and some responsible Congress leaders regarding disturbance created by about 500 armed men at a public meeting held under the auspices of the District Congress Committee, Amritsar, at village Fatewal, and the complete absence of the police from the scene although intimation of trouble likely to be created at the said meeting had been given by organisers to the district authorities;

(b) if answer to (a) above be in the affirmative, whether the Government has held an inquiry into the matter; if so, with what result?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes.

(b) The matter is *sub-judice*.

ANNUAL PAYMENT MADE BY CONTRACTORS OF FERRIES ON
SUTLEJ AND BEAS RIVERS.

***2469. Sardar Harjab Singh :** Will the Honourable Minister of Public Works be pleased to state—

(a) the annual payment made by each of the contractors of ferries across the rivers Sutlej and Beas up their junction ;

(b) the rules, if any, regulating employment and payment of the ferry-men by the contractors ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : I regret the time and labour involved in collecting information in respect of this question will not be commensurate with the benefit likely to accrue therefrom.

PERCENTAGE OF SIKH EMPLOYEES IN THE DEPUTY COMMISSIONERS
OFFICES.

***2470. Sardar Sahib Sardar Santokh Singh :** Will the Honourable Minister of Revenue be pleased to state—

(a) the percentage of Sikh employees in the Deputy Commissioners' offices, Ambala division ;

(b) the percentage of the Sikh employees in the Deputy Commissioners' offices, Multan division ;

(c) the percentage of the Sikh employees in the Commissioners' office, Lahore division ;

(d) the percentage of the Sikh employees in the Commissioners' office, Multan division ;

(e) whether the Government proposes to take any action in the matter of giving the Sikh community their due share in these services ?

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

**RELIEF TO AGRICULTURISTS OF CERTAIN VILLAGES IN FEROZEPUR DISTRICT
FOR DAMAGE OF CROPS BY HAILSTORMS.**

***2471. Sardar Rur Singh :** Will the Honourable Minister of Revenue be pleased to state the number and names of the villages in Ferozepur district, where the crops have been damaged by the hailstorms during the months of January, February, 1938 and the steps taken by Government for the relief of the agriculturists of the affected area ?

The Honourable Dr. Sir Sundar Singh Majithia : Damage occurred in February, 1938, only.

A list showing the names of the 19 villages which were more or less affected is laid on the table.

As regards relief afforded, the attention of the honourable member is invited to the reply given to part (b) of question No. *2105¹.

*List of villages affected by hailstorms in the month of February,
1938, in the Ferozepur district.*

1. Mari-Mustafa.	11. Jit Singhwala.
2. Chida.	12. Rajiana.
3. Sukha Nand.	13. Budh Singhwala.
4. Maur Nau Abad.	14. Veroke.
5. Dalia Wala.	15. Channunwala.
6. Thathi Bhai.	16. Sangatpura.
7. Wandar.	17. Alamwala.
8. Bambhia Bhai.	18. Nathuwala.
9. Kotla Mehar Singhwala.	19. Roda.
10. Ladhaika.	

RESULT OF ELECTIONS FOR THE SARGODHA MUNICIPALITY.

***2472. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Public Works be pleased to state—

(a) the date on which the results of the recent Sargodha Municipality elections were declared ;

(b) the reasons for their not being gazetted so far ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) The results of election of contested wards were declared on the dates mentioned below :—

<i>Wards.</i>		<i>Dates.</i>
Nos. I and V (Hindus)	--	8th November, 1937.
Nos. I and II (Sikhs)	--	9th November, 1937.
Nos. III and IV (Muslims)	..	10th November, 1937.
Nos. V (Muslims)	..	11th November, 1937.

[Minister for Public Works]

The remaining wards were uncontested.

(b) The delay in issuing the necessary notifications is due to the fact that the question of refusal to notify the election of some of the members was under the consideration of Government. It has since been decided however and the result of the election will now be notified shortly.

Diwan Chaman Lall : May I ask as to why this small matter regarding the election of some of these members being under the consideration of the Government took nearly five months to decide ?

Minister : Various offices were concerned and various matters had to be enquired into .

Diwan Chaman Lall : May I ask whether he has given any instructions for the future for expeditious attention to be given to matters of this description ?

Minister : No action is called for, but expedition is desirable in every case and is being aimed at as far as possible.

Diwan Chaman Lall : Does the Honourable Minister think that five months after election is not too long a period to disenfranchise an electorate ?

Minister : Where enquiries are being made, I do not think it is a case of disenfranchising the electorate.

Diwan Chaman Lall : Is there anything in the law to prevent him from keeping out those members against whom enquiries are to be made and allowing others to constitute the Committee ?

Minister : In that case the Committee would be incomplete.

Diwan Chaman Lall : May I ask as to whether the matter was brought his notice and as to when the matter was so brought ?

Minister : I am afraid I cannot give the date, but as is usual the old committee is functioning in the meantime.

Diwan Chaman Lall : Has the honourable member made up his mind that in future such delays should not occur ?

Minister : I shall take action where delays occur, but I do not think that any delay has occurred in this case.

Diwan Chaman Lall : How is it possible to take action in this case now that he has agreed that the committee should be constituted ?

Minister : No extraordinary delay took place in this particular case.

Diwan Chaman Lall : If the Honourable Minister takes note of these cases and if he takes action against whom will he take action ? Will it be against himself ?

Minister : Does not arise.

Diwan Chaman Lall : Since he says that he will see to it, that delays do not occur in future, if a delay occurs who is the person against whom action is to be taken ?

Minister : Local officers and others concerned.

Diwan Chaman Lall : Is not the Honourable Minister ultimately responsible ?

Minister : Yes.

Diwan Chaman Lall : So, if action has to be taken, has it to be taken against him ?

Minister : Not necessarily.

MEMORIAL BY MUSLIM EMPLOYEES OF GOVERNMENT PRINTING, PUNJAB.

***2473. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that a printed memorial was sent to him on 15th February, 1938, under registered cover by Muslim employees of the Government Printing, Punjab, Lahore ;
- (b) if so, what action has been taken by the Government on it ;
- (c) whether he will kindly place a copy of the memorial on the table of the House ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) and (b) The attention of the honourable member is invited to the reply to question No. *2153¹, asked in the present session. It is, however, not yet known who sent the memorial.

(c) It is not considered desirable to place anonymous writings of this sort on the table.

NON-OFFICIAL PRESIDENT OF MUNICIPAL COMMITTEE, KAMALIA.

***2474. Munshi Hari Lal :** Will the Honourable Minister of Public Works be pleased to state whether it is a fact that non-official president of the Kamalia Municipal Committee is being asked by the Government to resign ; if so, reasons for the same ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : No.

Munshi Hari Lal : Has the non-official president resigned ?

Minister : Yes.

Munshi Hari Lal : Has his resignation been accepted ?

Munshi Hari Lal : What are the reasons for his resignation ?

Minister : Ask the gentleman concerned.

Munshi Hari Lal : What does he state in his resignation paper ?

Minister : I have not read his resignation but if you give me notice I will obtain the information.

Munshi Hari Lal : Is it a fact that he was elected and he had to contest his election against a tahsildar ?

Minister : You seem to know that. But if you give me notice, I shall find out.

Diwan Chaman Lall : May I rise to a point of order ? The Honourable Minister in charge should address his answers through the Chair and not say 'If you give notice I will make enquiries'. The proper way of stating this is for the Honourable Minister to say, 'If the honourable member gives me notice, I shall do so'.

Minister : I meant the honourable member.

ABDUL HAKIM RAILWAY STATION HARTAL.

***2475. Munshi Hari Lal :** Will the Honourable Premier be pleased to state whether the shop-keepers of the new abadi situated in the vicinity of Abdul Hakim Railway Station observed hartal on 20th and 21st February, 1938; if so, what led to the hartal ?

The Honourable Major Sir Sikander Hyat-Khan : Yes, the hartal was observed by certain Hindu shopkeepers of Railway Bazar Abdul Hakim, as a protest against the election of a private practitioner as a member of the Panchayat. These shopkeepers favoured another candidate.

COMRADE GURMUKH SINGH ALIAS BALWANT SINGH OF DISTRICT AMBALA.

***2476. Lala Duni Chand :** Will the Honourable Premier be pleased to state whether Comrade Gurmukh Singh alias Balwant Singh, son of Bishan Singh of Milksikhi village, Chhappar police station, Ambala district, has recently been ordered not to leave the boundaries of his village without the previous sanction of the District Magistrate, Ambala ; if so, the reasons for the same ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : Yes, for having acted and being about to act in a manner prejudicial to the public safety and peace. The attention of the honourable member is invited to the answer given to starred question No. 2378¹.

Lala Duni Chand : Is it true that this young man has no means of maintaining himself in the village in which he has been interned ?

Parliamentary Secretary : I cannot answer it off-hand.

Lala Duni Chand : Does Government intend giving him maintenance in any form ?

Parliamentary Secretary : When the question comes up before the Government it will be duly considered.

Lala Duni Chand : Is it true that he has been ordered not to engage or take part in propaganda against the Government ?

Parliamentary Secretary : I do not know, it may be true, but I have no information.

Lala Duni Chand : May I invite the attention of the honourable member to the order, a copy of which I have got here in my hand ? It says, he is ordered not to do such and such a thing. He is ordered not to engage himself or take part in propaganda against the Government ?

Parliamentary Secretary : It is a very good order.

Lala Duni Chand : May I know what is meant by propaganda against the Government ?

Parliamentary Secretary : The honourable member should understand what is meant by 'Government.'

Diwan Chaman Lall : May I ask the honourable member most seriously to answer this question whether it is one of the charges against this man that he is not to do any propaganda against the Government ?

Parliamentary Secretary : I have already said what I had to say. The answer is quite clear.

Diwan Chaman Lall : May I ask the honourable member whether he considers it just, proper and decent that an order like this should be passed against his political opponents ?

Mr. Speaker : That is a question of opinion.

Diwan Chaman Lall : May I ask the honourable member whether refusing to do propaganda against the Government or refusing to obey an order which says you shall not do propaganda against the Government is capable of bringing this action within the purview of the Criminal Law Amendment Act, and, if so, which section ?

Diwan Chaman Lall : All that I am asking is this. They say, you shall do no propaganda against the Government. There is no such clause in part 3 of the Criminal Law Amendment Act. May I ask them whether they have taken legal opinion with regard to this matter ?

Parliamentary Secretary : If the honourable member will give notice of that I shall enquire into it.

Diwan Chaman Lall : May I ask another question ? When this was brought to his notice that this was the charge against the man, did the honourable member say that he had no information and, if so, why did he reply that it was for several causes and he was likely to act against the public interest ?

Parliamentary Secretary : I have nothing to add to what I have said.

Lala Duni Chand : Is it true that no legal proceedings have been taken hitherto against this young man excepting this internment ?

Diwan Chaman Lall : May I ask whether this is the method adopted by the Unionist Government against its opponents ?

Parliamentary Secretary : This method is adopted by every Government.

Lala Duni Chand : What are the considerations which led to the Government to order his internment ?

Diwan Chaman Lall : May I ask if definition of such conduct on the part of this Government is 'Hitlerism' ?

Parliamentary Secretary : I wish I could act like Hitler.

Mr. Speaker : The next question please.

SHADOWING OF MR. DEVADAS GANDHI BY PUNJAB C. I. D.

***2477. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state—

- (a) whether he is aware of the fact that Mr. Devadas Gandhi was shadowed by Punjab C. I. D. on the 8th morning on his arrival at Lahore Railway Station from Delhi ;
- (b) whether Government have issued any standing orders to the police to shadow respectable public workers ; if not, whether orders were specifically issued to watch the movements of Mr. Devadas Gandhi, and, if so, the consideration which led the Government to issue such instructions ;
- (c) whether or not Government is aware of the fact that such watch kept by the Police causes unnecessary annoyance to respectable Congress public workers ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : It is not in the public interest to answer such questions.

Diwan Chaman Lall : May I ask the honourable member as to what particular public interest is involved in not answering this question ?

Diwan Chaman Lall : May I ask the honourable member as to whether he is prepared to enlighten this House as to what particular public interest is involved in not answering this question ?

Diwan Chaman Lall : Does the honourable member mean by public interest the interest of the Unionist Government ?

Parliamentary Secretary : No.

Diwan Chaman Lall : May I ask the honourable member if he means by public interest the interest of the Honourable Ministers ?

Parliamentary Secretary : Interest of the Province.

Diwan Chaman Lall : Which particular portion of the province—the Unionist part or the Congress part of the province ?

Parliamentary Secretary : The province as a whole.

Lala Duni Chand : Does public interest in this case mean that if the question is answered the Government will find itself in an awkward position ?

Mr. Speaker : That is not a question but an argument.

Lala Bhim Sen Sachar : Is the Government prepared to deny that Mr. Devadas Gandhi was shadowed by the police ?

Diwan Chaman Lall : Why is Government afraid of answering a simple question ?

EXTERMENT OF SARDAR DULLA SINGH OF VILLAGE JALALDIWAL,
PATIALA STATE.

***2478. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state whether it is a fact that Sardar Dulla Singh of village Jalal diwal, Patiala State, was served with a notice to quit Lahore on the night of the 7th March, 1938, within twenty-four hours under the Punjab Criminal Law Amendment Act ; if so, the reasons for externing him from the Punjab now and the period for which the order is to remain in force ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana): First part. Yes.

Second part. For having acted and being about to act in a manner prejudicial to the public safety and peace.

Third part. For twelve months.

Diwan Chaman Lall: May I ask the honourable member to let us know what particular information he had that this gentleman was going to act against the public peace?

Parliamentary Secretary: I am afraid I cannot give that information.

Diwan Chaman Lall: Was the source of the honourable member merely the police reports?

Parliamentary Secretary: No.

Diwan Chaman Lall: What other reports did my friend have apart from the police reports?

Parliamentary Secretary: I cannot answer that question.

Diwan Chaman Lall: Has he any other report except the official report?

Parliamentary Secretary: I have lots of reports but I cannot tell the honourable member about them.

Diwan Chaman Lall: Has he made up his own mind to put an end to such extermments and internments?

Parliamentary Secretary: Whenever it is necessary we will do it.

Diwan Chaman Lall: May I ask if this is not the sixtieth internment or extermment since this Government took over charge?

FORCED LABOUR TAKEN BY THE POLICE FROM CHAMARS OF
VILLAGE BARAUDA (GOHANA).

***2479. Pandit Shri Ram Sharma**: Will the Honourable Premier be pleased to state—

(a) whether the Government is aware of the fact that the Harijan Chamars of village Barauda (Gohana) some three months ago made a representation to the district authorities through an M. L. A. to the effect that they were forced by the police to build a kacha house in front of the police station for the private use of the local sub-inspector;

(b) whether it is a fact that the labour was taken under threat and without payment; if so, what action on the representation was or is intended to be taken in this matter?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh): (a) and (b) No representation appears to have been received; but an article published in the "Haryana Tilak", a local paper contained allegations to this effect. Inquiries were made and the allegations were found to be incorrect.

Pandit Shri Ram Sharma: Who conducted the investigation?

Parliamentary Secretary : It was conducted by the Deputy Commissioner.

Pandit Shri Ram Sharma : Where and on what date was it conducted ?

Parliamentary Secretary : If the honourable member will give notice I shall supply him with the information.

Pandit Shri Ram Sharma : Were the statements of the Chamars recorded in this connection ?

Parliamentary Secretary : I have already stated that if the honourable member will give notice, I will supply the information required.

POSTS IN P. E. S. HELD BY PROFESSORS, INSPECTORS AND
HEAD MASTERS.

***2480. Sufi Abdul Hamid Khan :** Will the Honourable Minister of Education be pleased to state—

- (a) the total number of posts in P. E. S., class II Men's branch ;
- (b) the number of posts in selection grades in (a) above ;
- (c) the number of posts from (a) above held by, (i) members of the staff of different colleges, (ii) members of the inspection staff, (iii) head masters of high schools ;
- (d) the number of posts under (b) held by (i) members of the colleges staff, (ii) members of the inspection staff, (iii) head masters of high schools ?

The Honourable Mian Abdul Haye : The honourable member is referred to the answer given to question No.* 2374¹.

***2481. Cancelled.**

PROPORTIONATE REPRESENTATION OF THE MUSLIM AND NON-MUSLIM
EMPLOYEES OF THE KARNAL DIVISION OF THE WESTERN
JUMNA CANAL.

***2482. Sufi Abdul Hamid Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the number and proportion of Muslims and non-Muslim employees, both executive and ministerial, in the Karnal division of the Western Jumna Canal ;
- (b) the action that the Government contemplates to take to secure proportionate representation of Muslims and non-Muslims among these employees ?

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

Lala Bhim Sen Sachar : Have the Government given up recruitment of services on communal consideration ?

Minister for Public Works : That is again a communal question and he declines to answer that.

ROADS FROM TAJAWALA, BURIA, KHARWAN AND DADUPUR TO
ABDULLAPUR.

***2483. Sufi Abdul Hamid Khan :** Will the Honourable Minister of Public Works be pleased to state whether he is aware of the fact that roads from Tajawala, Buria, Kharwan and Dadupur to Abdullapur are in a most dilapidated condition and the public of that ilaqa besides having made several representations to the local District Board brought this fact to the notice of His Excellency the Governor when he last visited Dadupur, if so, the steps, if any, that he intends to take to improve the condition of those roads with a view to redressing the long standing grievances of the people ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : No, the roads are not in dilapidated condition. They are unmetalled roads in the charge of the District Board, Ambala, and are being maintained in a fair condition except during the rainy season. The condition of the roads is likely to be improved in future by the District Board who have been recently relieved by Government of the responsibility for the maintenance of two metalled roads, viz., Ambala-Naraingarh and Rupar-Chandigarh.

Lala Duni Chand : May I know if these roads are pucca roads or kutchra roads ? What kind of roads does he take them to be ?

Minister : I have already replied that they are unmetalled roads, perhaps my honourable friend did not follow.

Lala Duni Chand : Are there any provisions made for their maintenance or upkeep ?

Minister : I have already given the reply.

Lala Duni Chand : The question that I put was, whether any particular provision has been made for the maintenance and upkeep of these roads. There is no reply to that in the answer that he has been pleased to read out.

Minister : I am afraid the honourable member has not again followed the reply.

Lala Duni Chand : By whom will the roads be maintained ?

Minister : The District Board of Ambala.

AMRITSAR-FATEGARH-DERA BABA NANAK ROAD.

***2484. Sardar Sohan Singh Josh :** Will the Honourable Minister of Public Works be pleased to state whether he has ever considered the question of taking over the Amritsar-Fatehgarh-Dera Baba Nanak Road which is in a hopelessly bad condition from the District Boards of Amritsar and Gurdaspur under the direct control of the Public Works Department ; if so with what result ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : Yes, the subject received due consideration but the provincialisation of the road was found un-warranted since the area is already served by the rail communications and arterial roads nearby, *viz.*, Amritsar to Sialkot and Amritsar to Pathankot.

INVESTIGATION OF TRANSACTIONS CONTRAVENING THE PROVISIONS
OF LAND ALIENATION ACT.

***2485. Sardar Sohan Singh Josh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether he is prepared to lay on the table a statement showing the work of the five tahsildars on special duty for the investigation of transactions so far effected which contravenes provisions of the Land Alienation Act in the five divisions district-wise ;
- (b) the action taken or intended to be taken against those who, as a result of that investigation, contravened the provisions of the said Act ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) I regret complete information is not yet available.

(b) None.

As soon as sufficient progress has been made necessary steps will be taken to give information if my honourable friend puts the question again.

ROAD BETWEEN GRAND TRUNK ROAD AND RAM TIRATH ROAD, AMRITSAR.

***2486. Sardar Sohan Singh Josh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether he has received any representation signed by more than two hundred people of Putlighar, Amritsar city, in regard to the very bad and dirty condition of the road lying between the Grand Trunk Road and the Ram Tirath road ;
- (b) if the answer to the above be in the affirmative, the action that the Government proposes to take in the matter ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) No.

(b) Does not arise.

***2487. Cancelled.**

APPLICATION OF HUSNA, SON OF IMAM BUX, JAT OF VILLAGE MANGOWAL,
DISTRICT GUJRAT.

***2488. Sardar Hari Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that one Husna, son of Imam Bux, Jat of village Mangowal, district Gujrat, has submitted an application in the court of the Tahsildar of Gujrat, alleging that in the

revenue records he had been shown as dead and the same had been attested to by the revenue officials ;

(b) exact facts of the case and the circumstances under which the alleged irregularity was committed ;

(c) action proposed to be taken by the Government in the matter for rectification of the error and disciplinary action intended to be taken against the officials concerned ?

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

(b) In May, 1934, the local revenue officers after recording the statements of Mst. Jainan, wife of Husna, and Ahmad, his son, who stated that he had been absent from the village for the last 15/16 years and had never been heard of during this period, concluded that he was dead and sanctioned the mutation of his property in favour of his son.

(c) The matter is under consideration.

APPLICATION OF THE PEOPLE OF ILAQA MAHILPUR, DISTRICT HOSHIARPUR
re CONSTRUCTION OF A DAM.

***2489. Sardar Hari Singh :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that the people of ilaqa Mahilpur, district Hoshiarpur, submitted an application to the Honourable Minister on 18th August, 1937, praying that a dam be constructed near the Shivalik Hills to prevent devastation by floods in the rainy season ;

(b) if answer to (a) above be in the affirmative, what action has been taken or is proposed to be taken by the Government in the matter ?

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

(b) The whole question is to be discussed soon by a Conference to find out ways and means for combating the evil.

Sardar Hari Singh : May I ask what kind of conference this is going to be ?

Minister : Probably of officials and non-officials.

HIGH INCIDENCE OF VIOLENT CRIME IN DISTRICT FEROZEPUR.

***2490. Sardar Hari Singh :** With reference to the answer to starred question No. 2040, put on 10th March, 1938, will the Honourable Premier be pleased to state—

(a) the causes of the high incidence of violent crime in district Ferozepore ;

(b) whether any curative methods are being employed by the Government to root out crime from the said district ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh): The Ferozepore district has for years been notorious for violent crime. Such crime may be divided into two classes :—

- (a) Crime committed for gain by dacoits and robbers, and
- (b) Crime committed for reasons of hatred or vengeance.

The reasons for the high incidence of crime in the former class is largely one of geographical conditions. The Ferozepore district is contiguous to a number of Indian States and though I am very glad to acknowledge the hearty co-operation of the Police of those States with the Punjab Police in running criminals to earth, there can be no doubt that the various divisions of control must operate in favour of the dacoit. As a curative measure the Punjab Government have since 1933 employed a special mobile force of Police, which, assisted by the use of tear gas, has accounted for extraordinary large numbers of dacoits. The number of cases of dacoity in 1933 was reduced by this means from 49 to 29 and the average number for the last three years is 13 cases only.

2. In the second class of violent crime the figures unfortunately do not show a similar decline. Various reasons can be adduced to account for this state of affairs, but the root-cause seems to lie in the wide prevalence of family feuds and factions.

I shall be glad to receive practical and constructive suggestions for effecting a reduction in the incidence of crime which falls under this category.

Pir Akbar Ali: Is the district police in these days sitting idle that this has been entrusted to the mobile force?

Parliamentary Secretary: No, the mobile police force has been helping the district police.

Pir Akbar Ali: Is it not a fact that the work done by the district police is attributed to the mobile force.

Parliamentary Secretary: No, Sir.

Pir Akbar Ali: Is it not a fact that owing to the scarcity of some roads the district police cannot proceed to certain parts of the district?

Parliamentary Secretary: There may be some difficulty in that way but Government is prepared to look into that difficulty also.

Pir Akbar Ali: Is it not a fact that very few people have gun licenses and will Government consider giving more licenses to the people?

Parliamentary Secretary: That again is a matter which Government always keeps in view while granting licences.

Pir Akbar Ali: Is it not a fact that big number cartridges are not allowed to be kept by the licencees?

Parliamentary Secretary: If the honourable member will give notice I shall make enquiries and supply the information required.

Pir Akbar Ali: Is it not a fact that the people of the district resent the appointment of the mobile force?

Parliamentary Secretary: No.

Pir Akbar Ali : Have you made any enquiries from the eight representatives of the Ferozepore district in this House ?

Parliamentary Secretary : The results justify the retention of the mobile force.

Pir Akbar Ali : What results ?

Parliamentary Secretary : The reduction in crime.

Pir Akbar Ali : Where was the district police during this period ?

Parliamentary Secretary : The district police was there.

Pir Akbar Ali : Either of them may be removed, the district police or the mobile force.

Parliamentary Secretary : The district of Ferozepore from which my honourable friend comes is notoriously criminal and for that reason it is necessary to retain both.

ALLEGATIONS MADE BY THE PUNJAB MOTOR UNION AGAINST POLICE
OFFICIALS OF SARGODHA AND SHAHPUR FOR FREE TRAVELLING ON
PUBLIC MOTOR VEHICLES.

***2491. Sardar Hari Singh :** Will the Honourable Minister of Revenue be pleased to state, with reference to answers to question No. *2041¹, whether it is a fact that the Secretary, Punjab Motor Union (Registered) made a representation to the Superintendent of Police, Sargodha, recently making allegation regarding police men travelling free of charge in public motor vehicles ; if so, contents of the representation and action taken thereon ?

The Honourable Dr. Sir Sundar Singh Majithia : A copy of a letter, dated the 22nd November, 1937, received by the Superintendent of Police, Sargodha, from the Secretary, Punjab Motor Union (Regd.), Amritsar, is laid on the table. On receipt of the letter the Superintendent of Police, Sargodha, deputed one of his District Inspectors to make the necessary enquiries. The Inspector later reported that the allegations were without foundation.

Copy of a letter No. F.-1/255, dated 22nd November, 1937, from the Secretary, Punjab Motor Union (Registered), Amritsar, to the Superintendent of Police, Sargodha.

I have the honour to inform you that during my stay at Sargodha, I have the occasion to watch the motor traffic and the management of the traffic police very carefully. It is known to almost every person concerned with this business that the authorities, every now and then, complain that the drivers are in a habit to overload their lorries. Experience, however, shows that this inference is wholly invalid. The fact is that the cause of all the irregularities and unlawful deeds is police itself. At least this is what I found in Sargodha. I sat on the Lorry Stand, for about three hours, and saw the police constables sitting in the front seats (on the left and right of driver) free of charge. With the result that drivers on Sargodha-Shahpur line overload fearlessly. I hope you will agree with me, if I say that the drivers have no fault in the whole affair. How can the drivers observe rules of the traffic when police itself is indulging in such unlawful deeds.

I am sure you will kindly investigate into the matter and take necessary steps to check this unlawful practice.

Thanking you.

DISMISSAL OF CONSTABLES SOHAN SINGH AND DHARAM SINGH.

***2492. Chaudhri Muhammad Hassan :** Will the Honourable Premier be pleased to state—

- (a) if constable candidates Sohan Singh and Dharam Singh were enlisted by the Superintendent of Police, Ludhiana; if so, the date of their enlistment in the police force;
- (b) whether both of the recruits have recently been dismissed; if so, the offence with which they were charged;
- (c) whether any inquiry was made before dismissing them; if so, whether the inquiry was made in writing or orally;
- (d) if no inquiry was made the reason for the same;
- (e) whether he is prepared to lay on the table the papers relating to the inquiry in question;
- (f) the names and number of prosecution witnesses in the inquiry held in the case and also the names and number of defence witnesses, if any?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : (a) Foot Constable No. 8, Sohan Singh and Foot Constable No. 243 Dharam Singh were enlisted by the Superintendent of Police on 5th October, 1936, and 6th May, 1937, respectively.

(b) Both of them were discharged on 10th January, 1938, under Police Rule 12·21 as being unlikely to prove efficient police officers.

(c) No.

(d) No enquiry was necessary under the rules.

(e) and (f) Does not arise.

Chaudhri Muhammad Hassan : What was the particular offence for which they were charged?

Parliamentary Secretary : I have already said that they were discharged under Police Rule 12·21 which reads as follows :

A constable who is found unlikely to prove an efficient police officer may be discharged by the Superintendent at any time within three years of enrolment. There shall be no appeal against an order of discharge under this rule.

Chaudhri Muhammad Hassan : What was the particular occasion on which they were found to be inefficient?

Parliamentary Secretary : It is entirely for the Superintendent to say whether a constable is likely to prove efficient or not.

Chaudhri Muhammad Hassan : What was the particular occasion on which they were found to be inefficient?

Parliamentary Secretary : From their general conduct and in the discharge of their duty, the Superintendent, Police, formed the opinion that they were not likely to prove efficient.

Chaudhri Muhammad Hassan : Was any report submitted by his subordinates to the Superintendent?

Parliamentary Secretary : I cannot add anything to the answer I have already given.

Chaudhri Muhammad Hassan : Was any particular date chosen for their dismissal ?

Parliamentary Secretary : No. It so happened that on that date they were dismissed.

MUSLIM REPRESENTATION IN MUNICIPAL COMMITTEE, BHIWANI.

***2493. Khawaja Ghulam Samad :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether the proportion of communities in the composition of the Bhiwani Municipal Committee is according to the formula : mean of population and voting strength ;
- (b) if the answer to (a) is in the negative, whether Government proposes to take action in the matter ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : It is a communal question, and I am not ready to answer it.

AGRICULTURAL LAND SOLD IN KARNAL, ROHTAK, GURGAON, HISSAR AND AMBALA.

***2494. Khawaja Ghulam Samad :** Will the Honourable Minister of Development be pleased to state—

- (a) whether any lands of agriculturists were attached and sold in execution of decrees of Co-operative Unions or Banks in Karnal, Rohtak, Gurgaon, Hissar and Ambala districts in 1935, 1936 and 1937 ; if so, the area of such lands district-wise and the number of persons with the community to which they belong, against whom the decrees were executed ;
- (b) the number of arrests of agriculturists in execution of decrees in 1935, 1936 and 1937 ?

The Honourable Chaudhri Sir Chhotu Ram : I regret that the information is not yet ready. The honourable member will realise that the setting out of the details he seeks involves a great expenditure of time and labour.

Khawaja Ghulam Samad : Is the Government contemplating to extend the provisions of the Debtors Protection Act, the Regulation of Accounts Act and the Relief of Indebtedness Act to the agricultural creditors ?

Mr. Speaker : From which part of the answer of the Honourable Minister does this supplementary question arise ?

Khawaja Ghulam Samad : From the answer given to my question No. *2494.

Mr. Speaker : What was the answer ?

Khawaja Ghulam Samad : Will the Honourable Minister kindly repeat it ? *(Laughter.)*

***2495. Cancelled.**

**APPOINTMENT OF MUSLIMS IN THE OFFICE OF DEPUTY COMMISSIONER,
HISSAR.**

***2496. Khawaja Ghulam Samad :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the number of Muslim applicants with requisite qualifications, who applied for service to the present Deputy Commissioner, Hissar, in 1937 and 1938 and the number of those who were taken and also of those whose applications were rejected with their qualifications ;
- (b) the number of leave reserve clerks, community-wise taken by the present Deputy Commissioner, Hissar, employed afresh or employed in vacancies in 1937 and up to date ;
- (c) the number of clerks community-wise, in each grade of service employed now in offices of deputy commissioners, Ambala division ?

The Honourable Dr. Sir Sundar Singh Majithia : I must decline with regret to answer questions which savour of communalism on the floor of the House. I am sorry to have to adopt this attitude but Government consider it necessary in the public interest to establish a convention in connection with such questions. I shall, however, always be prepared to examine any particular instances of disproportionate representation which honourable members may bring to my notice in a more informal way.

TUBE-WELL IRRIGATION SCHEME.

***2497. Khawaja Ghulam Samad :** Will the Honourable Minister of Revenue be pleased to state when the Government propose to give effect to the tube-well irrigation scheme in the Ambala division ?

The Honourable Dr. Sir Sundar Singh Majithia : The attention of honourable member is invited to the reply already given to question No. *2390.¹ Until the results of investigation work are available, no project can be framed.

ANTI-CORRUPTION PROPOSALS.

***2498. Khawaja Ghulam Samad :** Will the Honourable Premier be pleased to state—

- (a) the extent to which anti-corruption proposals acted upon by the Government so far have proved successful in eradicating corruption from Government Departments ;
- (b) whether there are any other effective measures under contemplation of the Government to purify the administration from corrupt officers ; if so, what are they ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : (a) This is a matter of opinion, but most people would probably agree that there has been a steady improvement.

(b) Perhaps I may refer the honourable member to the reply given to question No. *2054¹, which though relating primarily to the police applies *mutatis mutandis* to other departments as well.

APPLICATION FROM CERTAIN SWEEPERS OF VILLAGE DALL,
REGARDING BEGAR.

***2499. Dr. Sant Ram Seth:** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether he received an application, dated 12th March, 1938, from Boota Singh and other sweepers of village Dall, district Lahore, regarding the begar taken by the police;
- (b) if the answer to (a) above be in the affirmative, whether any inquiry was made; if so, with what result?

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

(b) Does not arise.

ENFORCEMENT OF CRIMINAL TRIBES ACT IN VILLAGE SABRAI
(DISTRICT LAHORE) AND FATEHGARH SABRAI (DISTRICT
FEROZEPURE).

***2500. Dr. Sant Ram Seth:** Will the Honourable Minister of Finance be pleased to lay on the table a statement showing—

- (a) the population of village Sabrai, district Lahore, and Fatehgarh Sabrai, district Ferozepore, at the last census;
- (b) number of the persons who were convicted each year between 1st January, 1930, and 31st December, 1937;
- (c) the number of the inhabitants who were restricted under the Criminal Tribes Act between December, 1928, and 1st January, 1938;
- (d) the number of other persons who were minor when Criminal Tribes Act was enforced in these villages but who after attaining age of majority were entered in the Criminal Tribes register between 1st December, 1928, and 31st January, 1938;
- (e) the number of persons referred to in (d) above, who were convicted by the courts during the period mentioned in (d) above?

The Honourable Mr. Manohar Lal: The required information cannot be collected without an expenditure of time and labour which would be incommensurate with the results which could possibly be achieved.

OUTLET No. DR/41888, BASARKI DISTRIBUTARY.

***2501. Dr. Sant Ram Seth:** Will the Honourable Minister of Revenue be pleased to state whether the investigation referred to in answer to question No. 208 (c)² has been completed; if not, how much more time will be taken in its completion?

¹ Volume III, pages 664—66.

² Volume II, page 235.

The Honourable Dr. Sir Sundar Singh Majithia : Investigation has been completed. The shifting of the outlet will be done in April, 1938.

PUNITIVE POLICE POSTS IN VILLAGES GADDOKI (DISTRICT LAHORE) AND
KATLOHI KHURD.

***2502. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state whether the inquiry referred to in answer to my starred ¹question No. 88, put during the Simla session, have been completed and the answer to unstarred ²question No. 243, put during the last January session is ready ; if not, when it is expected to be ready ?

The Honourable Major Sir Sikander Hyat-Khan : The honourable member is invited to refer to the reply given to his question No. 243,³ copies of which were supplied to the Assembly Office on the 24th, March, 1938.

GRIEVANCES OF ZAMINDARS OF VILLAGE SUR SINGH REGARDING JAGAT-
PURA MINOR HEAD.

***2503. Dr. Sant Ram Seth :** Will the Honourable Minister of Revenue be pleased to state whether the investigation undertaken by the Canal authorities referred to in unstarred question No. 242,³ put by me during the last January session, has been completed ; if so, with what result, if not, how much more time will be taken to complete it ?

The Honourable Dr. Sir Sundar Singh Majithia : Investigation has been completed. Defects in the channel have been removed and the Tail is now getting authorised discharge.

CONSTRUCTION OF A BRIDGE OVER A WATER-COURSE NEAR VILLAGE
MANHALA JAI SINGH, TAHSIL KASUR.

***2504. Dr. Sant Ram Seth :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether certain land owners of village Manhala Jai Singh, tahsil Kasur, district Lahore, were assessed to provide the cost in 1929, for the construction of a bridge over a water-course ;
- (b) if the answer to (a) above be in the affirmative, (i) what was the amount assessed, (ii) what was the amount collected out of the assessment sanctioned ;
- (c) whether a bridge has been constructed over the water-course ; if not the reasons for the same ;
- (d) when the Government intend to construct the said bridge ?

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

¹Vol. I, pages 322-23.

³Volume II, page 426 and Appendix.

³Vol. II, pages 425, 26.

BUILDING OF A ZAILGHAR AT LAHORE.

***2505. Dr. Sant Ram Seth:** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether any tax was imposed on the land owners of villages in the Lahore tahsil between 1st January, 1914 and December, 1925, to provide the cost for the construction of a *zailghar* at Lahore;
- (b) if the answer to (a) above be in the affirmative, (i) what was the amount assessed and (ii) what was the amount collected by the revenue authorities by the end of December, 1925;
- (c) whether no *zailghar* has so far been constructed out of the money referred to in (b) above; if so, reasons for the same;
- (d) whether the Government intend to build a *zailghar* at Lahore; if not, whether the money recovered will be refunded to the land owners concerned?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana: I regret the reply to this question is not yet ready.

APPLICATION OF GHULAM MUHAMMAD AND OTHERS OF VILLAGE JIA BAGGA PROTESTING AGAINST THE LOCATION OF A PUNITIVE POLICE POST.

***2506. Dr. Sant Ram Seth:** Will the Honourable Premier be pleased to state—

- (a) whether he received a representation, dated 12th March, 1938, from Ghulam Muhammad and others of village Jia Bagga, district Lahore, requesting that no punitive police be located in their village;
- (b) if the answer to (a) above be in the affirmative, (i) how far the facts mentioned therein have been found to be correct, (ii) whether any inquiry was made by the Government in the matter, if so, with what results;
- (c) (i) what was the number of cognizable cases registered at police station Kahna, tahsil Lahore, which took place within the boundary of village Jia Bagga between 1st January, 1935, and 31st January, 1938, (ii) what was the nature of each case, (iii) what was the number of inhabitants of the village who were convicted for these offences between 1st January, 1935 and 31st January, 1938, (iv) what was the number and nature of the cognizable cases committed by the inhabitants of the village Jia Bagga between 1st January, 1935 and 31st January, 1938, outside their village boundary?

The Honourable Major Sir Sikander Hyat-Khan: (a) No.

(b) Does not arise.

(c) There is no proposal to locate an additional police post at the village Jia Bagga and I do not think the honourable member will press for these particulars.

RELIEF TO SUFFERERS IN COMMUNAL RIOTS AT MAUZA DERA HAMIDPUR.

***2507. Khawaja Ghulam Samad :** Will the Honourable Premier be pleased to state whether it is a fact that recently there has been a communal riot at Mauza Dera Hamidpur, tahsil Naraingarh ; if so, reasons of the said occurrence and the action the Government intends to take in this matter and to afford relief to the sufferers ?

The Honourable Major Sir Sikander Hyat-Khan : First part : Yes.

Second part : Cases of rioting were registered against both the parties concerned and are at present in court. The matter is *sub-judice*.

RESTORATION OF PEACE IN MAUZA SANGHI IN ROHTAK DISTRICT.

***2508. Khawaja Ghulam Samad :** Will the Honourable Premier be pleased to state what steps the Government have taken to restore peace in Mauza Sanghi in district Rohtak and to safeguard the lives and property of the Muslims who quitted that place after the recent communal disturbance in the said mauza ?

The Honourable Major Sir Sikander Hyat-Khan : Additional police have been posted to the village for a period of one year with effect from 1st March, 1938.

COMMUNAL DISTURBANCES AT VILLAGE JATWAR.

***2509. Khawaja Ghulam Samad :** Will the Honourable Premier please state whether it is a fact that there has recently been a communal disturbance at village Jatwar, Ambala district ; if so, reasons of the said disturbance and the action the Government intends to take to stop recurrence of such disturbances in the said district, and also the action they propose to take to afford relief to those who have been the victims of this disturbance ?

The Honourable Major Sir Sikander Hyat-Khan : In August, 1937, there was a dispute in village Jatwar, district Ambala, over the action of a Muslim who brought beef into the village and was beaten by the Hindus. District officers have instructions to do, and are doing their best to prevent the recurrence of such incidents. The question of Government affording relief to any person in this case does not arise.

COMPENSATION TO THE OWNERS FOR DIGGING OF EARTH FROM ADJOINING FIELDS FOR REPAIRING DISTRICT BOARD ROADS.

***2510. Sardar Harjab Singh :** Will the Honourable Minister of Public Works be pleased to state—

(a) whether he is aware that for purposes of repairing district board roads, earth is dug up from the fields adjoining the roads without permission of and payment of compensation to the owners of these fields ;

(b) if answer to (a) above be in the affirmative, the rule under which the practice has been adopted ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) Government has no such information.

(b) There is no such rule.

PERIOD OF STUDIES FOR DEGREE OF BACHELOR OF LAWS.

***2511. Sardar Harjab Singh :** Will the Honourable Minister for Education be pleased to state—

(a) whether it is a fact that the period of studies for the degree of Bachelor of Laws has been raised from two to three years ;

(b) if so, under what consideration has this step been taken ?

The Honourable Mian Abdul Haye : (a) Yes.

(b) The period of the Law Course was extended to three years to provide for a revised curriculum, improved instruction and higher examination standards. The real extension of the period is not, however, more than six months as six months' apprenticeship previously required by the High Court before a law graduate could be enrolled as a lawyer has been abrogated. The distribution of subjects over three years has been made on the principle that students will learn some elements of law in the first year, advanced and technical courses in the second year, and practical subjects in the third year.

UNLAWFUL POLITICAL SOCIETIES.

***2512. Sardar Harjab Singh :** Will the Honourable Premier please lay on the table—

(a) a list of political societies which have been declared unlawful in this province during the last five years ;

(b) reasons for declaring each of these unlawful ;

(c) whether those conditions under which they were declared unlawful still exist ; if not, reasons why the ban has not been lifted so far ?

The Honourable Major Sir Sikander Hyat-Khan : (a) A list of associations declared unlawful during the past five years is placed on the table.

(b) Because these associations interfered and had for their object interference with the administration of the law and with the maintenance of law and order, and constituted a danger to the public peace.

(c) First part. Yes.

Second part. Does not arise.

Associations declared unlawful during the past five years.

1. The Punjab Kisan League.
2. The Amritsar District Kisan Sabha.
3. The Punjab Provincial Nau Jawan Bharat Sabha, Lahore.
4. The Punjab Kirti Kisan Sabha, Amritsar.
5. The Anti-Imperialist League, Punjab.
6. The Labour Research Society, Punjab.

SUSPENSION OF THE PROCEEDINGS OF THE MUNICIPAL COMMITTEE, LYALLPUR, BY DEPUTY COMMISSIONER.

***2513. Sardar Hari Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that the Deputy Commissioner, Lyallpur, has suspended the proceedings of the Municipal Committee, Lyallpur, held on the 2nd March; if so, what were the proceedings that have been suspended;
- (b) grounds for the interference on the part of the Deputy Commissioner;
- (c) whether the proceedings of the same day at which a vice-president was elected have also been suspended?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) and (b) On the 2nd March the Municipal Committee of Lyallpur met at 8 P.M., conducted part of the business on the agenda in the absence of the President and Vice-President and subsequently adjourned. After the adjournment, the party of the President met and held a second meeting and dealt with the agenda including items already dealt with by the first meeting. As no notice was given of this subsequent meeting, which was beyond the law, and as the proceedings of that meeting were conducive to a breach of the peace (some blows were actually exchanged) the proceedings of the second meeting and its resolutions were suspended under section 292 of the Punjab Municipal Act, 1911.

(c) The election of the Vice-President had taken place in the first meeting and also formed part of the subsequent meeting which elected a separate Vice-President. The proceedings of this subsequent meeting as mentioned above have been suspended.

ARRANGEMENTS OF AIR-CONDITIONING FOR NEW ASSEMBLY CHAMBER.

***2514. Sardar Hari Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether his attention has been drawn to the proceedings of the recent annual meeting of the Punjab Medical Association as reported in the Tribune of 21st or 22nd February, wherein one of the speakers referring to the advocacy of Professor Freankel of Royal Society of Medicine that buildings should be so constructed that the sensitizing agents are not allowed to get in and the arrangements of air-conditioning which are these days universally made in the buildings should be supplemented by the Aleergan Filtration Apparatus, suggested that the New Punjab Legislative Assembly Chamber under construction at Charing Cross, which is being equipped with air-conditioning, should also have the filtration apparatus as a measure of Prophylaxis so that the honourable members sitting inside can work calmly unaffected by sensitizing agents;
- (b) if answer to the previous part be in the affirmative, whether the Government have examined the suggestion referred to therein; if so, with what result?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) Yes, but only very recently.

(b) The suggestion is being looked into but no decision has been given. The matter is highly technical and requires elaborate explanation and a note is therefore laid on the table.

*Note on suggestion to instal special allergic filtration apparatus
for New Council Chamber, Lahore.*

1. *Reference.*—Assembly Question No. 2514 of Sardar Hari Singh received 16th March, 1938.

2. The air-conditioning installation of the New Punjab Assembly Chamber is a cheap "evaporative" system designed to operate only in winter and in the early part of the dry hot weather when the air humidity is low. All air discharged into the Assembly Chamber and Tea Room underneath is passed through a washing machine where it is thoroughly sprayed and washed with water. It is also passed through eliminator passages in order further to intercept dust, etc., before it passes into the Chamber. The air in the office and other rooms and corridors, passages and halls of the building is not treated in any way.

3. The Allergic diseases apparently referred to in the question consist of the following, which are stated by medical authorities to be produced by finely divided matter of certain descriptions such as *pollen* carried by the air :—

- (1) a certain type of hay fever.
- (2) a particular type of sneezing.
- (3) one kind of asthma.

4. While the evaporative air-conditioning plant is designed to deliver washed and sprayed air from which the great bulk of the dust has been removed, it is not certain whether such plant will completely remove all "*pollen*" and similar sensitizing agents causing allergic diseases.

So far as is known, there is no filter plant in any Public Building in India specifically designed for the complete removal of such sensitizing agents and the writer is not aware of any such installation in a building in England of the type of the Assembly Chamber.

5. It is understood that only certain persons are subject to the allergic diseases above referred to.

6. As there are presumably no special filters to filter the air in the private homes of members, and in the streets and other places which they frequent and also in the offices and passages of the Assembly Chamber itself, it would appear that the exclusion of allergic sensitizing agents by special filtration apparatus in the Assembly Chamber itself is not going to prevent members, who may be subject to the disease, from contracting them in any case. Again, it is not known whether any members of the Assembly are actually subject to the diseases.

**REPORT OF A MUSLIM MEETING HELD AT THE BUNGALOW OF SYED
MAHMOOD SHAH, PLEADER OF ROHTAK.**

***2515. Malik Barkat Ali :** Will the Honourable Premier be pleased to state—

- (a) whether it is true that the Rohtak Police made a report of a Muslim meeting alleged to have been held on 23rd February, 1938, at the bungalow of Syed Mahmood Shah, Pleader, in which a resolution praying for the cancellation of the orders of transfer of the then Superintendent of Police, Rohtak, and eulogising his services was reported to have been passed ;
- (b) whether it has come to his notice that the alleged report was perfectly false and fictitious ;
- (c) whether it is a fact that the said officer's transfer was at the time contemplated or ordered, and whether he has since been transferred or not ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes.

(b) The Secretary of the Muslim League, Rohtak, sent a report to the Inspector-General of Police, Punjab, stating that the resolution alleged to have been passed was fictitious, and that no such resolution had actually been passed.

(c) The officer's transfer was not contemplated at the time. He has since been transferred.

REPRESENTATION OF MUSLIM RESIDENTS OF VILLAGE RAJA JANG
AGAINST LOCAL PANCHAYAT.

***2516. Malik Barkat Ali :** Will the Honourable Minister of Public Works be pleased to state whether a signed representation on behalf of nearly 150 Muslim residents of village Raja Jang, district Lahore, has been submitted to him on 3rd March, 1938, complaining among others of the oppressions practised on them by the local Panchayat set up in the village consisting exclusively of Sikhs, and praying that this Panchayat may be abolished; if so, action taken thereon?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : No such representation has been received.

AGREEMENT ABOUT CALLING OF AZAN AT RAJAJANG.

***2517. Malik Barkat Ali :** Will the Honourable Premier be pleased to state if the reply to my starred question No. 1896 put in the meeting of 3rd March, 1938, is ready; if not, when it is expected to be ready?

The Honourable Major Sir Sikander Hyat-Khan : An answer has been given.

POLICE AND MILITARY STATIONED IN THE VICINITY OF SHAHIDGANJ.

***2518. Malik Barkat Ali :** Will the Honourable Premier be pleased to state whether the reply to my question No. *1902¹ put in the meeting of 3rd March, 1938, is ready; if not, when it is expected to be ready?

The Honourable Major Sir Sikander Hyat-Khan : An answer has been given.

SHORT NOTICE QUESTIONS AND ANSWERS.

OPENING OF A WINE SHOP IN GANDHI CHAUK.

¹Sardar Hari Singh : Will the Honourable Revenue Minister be pleased to state—

(a) whether it is a fact that the Government proposes to open a wine shop in Gandhi Chouk, Lahore;

(b) whether he is aware that already there is strong resentment among the people of the locality against the proposal?

¹Volume III, page 326, and Appendix.

²*Ibid* pages 328-30, and Appendix.

The Honourable Dr. Sir Sundar Singh Majithia : There is no proposal to open any new shop. Some *thattas* will be allowed to be used for consumption and not sale. I refer to a press *communiqué* on the subject.

Lala Bhim Sen Sachar : Has there ever been a proposal by the Government for opening a wine shop in Gandhi Chawk ?

Minister : I will remind the honourable member of the statement that has been issued to the press in connection with certain proposals of giving licences to some of the restaurants. There is no question of opening any new shop anywhere.

RESIDENTIAL QUARTERS OF THE NURSING STAFF OF THE
AITCHISON HOSPITAL, LAHORE.

2. **Sardar Hari Singh :** Will the Honourable Minister of Education be pleased to state—

- (a) whether it is a fact that residential quarters for the nursing staff of Lady Aitchison Hospital, Lahore, have to be built within the hospital compound at a cost of Rs. 1,85,000 as provided in the budget for 1938-39 ;
- (b) whether it is also a fact that the Government intends to shift the said hospital from its present site to some other place ; if so, where and when and how much land has been acquired for this purpose ;
- (c) whether before sanctioning the building of the said residential quarters the Government considered the question of building them at the site to which the said hospital is to be shifted ; if so, with what result ; if not, why not ?

The Honourable Mian Abdul Haye : (a) Yes, but the cost of construction of new nurses quarters will not exceed Rs. 74,567 this year.

(b) and (c) A plot of land measuring about 19·11 acres was acquired for the purpose some years ago. This scheme being of enormous cost was indefinitely postponed by the previous Government. The question whether the hospital should be moved to the new site is now being re-examined. The scheme for building the nurses quarters on the present site will depend upon the decision reached about moving the hospital.

NOTICE SERVED ON SHRIMATI SATYAVATI TO LEAVE THE PUNJAB.

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

- (a) whether it is a fact that a notice was served recently on Shrimati Satyavati of Delhi at Madina Conference, district Rohtak, to leave the Punjab at once ;
- (b) grounds on which the order was served ;
- (c) basis for the charge that she was going to act against public interest ;
- (d) whether it is a fact that the orders contained wrong entries ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes.

(b) For having acted and being about to act in a manner prejudicial to the public safety and peace ;

(c) it is not in the public interest to answer this part of the question.

(d) Yes, the parentage was incorrectly stated by mistake.

Sardar Hari Singh : Was this order considered valid by the Government ?

Premier : No.

Lala Duni Chand : Was it not enforced ?

Premier : That particular order was not put into force.

Lala Duni Chand : Has a new order been issued ?

Premier : Does not arise out of the question.

Lala Duni Chand : Has Government any intention of re-issuing this order ?

Premier : The honourable member cannot ask two questions by giving notice of one short notice question.

Sardar Hari Singh : Has that order been amended ?

Lala Bhim Sen Sachar : Is there any ban existing against the entry of Shrimati Satyavati into the Punjab ?

Premier : How does that arise out of the question ?

Sardar Hari Singh : Has that order been amended ?

Premier : That order was incorrect. It was not therefore enforced.

Sardar Hari Singh : Has it been amended or superseded ?

Pandit Muni Lal Kalia : Does any order now exist against her ?

Premier : If he will give me notice, I will answer the question.

Dr. Gopi Chand Bhargava : What does Government propose to do in view of the fact that this order was a wrong one ?

Premier : That order being wrong had to be cancelled.

UNSTARRED QUESTIONS AND ANSWERS.

PRIMARY SCHOOLS, ETC.

379. Chaudhri Faqir Husain Khan : Will the Honourable Minister of Education be pleased to state—

- (a) the number of government primary schools in the province ;
- (b) the number of government aided primary schools in the province at present and on 1st April, 1937, separately ;
- (c) the total expenditure incurred in respect of primary schools mentioned in (a) above, in 1936 and 1938, separately ;
- (d) the total amount of grants-in-aid to the schools mentioned in (b) above, in 1936 and 1938, separately ;
- (e) the total number of members of the inspection and teaching staff of the Education Department drawing salaries above Rs. 500 per head ;
- (f) the total amount of salaries incurred in respect of salaries of officers mentioned in (a) above ?

The Honourable Mian Abdul Haye : (a) One.

(b) Number of aided primary schools which received grant from provincial revenues is 2.

				Rs.
(c)	1935-36	..	..	8,257
	1937-38	..	..	Information is not available.

				Rs.
(d)	1935-36	..	..	996
	1937-38	..	..	858

(e) 56.

(f) Rs. 240 per mensem is paid to the staff of the one primary school mentioned in (a).

ACCOMMODATION FOR PATIENTS IN VARIOUS WARDS OF THE
MAYO HOSPITAL, LAHORE.

380. Chaudhri Faqir Husain Khan : Will the Honourable Minister of Education be pleased to state—

- (a) the total number of patients who were advised admission to the Medical and General Surgical wards of the Mayo Hospital, Lahore, by the medical officers in charge of the medical and surgical outdoor patients departments and the casualty department during the year 1937 ;
- (b) the number of patients actually admitted to these two categories of wards separately ;
- (c) the steps the Government intend to take to provide more accommodation in these wards ?

The Honourable Mian Abdul Haye : (a) and (b) In view of the labour involved it would not be in the public interest to answer these parts of the question ;

(c) The whole question of hospital accommodation in Lahore is under consideration.

SCARCITY OF DRINKING WATER IN HAMIRPUR AND PALAMPUR
TAHSILS.

381. Captain Dina Nath : Will the Honourable Minister of Education be pleased to state—

- (a) whether he is aware of the fact that in several villages in the tahsil of Hamirpur and in the portion of the Palampur tahsil, situated in thana Sojanpur, there is no satisfactory provision for drinking water and the inhabitants in general suffer greatly from the scarcity of drinking water ;
- (b) if so, what steps, if any, the Government propose to take in the matter ?

The Honourable Mian Abdul Haye : (a) Yes.

(b) The following grants-in-aid have already been given by Government from time to time for improvement of the water-supply in the two tahsils mentioned above :—

<i>Amount of grant-in-aid.</i>	<i>Year.</i>	<i>Scheme.</i>
Rs.		
2,354	1925-26 ..	Water-supply, Hamirpur.
599	1927-28 ..	Baoli at Anu, Hamirpur Tehsil.
554	1927-28 ..	Reconstruction of Bahrain ka Naun, Hamirpur Tehsil.
272	1927-28 ..	Baoli at Jungle, Hamirpur Tehsil.
609	1928-29 ..	Improvement of a well at village Karhun, Hamirpur Tehsil.
21,841	1935-36 ..	Water-supply, Palampur.

Government is prepared on the recommendations of the Sanitary Board to assist the District Board, Kangra, to improve the drinking water supply in those tracts where scarcity exists, provided suitable and practicable schemes are submitted through proper channel.

EDUCATIONAL FACILITIES IN KANGRA DISTRICT.

382. Captain Dina Nath : Will the Honourable Minister of Education be pleased to state whether he is aware of the fact that Kangra district is very backward educationally ; if so, the special steps that the Government propose to take to provide the district with proper educational facilities ?

The Honourable Mian Abdul Haye : The Government has been keenly alive to the problem of education in the Kangra district as in other districts in the province. The Kangra district is in a very favourable position as it has been graded at 90 per cent. for the purpose of grant for vernacular education. Besides other facilities for higher education, a new girls' school and a training class have also been recently opened for the benefit of the district. No further steps are contemplated in the near future.

ANGLO-VERNACULAR MIDDLE SCHOOL IN THANA BARSAR, DISTRICT KANGRA.

383. Captain Dina Nath : Will the Honourable Minister of Education be pleased to state—

- (a) whether it is a fact that there is no Anglo-Vernacular middle school in the area under the jurisdiction of Thana Barsar, District Kangra, and boys have to travel a very long distance to attend the school ;

- (b) if the answer to (a) above, be in the affirmative, what steps Government propose to take to remove this hardship to the people of the locality?

The Honourable Mian Abdul Haye : (a) Yes.

(b) There is already a Government High School at Hamirpur, the headquarters of the tahsil, and Government does not propose to open other Anglo-Vernacular schools in that tahsil.

KANAIITS OF KULU TAHSIL TO BE ENTERED IN REVENUE RECORDS
AS RAJPUTS.

384. Rai Bhagwant Singh : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that an application was submitted to him last year, at Simla that the Kanaiits—a caste of the Hindu community—of Kulu tahsil of the Kangra district who are notified agriculturists should be entered in the revenue records of the Government as Rajputs in future ;
- (b) if the answer to (a) above be in the affirmative, the action that has so far been taken on the said application by the Government?

The Honourable Dr. Sir Sundar Singh Majithia : The attention of the honourable member is drawn to my answer to question No. *2258.¹

FORCED LABOUR (BEGAR) TAKEN BY PATWARIS IN KULU SUB-DIVISION.

385. Rai Bhagwant Singh : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it has come to his notice that patwaris in the Kulu Sub-division take regular forced labour for taking the papers to the tahsil headquarters and also get domestic duties done by the ignorant people ;
- (b) whether he proposes to take any action to stop this practice?

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

(b) Does not arise.

REMISSION FOR DAMAGE DONE BY HAILSTORM TO THE CROPS OF CERTAIN VILLAGES IN MOGA TAHSIL.

386. Sayad Amjad Ali Shah : Will the Honourable Minister of Revenue be pleased to state—

- (a) if he is aware of the damage done by the recent hailstorm to the crops of villages Jita Singhwala, Mari Mustafa, Cheeda, Sukhanand, Daulowala, Kotla Mir Singhwala, Thathi Bhai, Warander, Budhwala Singh, Bombia Bhai, Alamwala, Jaimal Singhwala, of tahsil Moga, district Ferozepore ;
- (b) if the answer is in the affirmative, what action Government propose to take for helping those who have suffered?

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

(b) The attention of the honourable member is invited to the answer given to part (b) of question No. *2105¹.

FLOODING OF SUTLEJ IN ZIRA TAHSIL.

387. Sayad Amjad Ali Shah : Will the Honourable Minister of Revenue be pleased to state whether any attempts have been made to solve the problem referred to in answer to starred question No. 425²; if so, with what result ?

The Honourable Dr. Sir Sundar Singh Majithia : Yes, the advice of the Chief Engineer, Irrigation Branch, was sought by the—

Commissioner, Jullundur,

Agent, North-Western Railway,

as regards the degree of responsibility of the North-Western Railway for preventing flooding of the area south-east of the Giddarpindi railway bridge and embankment and the best means of feeding the Barneswah Canal without endangering the safety of the railway line.

An inquiry has been made and the Chief Engineer, Irrigation Branch, has given necessary advice to the Agent, North-Western Railway, and a copy of that letter has been sent to the Commissioner, Jullundur, with further advice as to what steps are necessary to ensure the proper working of the Barneswah Canal. It is hoped that the Railway administration and the Superintendent, Grey Canals, will take necessary action to see how far it is possible to give practical shape to the suggestions made by the Chief Engineer.

METALLING OF ROADS IN ZIRA TAHSIL.

388. Sayad Amjad Ali Shah : Will the Honourable Minister of Public Works be pleased to state the roads which will be taken up for metalling in tahsil Zira during the next five years ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : As most of the unmetalled roads in the Zira tahsil are motorable in fair weather, there is no proposal to metal any more roads in this tahsil during the next 5 years. Government, however, proposes to spend Rs. 72,000 in next 2 years on reconditioning the 13 miles of class II metalled roads which lie in the tahsil, viz., Moga-Dharmkote and Zira to Talwandi.

EXTENSION OF THE MAYO HOSPITAL, LAHORE.

389. Sayad Amjad Ali Shah : Will the Honourable Minister of Education be pleased to state—

(a) whether he is aware that since Lahore Mayo Hospital was built, the population of Lahore has increased four times ;

(b) if the answer is in the affirmative, whether Government contemplate taking any step towards the extension of the said hospital ?

¹Volume III, page 787.

²Volume I, pages 1445-46.

The Honourable Mian Abdul Haye : (a) Yes.

(b) Since 1915 the number of beds in the Mayo Hospital, Lahore, has been increased from 200 to 478. The question of further increase will be examined by a conference proposed to be held on medical relief in Lahore.

OPENING OF A HOSPITAL FOR CHILDREN IN LAHORE.

390. Sayad Amjad Ali Shah : Will the Honourable Minister of Education be pleased to state whether he has received representations requesting that a hospital for children may be opened in Lahore and whether various government officers have also brought the need of such a hospital to the notice of the Government ; if so, the action proposed to be taken in the matter ?

The Honourable Mian Abdul Haye : No such representation has been received so far by Government, but the question of opening a hospital for children in Lahore is at present under the consideration of the Inspector-General of Civil Hospitals, Punjab.

ZAILDARS AND SUFAIDPOSHERS AND LAMBARDARS.

391. Sardar Rur Singh : Will the Honourable Minister of Revenue be pleased to state—

- (a) total number of sufaidposhes in the Punjab and the amount they receive for their services ;
- (b) total number of zaildars with the total amount received by them for their services ;
- (c) total amount of local rate in the Punjab collected by the lambar-dars for the district boards ?

The Honourable Dr. Sir Sundar Singh Majithia : The collection of figures would entail a great amount of time and labour which the Government do not consider would be proportionate to their value.

REPRESENTATION OF SIKHS IN THE CLERICAL ESTABLISHMENTS OF DISTRICT AND SESSIONS JUDGE'S COURT AND SUB-ORDINATE COURTS, FEROZEPURE.

392. Sardar Tara Singh : Will the Honourable Finance Minister be pleased to state whether it is a fact that in the permanent clerical establishments of the District and Sessions Judge's Court, Ferozepore, and the subordinate courts the number of the Sikhs is very small ; if so, what steps the Government proposes to take to make up their deficiency in the above-named establishments ?

The Honourable Mr. Manohar Lal : In view of the policy frequently stated as regards questions of this nature it is not proposed to make the inquiries which it would be necessary to make to answer the question. The honourable member's suggestion will, however, be generally borne in view.

REPRESENTATION OF SIKHS IN POLICE DEPARTMENT, FEROZEPORE.

393. Sardar Tara Singh : Will the Honourable Premier be pleased to state whether it is a fact that the number of the Sikhs in the Police Department of the Ferozepore district is very small ; if so, what steps the Government proposes to take to make up their deficiency in the aforesaid department ?

The Honourable Major Sir Sikander Hyat-Khan : I think it better not to answer this. The honourable member has no doubt heard the replies given to other questions of a communal character. The proportion of various communities including the Sikhs is given in the consolidated statement. If any further information is required I shall be glad to give it to the honourable member if he would see me.

ROAD FACILITIES FOR ZAMINDARS OF A CERTAIN PART OF DISTRICT FEROZEPORE.

394. Sardar Tara Singh : Will the Honourable Minister for Public Works be pleased to state whether the Government is aware of the fact that the zamindars living in the jurisdiction of police stations Thana Nathana and Baga Purana in the Ferozepore district are experiencing great difficulty in the transport of their agricultural produce to grain markets for want of good roads in that ilaqa ; if so, the steps ; if any, the Government proposes to take in the matter ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : The agricultural produce of Thana Nathana can be transported to railway station Bhuchchu (Bhatinda-Rajpura line) which is connected by a metalled road and is about 8 miles distant. Baga Purana is connected with Moga and Kot Kapura railway stations by metalled roads and Government, therefore, proposes to take no action in the matter.

ESTABLISHMENT OF A POLICE STATION AT HEADQUARTERS OF TAHSIL SHAKARGARH.

395. Chaudhri Abdul Rahim : Will the Honourable Premier be pleased to state whether it is a fact that there are three police stations in tahsil Shakargarh, district Gurdaspur, and that there is no police station at the headquarters of tahsil Shakargarh ; if so, whether and when it is intended to establish a police station there ?

The Honourable Major Sir Sikander Hyat-Khan : Yes, there are three police stations in the tahsil and there is none at the tahsil headquarters. It is not considered necessary for the present to establish one.

KANUNGOS IN DISTRICT JULLUNDUR.

396. Mian Abdul Rab : Will the Honourable Minister of Revenue be pleased to state—

- (a) the number of field kanungos working at present in the Jullundur district community-wise ;

- (b) the number of kanungo candidates accepted by the Deputy Commissioner, Jullundur, in the year 1937, community-wise ;
- (c) the number of agriculturists amongst the accepted candidates ;
- (d) the number of accepted persons who do not even belong to that district, and the reasons for accepting them ;
- (e) the number of graduate applicants who applied for the said posts and the reasons for overlooking their claims ;
- (f) whether it is a fact that no Muslim agriculturist candidate has been accepted ?

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

COMMUNAL REPRESENTATION IN THE CADRES OF TAHSILDARS AND
NAIB-TAHSILDARS NOMINATED FROM NAKODAR TAHSIL.

397. Mian Abdul Rab : Will the Honourable Minister of Revenue be pleased to state—

- (a) the Muslim population of the Nakodar tahsil according to different tribes ;
- (b) the number of tahsildars, and naib-tahsildars nominated from each tribe during the last ten years ;
- (c) what steps, if any, the Government propose to take to secure proper representation of each tribe in these cadres ?

The Honourable Dr. Sir Sundar Singh Majithia : I must decline with regret to answer questions which savour of communalism. I am sorry to have to adopt this attitude but Government consider it necessary in the public interest to establish a convention in connection with such questions. I shall, however, always be prepared to examine any particular instance of disproportionate representation which honourable members may bring to my notice in a more informal way.

COMMUNAL REPRESENTATION IN THE CADRE OF EXTRA ASSISTANT
COMMISSIONERS, NOMINATED FROM THE NAKODAR
TAHSIL.

398. Mian Abdul Rab : Will the Honourable Premier be pleased to state—

- (a) the number of extra assistant commissioners nominated from each tribe of tahsil Nakodar, district Jullundur, during the last ten years ;

[Mian Abdul Rab.]

- (b) the steps the Government intend to take to secure proper representation of each of the tribes of the said tahsil in the cadre of extra assistant commissioners ?

The Honourable Major Sir Sikander Hyat-Khan : (a) The honourable member is referred to the Punjab Civil Lists and History of Services of Gazetted Officers.

- (b) Government cannot obviously be expected to provide for tribal representation of various tahsils in services.

PROPAGANDA BY HINDUS AND MUSLIM PRESS *re* HINDU-MUSLIM
CONTROVERSIES IN GOVERNMENT PRINTING, PUNJAB.

399. Mian Abdul Rab : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether his attention has been invited to the propaganda in both the Hindu and the Muslim Press as regards certain Hindu-Muslim controversies in the Government Printing, Punjab, Lahore ;
- (b) if the answer to (a) above be in the affirmative, what action has been taken to put an end to the said controversies and propaganda ; if no action has been taken, reasons for the same ?

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

- (b) None. Government cannot be expected to control all that appears in the newspapers ; and statements that appear in a newspaper, whether as an article or as a letter to the editor, are not necessarily true.

REVISION OF THE PRESS MANUAL OF THE GOVERNMENT PRINTING
PUNJAB, LAHORE.

400. Mian Abdul Rab : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the auditors of the Local Fund Account have persistently remarked for the last two or three years that the Press Manual of the Government Printing, Punjab, Lahore, needs revision badly particularly in view of the coming into force of the new Factories Act and the Payment of Wages Act ;
- (b) if so, what action has been taken in this respect by the Superintendent of the Government Printing, Punjab ; if no action has been taken by him so far, reasons for the same ; and whether any action is intended to be taken ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) One auditor raised the point once. But the Press Manual has nothing to do with the Factories Act and the Payment of Wages Act.

- (b) The Superintendent is revising the Manual and bringing it up to date in his spare time after office hours.

GRANT-IN-AID TO THE ARYA KANYA PATHSHALA, KRISHNA NAGAR.

401. Bhagat Hans Raj: Will the Honourable Minister of Education be pleased to state—

- (a) the number of girls' schools in Krishna Nagar that are getting grant-in-aid from the Government;
- (b) whether it is a fact that Arya Kanya Pathshala, Krishna Nagar, applied on 5th December, 1937, for grant-in-aid through the Administrator, Lahore Municipality and that the application was strongly recommended by the Superintendent of Education of the Municipality to the Inspectress of Schools, Lahore division; if so, whether and when the grant is likely to be sanctioned?

The Honourable Mian Abdul Haye: The honourable member is referred to the answer to question No. 406¹.

REMOVAL OF KINE SLAUGHTER HOUSE FROM KRISHNA NAGAR.

402. Bhagat Hans Raj: Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that a deputation of the residents of Krishna Nagar, Lahore, waited upon the then Honourable Minister for Local Self-Government about two years ago to urge the removal of kine slaughter house from the vicinity of Krishna Nagar, Lahore;
- (b) whether it is a fact that the deputationists were assured by the Ministry of Local Self-Government in consultation with the Administrator and Executive Officer of the Lahore Municipality that the above-mentioned slaughter house will be removed within six months; if so, the reasons why the removal of the slaughter house has been delayed so far in spite of repeated deputations and representations of Hindus and Muhammadans of the ilaqa?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana: (a) Yes. A deputation waited upon the Honourable Minister for Local Self-Government on 2nd December, 1936.

(b) There is no record in the Secretariat file to show that the deputationists were given any assurance.

PROFESSIONAL AND HASIYAT TAXES IN THE PUNJAB.

403. Sardar Rur Singh: Will the Honourable Minister of Public Works be pleased to state—

- (a) total amount collected in the Punjab as Professional Tax;

[S. Rur Singh.]

- (b) the amount of hasiyat tax collected in the Punjab ;
- (c) the basis on which these taxes are levied ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan-Tiwana : (a) and (b) Separate figures of income from these two taxes are not available, but the total amount collected in the Punjab during 1935-36 therefor was Rs. 6,40,820.

(c) The mode of levying these taxes is stated in the notifications imposing the same.

CHANGE IN THE DIRECTION OF THE BRIDGE OVER BHAGGUPUR MINOR.

404. Dr. Sant Ram Seth : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether S. Dewa Singh of village Manhala Jai Singh, tahsil Kasur, member, District Board, Lahore, addressed a letter to the Executive Engineer, Jandiala Division, of the Upper Bari Doab Canal, which was received by him on the 16th June, 1937, requesting him to change the direction of a bridge over the Bhaggupur Minor as it is causing great inconvenience to the cartmen who have to cross it ;
- (b) if the answer to (a) be in the affirmative, will he be pleased to state what steps have been taken by the Canal authorities to remove the grievances of the villagers concerned or what the authorities intend to do in the matter ?

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

(b) On enquiry it was found that the inconvenience could be removed by improving the ramps and this has been done.

BRIDGE OVER JANDRAKA MINOR.

405. Chaudhri Jahangir Khan : Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that the bridge over the Jandraka Minor situated at the Gogera Fatehpur and district Montgomery road, is of very small dimensions ;
- (b) whether it is a fact that when the minor begins to run after its closure at intervals a good deal of rubbish sticks up under the bridge which by obstructing the flow of the water makes the bridge unserviceable ; if so, what action, if any, the Government propose to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The bridge is of normal size, though it works under drowned conditions.

(b) Government is satisfied that the bridge works efficiently and calls for no particular action.

GRANT-IN-AID TO ARYA KANYA PATHSHALA, KRISHNA NAGAR, LAHORE.

406. Sardar Sohan Singh Josh : Will the Honourable Minister of Education be pleased to state—

- (a) the number of girls' schools run privately in the new abadi of Krishna Nagar, Lahore ;
- (b) the number of girls' schools among them getting grant-in-aid from the Government ;
- (c) whether it is a fact that Arya Kanya Pathshala, Krishna Nagar, Lahore, applied on 5th December, 1937, for grant through the Administrator, Lahore Municipality, and that their application was strongly recommended by the Superintendent of Education of the Municipality to the Inspectress of Schools, Lahore division ; if so, the action the Government proposes to take in the matter ?

The Honourable Mian Abdul Haye : (a) Two.

(b) One.

(c) Yes. The matter is under consideration.

DISPENSERS IN CANAL DISPENSARIES AND PENSIONS.

407. Sardar Ajit Singh : Will the Honourable Minister of Education be pleased to state—

- (a) whether it is a fact that all the dispensers employed in hospitals and dispensaries under the control of the Government are eligible for pension according to article No. 324 of the Punjab Medical Manual ;
- (b) whether it is a fact that according to paragraph 4 (a) of the Punjab Government letter No. 12508 (Fin.—Genl.), dated 26th April, 1933, the dispensers attached to the canal dispensaries under the control of the Government are not eligible for pensions ;
- (c) whether it is also a fact that some of the dispensers who were permanently attached to some of the canal dispensaries and had put in service for a number of years some time ago sent memorials against this injustice done to them to the Government through proper channel, and that they were not given a satisfactory reply ;
- (d) if the answer to the above be in the affirmative, whether it is or it is not intended to reconsider the case of such dispensers and particularly of those among them who have put in more than 15 years' service in the department ?

The Honourable Mian Abdul Haye : (a) Only those dispensers who are holding permanent pensionable Government appointments, are eligible for pension.

(b) Yes, as they are holding non-pensionable appointments.

[Minister For Education.]

(c) Yes. The memorials were duly considered and it was decided to allow the services of a dispenser while working in a canal dispensary thrown open to the public, being counted for pension provided the service has been continuous, i.e., there has been no break in service owing to transfer to a non-Government dispensary.

(d) Does not arise.

LACK OF ACCOMMODATION FOR PRACTITIONERS AND LITIGANT PUBLIC IN THE CIVIL COURTS, LAHORE.

408. Lala Sita Ram : Will the Honourable Finance Minister be pleased to state—

(a) whether his attention has been invited to the lack of accommodation for (i) the legal practitioners, (ii) the litigant public and (iii) the necessary court staff, in the civil courts, Lahore ;

(b) if so, what steps, if any, Government intend to take in the matter ?

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

(b) The question of providing adequate accommodation is under consideration.

SHAHID-GANJ COMMITTEE.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : There is one matter which I should like to refer to with your permission. You will remember that in the course of my statement on Shahidganj I stated that I proposed appointing a small committee of this House to advise Government with regard to legislation to avoid a repetition of Shahidganj affair in the future and I make the following suggestion for the formation of a committee. If the honourable members will be pleased to serve on that committee, I shall be obliged.

3 P.M.

Khawaja Ghulam Husain,
Malik Barkat Ali,
Mr. K. L. Gauba,
Dr. Gopi Chand Bhargava,
Diwan Chaman Lall,
Sardar Sampuran Singh,
Sardar Sahib Sardar Ujjal Singh,
Rai Bahadur Mr. Mukand Lal Puri,
Shaikh Karamat Ali,
Mir Maqbool Mahmood,
Sardar Dasaundha Singh,
The Advocate-General,
The Honourable Minister for Development,
The Honourable Minister for Finance, and myself.

HOURS OF SITTING.

Premier : Another point I should like to refer to is with regard to the hours of sitting of the Assembly. May I suggest that you may be pleased to change the time of the sitting of the Assembly, because, as you are aware, it is becoming very warm now and I think it is very inconvenient for honourable members to sit in the afternoons in this Chamber which feels like an oven if you come from outside; I suggest that if you agree and if the House accepts my proposal, we might start sitting early in the morning and finish some time about 1 p.m., for the remaining days of the session.

After gathering the sense of the House the Speaker fixed 9 a.m. to 1 p.m., as the hours of sitting of the Assembly from Tuesday, 5th April, 1938.

STATEMENTS LAID ON THE TABLE.

SCHEDULE OF EXCESS GRANT AUTHENTICATED
BY GOVERNOR.

Finance Minister : As required by section 81 of the Government of India Act, 1935, I lay on the table the schedule in respect of the excess grant relating to the year 1936-37 authenticated by His Excellency the Governor.

In pursuance of the provisions of section 81 of the Government of India Act, 1935, I hereby authenticate the following schedule which specifies the excess grant voted by the Punjab Legislative Assembly in its session held in March, 1938, under clause (b) of paragraph 5 (3) of the Government of India (Commencement and Transitory Provisions) Order, 1936, for the year ended 31st March, 1937, in respect of Refunds (Reserved).

SCHEDULE.

<i>Grant.</i>	<i>Amount voted by the Punjab Legislative Assembly.</i>
	<i>Rs.</i>
No. 38—Refunds (Reserved)	12,636

LAHORE :

The 3rd April, 1938. }

H. W. EMERSON,

Governor of the Punjab.

SUPPLEMENTARY STATEMENT OF EXPENDITURE AUTHENTICATED
BY GOVERNOR.

Finance Minister : As required by section 81 of the Government of India Act, 1935, I lay on the table the supplementary statement of expenditure (4th instalment) 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 (fourth instalment) made by the Punjab Legislative Assembly in its session held in March, 1938, and
- (b) the sums required to meet the expenditure charged on the revenues of the Province.

[Minister for Finance.]

Supplementary Statement.

Grant No.	Major head of account.	Supplementary grants made by the Punjab Legislative Assembly.	Sum required to meet expenditure charged on the revenues of the Province.	Total.
		Rs.	Rs.	Rs.
1	7—Land Revenue	1,550	2,240	3,790
2	8—Provincial Excise	17,500	..	17,500
3	9—Stamps	1,810	..	1,810
10	25—General Administration ..	..	11,870	11,870
11	27—Administration of Justice ..	..	2,000	2,000
13	29—Police	41,500	..	41,500
15	37—Education (European and Anglo-Indian Education).	1,560	..	1,560
16	37—Education (Excluding European and Anglo-Indian Education).	3,900	..	3,900
17	38—Medical .. ..	..	6,560	6,560
18	39—Public Health .. ..	..	480	480
20	41—Veterinary	400	..	400
22	43—Industries	87,670	..	87,670
26	Charges on Public Works Department, Hydro-Electric Establishment.	..	2,160	2,160
28	79—Capital outlay on Hydro-Electric Schemes.	40,000	..	40,000
32	56—Stationery and Printing ..	360	..	360
23	50—Civil Works	10	..	10

LAHORE :

The 31st March, 1938.

H. W. EMERSON,

Governor of the Punjab.

SCHEDULE OF EXPENDITURE AUTHENTICATED BY THE GOVERNOR.

Finance Minister : As required by sub-section (2) of section 80 of the Government of India Act, 1935, I lay on the table the schedule of expenditure for the year 1938-39 authenticated by His Excellency the Governor.

As required by sub-section (1) of section 80 of the Government of India Act, 1935, I hereby authenticate the following schedule in respect of the financial year 1938-39 which specifies:—

(a) the grants made by the Punjab Legislative Assembly, and

(b) the sums required to meet the expenditure charged on the revenues of the Province.

SCHEDULE OF EXPENDITURE.

Grant No.	Major heads of account.	Grants made by the Punjab Legislative Assembly.	Sums required to meet expenditure charged on the revenues of the Province.	Total.
		Rs.	Rs.	Rs.
1	7—Land Revenue	41,60,900	1,69,600	43,30,500
2	8—Provincial Excise	11,53,900	..	11,53,900
3	9—Stamps	50,100	1,12,900	1,63,000
4	10—Forests	18,54,700	4,65,300	23,20,000
5	11—Registration	72,600	..	72,600
6	12—Charges on account of Motor Vehicles Taxation Acts. }	1,54,600	..	1,54,600
	13—Other Taxes and Duties .. }			
7	XVII—Irrigation—Working Expenses. }	78,11,000	1,38,27,600	2,16,38,600
	17—Interest on Irrigation Works for which Capital Accounts are kept. }			
	18—Other Irrigation Expenditure financed from Ordinary Revenues. }			
8	Irrigation—Establishment Charges..	98,56,100	20,43,700	1,18,99,800
9	19—Construction of Irrigation Works financed from ordinary Revenues. }	1,52,34,300	..	1,52,34,300
	20—Construction of Irrigation Works (Capital Expenditure). }			
	22—Interest on Debt and Other Obligations. }	..	—23,68,900	—23,68,900
	23—Appropriation for Reduction or Avoidance of Debt. }			
10	25—General Administration ..	89,66,600	25,53,900	1,15,20,500
11	27—Administration of Justice ..	38,26,200	16,33,400	54,59,600
12	28—Jails and Convict Settlements..	29,41,100	1,38,400	30,79,500
13	29—Police	1,14,95,000	10,45,800	1,25,40,800

[Minister for Finance.]

SCHEDULE OF EXPENDITURE—continued.

Grant No.	Major heads of account.	Grants made by the Punjab Legislative Assembly.	Sums required to meet expenditure charged on the revenues of the Province.	Total.
		Rs.	Rs.	Rs.
14	36—Scientific Departments ..	1,80,500	45,300	2,25,800
	47—Miscellaneous Departments ..			
	62—Miscellaneous adjustments between the Central and Provincial Governments.			
15	37—Education (European and Anglo-Indian).	6,25,900	8,300	6,34,200
16	37—Education (excluding European and Anglo-Indian).	1,55,14,700	1,65,800	1,56,80,500
17	38—Medical	45,19,000	7,35,100	52,54,100
18	39—Public Health	17,24,600	91,000	18,15,600
19	40—Agriculture	38,28,900	2,04,300	40,33,200
20	41—Veterinary	16,69,200	88,200	17,57,400
21	42—Co-operation	15,08,900	1,02,700	16,11,600
22	43—Industries	20,14,000	..	20,14,000
23	43-A—Capital Outlay on Industrial Development charged to Revenue.	3,400	..	3,400
	72—Capital Outlay on Industrial Development not charged to Revenue.			
24	50—Civil Works	1,12,20,100	1,59,100	1,13,79,200
25	Buildings and Roads—Establishment Charges.	16,03,500	4,28,700	20,32,200
26	51—Interest on Capital Outlay on Hydro-Electric Schemes.	23,47,300	26,67,000	50,14,300
	XL—Hydro-Electric Schemes—Working Expenses.			
27	Hydro-Electric—Establishment Charges.	10,98,200	4,800	11,03,000

SCHEDULE OF EXPENDITURE—concluded.

Grant No.	Major heads of account.	Grants made by the Punjab Legislative Assembly.	Sums required to meet expenditure charged on the revenues of the Province.	Total.
		Rs.	Rs.	Rs.
28 {	50-A—Capital Outlay on Civil Works met out of Extraordinary Receipts.	11,06,000	..	11,06,000
	81—Civil Works not charged to Revenue (Capital Expenditure).			
29 {	53—Capital Outlay on Hydro-Electric Scheme met out of Revenue.	32,45,000	..	32,45,000
	79—Capital Outlay on Hydro-Electric Scheme (Capital Expenditure.)			
30	54—Famine	1,44,000	..	1,44,000
31	55—Superannuation Allowances and Pensions.	50,28,300	24,02,800	74,31,100
32 {	55-A—Commutation of Pensions financed from ordinary Revenues.	4,40,500	8,100	4,48,600
	83—Payments of Commuted Value of Pensions (Capital Expenditure).			
33	56—Stationery and Printing ..	10,44,100	..	10,44,100
34	57—Miscellaneous	27,25,500	57,100	27,82,600
	Advances not bearing interest—			
35	Advances Repayable ..	4,84,000	..	4,84,000
	Loans and Advances bearing interest—			
36 {	Loans to Municipalities, Advances to cultivators, etc.	39,67,200	..	39,67,200
	Loans to Government Servants..			

LAHORE :
The 31st March, 1933. }

H. W. EMERSON,
Governor of the Punjab.

THE PUNJAB MUSLIM AUQAF BILL.

Mir Maqbool Mahmood (Parliamentary Secretary) : Sir, I rise to move—

That the Punjab Muslim Auqaf Bill be circulated for the purpose of eliciting public opinion thereon.

Sardar Hari Singh : I rise on a point of order and I want your ruling on the point. This Bill was introduced in the Assembly on 16th July, 1937. It was introduced by a non-official, on a non-official day, as a non-official measure and now the same Bill which was introduced by a non-official, on a non-official, day, as a non-official measure, is sought to be piloted through its further stages during its passage through the Assembly by an official on an official day. Is there any precedent for such a procedure, namely a non-official measure, introduced by a non-official on a non-official day, being piloted after its introduction, through its various stages, by an official on an official day? This is a very important point regarding procedure.

Mr. Speaker : Will the honourable member please quote any rule or standing order which shall be violated if the honourable Mir Maqbool Mahmood's motion is moved?

Sardar Hari Singh : Sir, I rose to make a parliamentary enquiry and to seek information.

Mr. Speaker : The question is whether the honourable member can quote any standing order or rule under which his point of order is tenable.

Sardar Hari Singh : It is an unheard of procedure anywhere in the world and it does not require the support of any standing order or rule.

Pandit Muni Lal Kalia : Is it a Government measure or a non-government measure? I ask just to clear the position.

Mr. Speaker : It is a private member's Bill to all intents and purposes.

Diwan Chaman Lall : May I draw your attention to page 12 of the standing orders, standing order 6 regarding the arrangement of Bills? Bills introduced by private members—I take it that this is a Bill introduced by a private member—

“shall be arranged in such order as to give priority to the Bills most advanced”

“shall be” are the words and there is no question of “may.”—

That is to say, in the following order, namely—

- (i) Bills which have reached a stage at which the next motion is that the Bill be passed;
- (ii) Bills which have reached a stage at which the next motion is that the Bill be taken into consideration;
- (iii) Bills in regard to which the next stage is the presentation of the report of the select committee :

Provided that such motions shall have priority *inter se* in the order of the dates of their introduction.

The question that my honourable friend Sardar Hari Singh has raised is this. Is this Bill to get any priority over other Bills that have been tabled and does this Bill, therefore, by being introduced on a day reserved for official business, violate or not violate the rules regarding such priority?

Mr. Speaker : If the honourable member refers to the last sentence of rule 8, he will find that private business can be transacted on Government business days with the permission of the Leader of the House. The Government having given the requisite permission, the Bill has been taken out of the category of Bills referred to in rule 6. It was introduced by a member in his private capacity, it is not a Government member's Bill and if the honourable member reads rules 26 and 30, especially the latter, he will find that the Honourable Mir Maqbool Mahmood is not only entitled to move his motion but that he is the only member who can move it. Many Bills like this moved by private members were discussed and passed on Government business days by this House.

Diwan Chaman Lall : May I very humbly draw your attention to Standing Order 8 which you were pleased to make a reference to ? It says—

All business appointed for any day and not disposed of on that day shall stand over.....

Mr. Speaker : Please refer to rules 26 and 30.

Diwan Chaman Lall : If you permit me I will come to these rules presently. As far as rule 8 is concerned, it is merely relating to allotment of time for business. Nobody in this House would be foolish enough, at any rate on these benches to challenge the right of the Leader of the House to allot days of business, even to bring forward non-official business on an official business day. It is permissible, if the Leader of the House with the permission of the Speaker requires it after consideration of the state of business. The rule reads—

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 and may allot different days for any particular classes of such business ; and on days so allotted for any particular class of business, business of that class shall have precedence. On other days no business other than Government business shall be transacted except with the consent of the Leader of the House.

Now nobody is challenging that right. We are not challenging the right of the honourable member to bring forward a non-official Bill on a day allotted primarily and originally for the transaction of Government business. What we are wishing to do is this that in laying this particular motion before this House on a Government day, you violate standing order 8 and the other standing orders I have referred to, because you violate the rule of priority *inter se*.

Mr. Speaker : So long as this Bill was treated as a private member's Bill, it was dealt with according to standing orders and rules relating to private member's Bills, but as soon as it was taken out of that category and the Government allowed the motion to be moved on a Government day, there appears to be no legal objection to this. I have already asked the Honourable Sardar Hari Singh, who raised the point of order, to point out any rule or standing order which shall be violated, if the motion is allowed.

Sardar Hari Singh : In January last on a day meant for non-official Bills, Mir Maqbool Mahmood as Parliamentary Secretary rose to

[S. Hari Singh.]

move a similar motion that the Bill be referred to elicit public opinion thereon. The motion was moved on a non-official day and objection was taken by a member on this side of the House that because he was a Parliamentary Secretary, his position was no longer that of a non-official.

Mr. Speaker : He was not allowed to move his Bill on a day fixed for business other than the Government business.

Sardar Hari Singh : He was not a private member. He had become an official and he could not move a Bill on a non-official day because he had become a Parliamentary Secretary. That was the objection which you held to be valid.

Mr. Speaker : Even a Minister, I think, can move a Bill as a private member and have it passed and discussed on a Government business day, provided the Government permits.

Sardar Hari Singh : Will you kindly let me know whether the Anti-Phooka Bill moved by my honourable friend Diwan Sahib can be taken up by a Minister ?

Mr. Speaker : If the honourable member reads rule 13, he will find that the member, who originally gives notice of the motion for leave to introduce it, is the only member who can deal with it throughout and that no other member can take his place, except that when a Government member moves a Bill, he can authorize under the rules, another member to take his place.

Sardar Hari Singh : My point is this. Supposing a Congress Ministry comes into office to-morrow, can Diwan Chaman Lall then take up his Anti-Phooka Bill as a Minister ?

Mr. Speaker : Will the honourable member please refer to my ruling. I said—

“ 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 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.”

Diwan Chaman Lall : If my honourable friend will permit me I just want to enquire about one matter. I would like to ask whether this Bill is now a Government measure or it continues to be a private measure ?

Mr. Speaker : It is a private measure from first to last and not a Government measure. Relief of Indebtedness Bill and other Bills were moved by private members and were discussed on days reserved for Government business.

Sardar Hari Singh : It is not the question of a day being reserved for a certain business. The question is whether a non-official Bill can become official later on.

Mr. Speaker : The honourable member may judge for himself. I have expressed my opinion.

Mir Maqbool Mahmood : I move—

That the Punjab Muslim Auqaf Bill be circulated for the purpose of eliciting public opinion thereon.

The purpose of this Bill, as stated in the Statement of Objects and Reasons, is to secure better administration, management, supervision and protection of the Muslim Auqaf in the province. It is as significant as unfortunate that two leading Congress members of the Opposition—both non-Muslim—should have raised technical pleas to torpedo this Bill which involves matters of life and death importance to the Mussalmans. The need for such a Bill is obvious. For a very long time Muslim opinion had been agitating for effective protection of their Auqaf and in the absence of adequate legislative provisions they could not do so. It has been held by judicial pronouncements and is supported by independent public opinion that in many cases waqf property had been misappropriated. Several auqaf have been criminally mismanaged. Collusive alienations of waqf property are not uncommon. Many of our charitable and endowment funds are wasted and despite the broad principles of charity in Islam, our mosques and graveyards and our widows and orphans are neglected while usurpers pamper on waqf properties. All these facts have been there and yet there is no properly constituted statutory authority charged specifically with the function of looking after these public institutions dedicated in the name of God and to follow up waqf interests in and outside courts. This, Sir, is the plea and justification of my Bill.

To-day is not the first occasion, however, that this plea has been raised for the better control of Muslim waqf properties. For generations past the leaders of the Muslims—the far-sighted patriotic public workers—have felt the necessity of reform in waqf legislation. It was in 1886 that the great Muslim leader Sir Sayed Ahmed at a meeting of All-India Muhammadan Educational Conference, raised the cry for reform of Muslim Auqaf. His plea was repeated many times by that conference and in the year 1913 it was the late Mr. Justice Shah Din who in his presidential address invited the attention of the public to the present state of affairs of Muslim Auqaf which he declared were a disgrace to the Muslim community, and he pleaded for reform by legislation. Thereafter, Sir Abdur Rahim, then a Judge of the High Court and now President of the Central Legislative Assembly, in strong terms, condemned the policy of 'masterly inactivity' of the Government in permitting waste of public funds and public property so far as the auqaf were concerned. Thereafter our late revered leader Mian Sir Fazl-i-Husain and Mr. M. A. Jinnah and others, who have been interested in the organisation of Muslims, from time to time, pleaded for this reform and last but not the least, I was happy to find that on the 15th February, 1923, you, Mr. Speaker, lent the weight of your personality to this demand, and speaking in the Indian Legislative Assembly you said as follows:—

No one can deny that the income of religious endowments is being wasted, misappropriated and mis-spent and yet no one can raise a voice. We must see that every trustee performs his duty as a trustee.

That, Sir, is the plea and justification of my Bill and that is what it seeks to secure.

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Let it not be understood, however, that I accuse all mutwallis of such malpractices. Far from that. I am aware of the fact and I gratefully and publicly acknowledge it that there have been among the mutwallis many in the past and there are many in the present generation who have, by their services to the Muslims, their services to the cause of Islam, proved to be true assets of the community and who are entitled to the respect of all far-sighted and fair-minded Muslims. We are rightly proud of them. It is as a recognition of this fact that, unlike most other similar legislations dealing with religious and charitable endowments such as Gurdwara Bills and others, where old managers of shrines have been excluded from the committees of management set up under new laws, in this Bill it has been specifically provided that a mutwalli or his representative shall be a member of the waqf committee unless the question of his removal, punishment or suspension is being particularly considered. Moreover, so far as the provisions of this Bill are concerned, I claim with all the authority that I can command that no honest and scrupulous mutwalli need fear anything from it; while its provisions are intended to be a healthy check on the unscrupulous mutwallis who, I hope, will not receive any support in this House. It has been truly said—

آن را که حساب پاک است از محاسبه چه بآید

Those who have a clean slate need have no fear. Those mutwallis whose slates are clean need have nothing to fear from the provisions of this Bill. Apart from these considerations, even assuming for the sake of argument that we were in the happy position to state that all our mutwallis in the Punjab are angels and faultless patterns of honesty and integrity, even then this Bill would do no harm but would do much good. The effective management of Muslim auqaf has become such an exacting and complicated affair and the protection of auqaf properties, in and outside court has become such a specialised job that it cannot properly be left as a mere one man's job—as a secondary aspect of a mutwalli's various activities. And, therefore, time has come when a special co-ordinating agency and regularly constituted sustained corporation be created to look after the protection of the legitimate interests of the auqaf properties and to safeguard their rights inside and outside courts. This, Sir, is the basis of the Bill and this is what it seeks to achieve. The onus is, therefore, on the opponents of the Bill to show why it should not be proceeded with.

Nor is this Bill, in its underlying conception by any means a novel piece of legislation. It has a very distinguished ancestry and the reference to the waqf legislation in and out of India shows that the present Bill has collaterals of established international reputation. From times beginning with the life of the Great Holy Prophet (Peace be on his soul) various attempts have been made to bring in reform in waqf organisation. The preachings and practice of the Holy Prophet himself, the example of the great Caliphs, the struggles of the Abbasydes and Fatamides, the auqaf researches of Gordova, the reform of waqf in Egypt, Arabia and Turkey, the blood of the martyrs in Persia, and the sacrifices and writings of the saints and scholars in India, have all contributed to establish the right of the Muslim public to share in the effective control of Muslim auqaf. Moreover, Sir, it has been truly said that the blood of the martyrs and the sweat

of the scholar in the cause of religion, are offerings to God, and their lustre is not limited to any individual religion. Therefore, in introducing this motion I ask the House to join me in doing honour to the memories of those Muslims and non-Muslims, martyrs, saints and scholars who have given of their best to secure the public right of trusteeships over all dedications in the names of God.

Coming now to India, I find that the waqf legislation here has had a very chequered history indeed. The centralised supervision of Muslim endowments in the Islamic states has throughout been, and still continues, as one of the most important departments of the State. The control of the Auqaf in the past had been entrusted to a board for the inspection of grievances called Nazirul Mazalim presided over by a president who in certain respects was higher even than the qazi and whose function was to look after the rights of waqf property. This policy continued and when the Board of Directors in India succeeded the Moghul Emperors, they inherited the same tradition and in the beginning they not only protected Muslim waqf property but they gave lakhs of rupees as subventions to Muslim auqaf.

It was this period which gave us the Bengal Regulation XIX of 1810, Madras Regulation VII of 1817 and the Bombay Regulation of 1827, all of them standing for the better protection of the rights of the Muslim waqf. That, Sir, continued till 1863. In that year, unfortunately a band of ecclesiasts organised opinion and laid great pressure on the Government of India that it was not fair that the Christian government should protect and encourage the non-Christian religious endowments. It is a tragedy in history that at a time when the House of Commons appointed a special commission to protect the charitable endowments in England, and at a time when they enacted special laws such as the Charitable Trust Acts of 1853, 1855, 1860, 1869, the Government of India in 1863 passed a law which reversed the policy of the government in this matter and introduced almost *laissez faire* with regard to the control of the religious endowments in India. One of the reasons publicly given for this change, was that the association of services with the management of non-Christian endowments was against the scruples of its Christian officers. While we readily concede that there are many spheres and phases of national life to which the contribution of our English friends deserves our gratitude, it is unfortunate that the historian has to record that in this particular matter their contribution is most regrettable. What happened? After 1863 the policy changes, and a large sum of money collected on behalf of the Muslim waqf suddenly passed over to a few mutwallis who, with a few honourable exceptions played havoc with it. That was not all, you will find that in the Act of 1863 there was a salutary provision that boards should be constituted in every district to look after the waqf property and yet deliberately or through oversight no board was constituted, and it has been calculated on good authority that from 1863 to 1920 more than half the waqf property passed into private hands. This was the deplorable state of affairs. It created, as it should have created, a reverse swing of the pendulum of public opinion and in deference to it, two half-hearted measures were introduced in the form of the Charitable and Religious Trusts, Act of 1920 and the Muslim Waqf Act of 1923. But as I have submitted these measures were

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half-hearted and their legal effect has recently been subjected to a very thorough enquiry by a representative committee under the chairmanship of the Honourable Mr. Justice Iqbal Ahmed of the United Provinces. His committee examined religious leaders, judges of the High Court, public men and others and the verdict of the committee is unanimous and deserves special consideration. I am quoting two extracts from the report of the committee. It says—

It is clear.....that the bill as passed into law in the form of Act XLII of 1923 has failed to touch the very fringe of the demand of the community, namely, the reform in the administration of waqf estate. Till such time as this is done, merely filing of accounts, sometimes faked, does not in the least bring about any change in the attitude of the Mutwallis.

They later on stated—

The Muslim Waqf Act of 1923 has failed to achieve the declared object of the enactment. The Act does not provide any machinery for the enforcement of its provisions.....Very few district judges have time to institute an enquiry into the reliability of the accounts filed in their courts under the Act.....In short the serious evils which it was the object of the Act to eradicate have not been removed.

This has been the experience of the working of these Acts. The present Bill seeks to fill the lacuna in the existing legislation consistently with Islamic law.

The basic structure of my Bill is primarily laid on the provisions of the Muslim Waqf Bill of 1923, with a view to make it more effective. You will remember, Sir, that under that Act, which is an all India Act, and is in force in the Punjab, every mutwalli is bound to furnish annually "full and true statement of accounts" of the waqf property under his management to the "court" as defined in that Act, and the "court" has certain additional powers given to it with regard to waqfs and can demand further particulars or documents also. The main defects in the provisions of this Bill are as follows for which it has remained almost a dead letter :—

Firstly, this Act gives powers to courts which are appointed by government and which may be a Muslim or a non-Muslim agency to interfere in internal arrangements and to ask for a statement of accounts regarding Muslim waqfs. *Secondly*, the courts charged with the duty of examining these accounts are so busy as has been repeatedly borne out by documents, that they find no time to go into the details of accounts submitted by a few Mutwallis. *Thirdly*, there is no effective machinery to make a Mutwalli who has not furnished his accounts to do so within a specified period. *Fourthly*, if a Mutwalli is unnecessarily harassed with regard to a property which he contends is not waqf and is his personal property, the Bill provides no effective machinery to see that the disputes are quickly settled without the ordinary dilatory processes of courts and the expensive court-fees involved. *Fifthly*, there is no provision for payment of compensation to hereditary office-holders. *Sixthly*, the Act of 1923 provided for the furnishing of accounts for the year that had passed, while it is necessary in order to ensure better management and due economics and to save the Mutwallis from avoidable criticism arising out of a *post-mortem* of last year's account that the Mutwallis should be invited to present their budgets in the beginning of the year and not after the year has actually passed.

These are some of the defects which are sought to be removed through the present Bill.

The machinery contemplated under my Bill has six specific sections. To begin with, it is proposed that there shall be district committees in every district to look after the waqf property. The functions and composition of these committees are detailed in Chapter III of the Bill, and if there

be any honest difference of opinion with regard to any of these provisions, they are matters of detail which may be set right when public opinion is received and is considered by the select committee. It has been suggested by some friends that the electorate proposed in the Bill is not wide enough. This is also a matter of detail, and I would invite attention to the clause in the Bill that the electorate can be extended to include such persons as the Muslim Provincial Auqaf Board may decide under the provisions of the Bill. Any useful adjustments in this matter could therefore be made within the framework of the Bill. Moreover I wish to invite attention to the fact that up till now various functions concerning waqf under the Muslim Waqf Act, 1928, have been carried out by "courts" which are appointed by Government and may be Muslim or non-Muslim agencies; but under my Bill the Muslims will have the satisfaction of having a responsible Muslim body set up to look after these functions.

The second machinery which the Bill provides are the special committees. It is felt that due to the importance of certain individual waqfs or the fact that they are dedicated to some special sect such as Shias, it may be necessary to have separate special committees to deal with them. A specific provision has accordingly been made for these special committees also. With regard to these it has been suggested that the special committees should be made independent of the provincial board. This is a practicable suggestion which could also be taken up when the matter goes to the select committee.

Thirdly, the Bill provides for the constitution of the Provincial Auqaf Board, primarily to co-ordinate and superintend the work of the district committees. The details of the functions, the powers and the constitution of the board are given in Chapter IV of the Bill. You will find that it is designed to combine the best Muslim element in religious, secular, literary, legal and political spheres so that the best Muslim genius is pooled together and placed at the service of the community and the public management of the auqaf. Out of nearly 70 members, there have been included one legislator to assist in drafting, one lawyer to advise on legal matters, one editor to serve as a liaison with Muslim press and one poet to inspire with his ideology—and frankly speaking it was sought to include under this clause gifted leaders like Dr. Iqbal. The Board would, it is proposed, include only 4 members appointed by the Muslim Indian States in the Punjab as may be prescribed; this has been done because certain waqfs are reported to receive subventions from Muslim States. Moreover the rules to be prescribed in this behalf, according to definition of "prescribed" in clause (2) (b), will be in consultation with the Board, which may in time provide for some of the State's auqaf also, being managed more or less on the lines of this Bill. Here again, let me submit that honest difference of opinion if any as to the details of the composition and constitution of the Board, could be incorporated, if so desired, at the stage of the select committee.

There is one point to which I should like to draw the attention of the House. It is proposed in the Bill that out of about 70 members of the provincial board, up to 10 may be persons nominated by the local Government, not anybody they want, but out of a panel proposed by the Muslim Auqaf Board and out of such other persons who have been once-

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members of the Auqaf Board and have not been removed for any misconduct. Similar provision exists in other laws dealing with public endowments and I sought to limit the discretion of the government by pinning them down to the panel and ex-members of the Board. Moreover it was sought to make it possible for certain recognised Muslim leaders and thinkers to be brought on the Board through this clause who may not care to seek election. But the nomination by local Government is a matter of detail and in view of certain objections cited against it I propose altering it in the select committee.

There is one other point with regard to the board to which I would like to draw the particular attention of the House. It will be found on reference to Chapter IV that the board shall be competent to hold and administer separate trust funds for specified purposes and shall keep separate accounts for each such fund; as such it would be open to the Muslims so desiring to have their zakat funds entrusted to the provincial board for being spent on such specified purposes for which zakat can be spent under the injunctions of Islam.

The next item of machinery is a judicial commission. Many of the matters regarding internal administration and the management of auqaf which are now determinable by courts, shall hereafter be referred to a judicial commission consisting of Mussalmans appointed out of the panel proposed by the provincial Auqaf Board. Here let me make one point clear. Some of my critics said that my Bill emulates certain propositions of the Gurdwara Bill and that because it copies certain provisions of a Sikh Act, it is against the Islamic spirit. Let me tell them that there is no copyright in legislation. A draftsman has to avail of whatever good is adaptable in earlier legislative experience, and, in this spirit, I had to invoke the precedent of certain provisions of the Gurdwara Bill, which are not inconsistent with my religion, to show that as the Government have undertaken to contribute towards the expenses of the commission under the Gurdwara Act, and have prescribed a reduced court fee schedule in the case of Sikh Gurdwaras they should not be able to resist the same amenities to Muslims.

The next item of the machinery is a judicial tribunal to settle whether any property is or is not waqf and to deal with other connected matters involving title. To-day if a mutwalli is harassed that he is misappropriating a waqf property which is in reality his personal property or if any unscrupulous mutwalli treats certain property of waqf as his personal property, the matter has to be referred to courts and ordinarily involves much delay and expense. Under my Bill these matters shall be left to an independent tribunal to decide in a short space of time with a special reduced court fee schedule.

The next item of the machinery is a supervisor of auqaf. The supervisor of auqaf shall be an executive officer of the auqaf. He shall work under the directions of the board. This is so far as the machinery of this Bill is concerned. Here again, I wish to make a public statement that if any constructive suggestions are brought forward to improve or amend any provisions of the Bill in order to secure better management of auqaf

I shall be delighted to place them before the select committee with whatever support I can render.

It has been a matter of much gratification to me that since the introduction of my Bill in the Simla session, I have received messages of good-will from many disinterested Muslims in and outside the Punjab. But as expected certain interested persons have not been slow to create misunderstandings, with regard to the provisions of the Bill, I wish to take this early opportunity of meeting some of these objections.

The first objection that has been raised by those persons is that this Bill is intended to persecute the sajjadanashins. I condemn that insinuation summarily and strongly as an unwarranted calumny. I can assure the House, through you, that I gratefully appreciate just as many of my honourable friends on this side do the great good work which has been done by our illustrious sajjadanashins, in the past and in many cases even in the present. I would go further and say that it is because of our devotion to them that we have deliberately provided in this Bill that the leading sajjadanashins or their representatives and their blessings may be associated with the Muslim Auqaf Board in the management of auqaf in the whole province. Let me publicly state that I have the privilege and pride of being a very devoted disciple of Hazrat Qibla Peer Syed Jamatali Shah Sahib Allipuri whose blessings are with me to-day. This fact as also the respect which the Honourable the Premier has for the spiritual leaders is the best guarantee that nothing unclean and undignified concerning such sajjadanashins can emanate from my hands or from the party led by the Honourable the Premier. Therefore, I say with all the emphasis I can command, that sajjadanashins as such do not come within the provisions of this Bill. Nevertheless, if there be any genuine misunderstandings with regard to any of the legitimate rights or privileges of the sajjadanashins, I would appeal to them not to be carried away by mischief mongers but to concentrate on the merits of the Bill and to suggest any constructive suggestions to me or to the Secretary of the Legislative Assembly and they may be sure that their suggestions will receive the consideration which they deserve. In this connection, let me relate to the House the episode which I was told the other day about our esteemed leader the Hazrat Sahib of Darbar Golra Sharif, who was once informed by one of his disciples that property worth lakhs had been entered in revenue papers in his name. The Pir Sahib at once replied that he was a servant of God and that property belonged to waqf. As such, he directed his disciple that he should put in an application to have it entered in the name of the waqf. This is the tradition which we have learnt to associate with and expect from our great sajjadanashins.

Another objection which has been raised in certain quarters is that the application of waqf funds under the provisions of this Bill is against certain mandatory provisions and the dictates of Islamic Shariat. I challenge this statement. The only provisions which deal with the application of waqf funds under the Bill are clauses 80 and 81. Under clause 80 it is specifically provided that the waqf fund shall be spent on the maintenance and on the objects of the waqf, in the first instance, and this would obviously be done in accordance with the intentions of the waqf. But what

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happens when the object of a waqf has ceased to exist or there is a surplus after due discharge of the functions of a particular waqf? I am sure that the House, and particularly all Muslim members will agree with me that Islamic Shariat is not so bankrupt as not to provide for such contingencies. I am proud to be able to say that it is an accepted principle of law that in such events the doctrine of Cypres prevails and that the surplus funds which are not needed for the waqf itself or when the object of the waqf has ceased to exist, can be spent within certain limitations on similar other objects in accordance with the injunctions of Shariat.

Here I beg to invite the attention of the House to the definition of 'prescribed' in clause 2 (h) of the Bill which means that
 4 P. M. all rules framed under the Act shall be framed with due regard to the injunctions of the Islamic faith in consultation with the board constituted under this Act. Therefore, it is obvious that the disposal of surplus funds, if any, will be in accordance with the rules framed according to Islamic Shariat.

Then take clause 31 which deals with the annual contribution to be paid to the board for the purpose of meeting its lawful expenses. Here again you will find that there is a specific provision that where the necessary expenses of the waqf do not provide any surplus fund and the judicial commission is satisfied that no contribution should be claimed from that fund, the commission shall pass an order accordingly. Moreover, this very point was examined in the light of the advice of leading ulemas by the United Provinces Waqf Committee and they found that such contribution is not opposed to the canons of the Shariat. The practice and waqf regulations obtaining in Turkey, Persia, Arabia and Egypt confirm the same view point. Nevertheless I propose to invite opinion of certain recognised religious bodies and leaders on the provisions of the Bill, from the religious view point, and wherever it is demonstrated to me on good authority, that any provision unconsciously impinges on any dictate of Shariat, I shall be duty-bound to make suitable alterations to meet that objection. In view of these remarks I feel confident that there will be no justifiable misunderstanding with regard to the purpose and the objects of the Bill.

The next objection which has been raised is that the Bill will lead to Government interference in the management of Muslim waqfs. This, I submit, is absolutely unjustified, and I am surprised to find that this cry comes from those who from 1923 up to date have submitted to the provisions of the Muslim Waqf Act of 1923 under which they were bound to submit accounts to an agency appointed by Government and which was in most cases non-Muslim, and now when the Bill seeks to substitute for it a Muslim agency appointed by Muslims themselves, they raise slogans. I declare with all the emphasis at my command that the present Bill ensures greater autonomy to the Muslims in the management of their charitable institutions than has ever been enjoyed by them since the inception of the British rule in India. My Bill has been drafted with the particular view of eliminating the hand of Government from the management of auqaf wherever and as far as possible, and in this connection I would again invite attention to clause (2) (h) and clause 68 of the Bill. Moreover, I am prepared to

welcome constructive suggestions from any quarter—friendly or unfriendly—which will make the waqf more autonomous so long as working of the Bill continues to be effective and practical. Let the advocates of this objection, if they are honest, suggest changes in or deletion of particular clauses to which they object and not fight against the whole Bill.

These are the main objections which have been stated by some of its uncharitable critics against the provisions of the Bill. Let me, through you, tell these gentlemen that they cannot for long hoodwink the Muslim community. The Muslim electorate is alive to its own duties and responsibilities and I hope that when the Bill comes to be considered by them they will analyse the motives of the person who comes to them with objections against the Bill. Let the Muslim public call upon such objectors to make a list of clauses to which they object, their reasons, and what amendments they suggest. Whenever there are any honest differences of opinion the Muslim public have my assurance to tell such people that any constructive and *bona fide* amendments will be welcomed by me and could be incorporated when the Bill comes before the select committee.

I do not claim perfection for the draft of my Bill and I concede that on a complicated and difficult measure of this nature, honest differences of opinion can exist and do exist. It is to meet those honest differences of opinion that I am proposing that instead of the Bill being forthwith referred to a select committee it should now be circulated for eliciting public opinion, so that any reasonable suggestions may be considered on their merits. Here again I would appeal, through you, to my Muslim brethren outside and inside this House that they should organise public opinion and hold meetings in support of this Bill and forward to me any constructive suggestions or send them to the Secretary of the Punjab Legislative Assembly. I would in particular invite information with regard to the working of auqaf within the knowledge of any one concerned, which is likely to be helpful in connection with this legislation.

One word more and I have done. Attempts, I am sorry to say, are being made in certain quarters to create misunderstandings over this Bill between the pirs and the general Muslims. I strongly deprecate any such effort to divide the Musalmans. I believe that on this matter there is no difference of ideal between the Muslims in general and the best among the pirs and mutwallis. I believe that the best of the pirs and mutwallis are with us, and their heroic services and sacrifices encourage the Muslims to expect that they will not allow any petty personal material consideration to stand in the way of the proper organisation of the Muslims and their institutions. I appeal to all concerned that they should try as far as possible to eschew partisan spirit, and that they should work to ensure that the Muslims of all parties unite in lending support to a measure of such vital importance to the Muslim community.

In conclusion, let me appeal to my Muslim brethren both in and outside this legislature, not to allow themselves to be misled or hood-winked by any interested person. Let them look round and see that the institutions of a religion like Islam which provides such salutary provisions for its public endowments, have, by the activities of interested persons, been brought down to a regrettable state. Our places of worship are tottering.

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Widows and orphans go about neglected. Charitable funds are being prostituted. Graveyards, the last resting place of Muslims, have formed the subject of private alienations and are open to the trespass of man and beast. The cultural, religious and educational organisation of the Muslims is suffering because of the lack of proper organisation of the Muslim auqaf which would provide a central cementing force. All these and many more could be attended to, so that the Muslims as a body, instead of being looked down may be looked up to. The Auqaf Bill provides the opportunity. Let the Muslim public opinion veer round the Bill. I appeal to my Musalman brethren and anjumans all over the province to organise meetings and send their views in support of the Bill, with any constructive suggestions which they may have to make, without delay.

Before I conclude, let me also make a personal appeal to my non-Muslim friends in and outside this House, to lend us of the best support they can because we stand for the purity of the houses of God and institutions dedicated to the best cause of religion. I hope and trust that all fair-minded persons will join us, so that posterity might say that we the present generation of the Punjab legislators, Muslims and non-Muslims joined to place a Bill on the statute book, which would be a standing guarantee that man-made ingenuity or *malafide* trickery will not be allowed to fritter away funds and property dedicated to the service of God.

Mr. Speaker : Motion moved is—

That the Punjab Muslim Auqaf Bill be circulated for the purpose of eliciting public opinion thereon.

Mian Abdul Aziz (Outer Lahore, Muhammadan, Urban) : There should be no misunderstanding about the circulation of this Bill which has been introduced by my honourable friend Mir Maqbool Mahmood. I think it is a measure for which need has been felt for a very long time. This is a measure which is very necessary and urgent and I think in a case of this nature the honourable member has done well to get the order of this House that it should be circulated for public opinion.

(At this stage Mr. Speaker left the chair and the Deputy Speaker occupied it).

As a matter of fact there was no necessity for the circulation of such a measure, but it has become necessary, as some sort of misunderstanding has been created in certain parts and in certain circles ; therefore in order to remove those misunderstandings, it is advisable to circulate the Bill for public opinion. I may submit that I for one was very eager that such a measure should be brought in and I certainly congratulate Mir Maqbool Mahmood on his having done so. (*Hear, hear*). Although we two differ on several occasions, this is an occasion on which I fully support him. (*Hear, hear*) (*Interruption*). I do not mind if some honourable gentleman says 'without reading the Bill.' But perhaps he has not even turned over the pages while I have read the whole Bill (*hear, hear*), and know it from the very beginning. In fact I had occasion while it was under preparation by the honourable member by his kind courtesy to go through the various drafts prepared by him and I agreed with him to a great extent. (*Hear, hear*). (*Interruption*). I am glad I am an accomplice in good work and not

in bad work as my friend Pir Sahib would be. I know there are certain things in the Bill which require recasting, expunging and improvement, and there are some important suggestions which should be incorporated in due time and I am glad that the honourable member who has introduced the Bill has agreed to accept any suggestions which are good and in the interests of the Muslim public. We know at present that the existing measures on the subject are insufficient. I do not want to say how the money of the auqaf is being spent now—there are some honourable exceptions—how the money is being misspent. I, therefore, suggest that the course that is adopted, namely, circulation of the Bill is the best course and we shall be able to get the different opinions which can be sifted and then it will be possible to go thoroughly into the whole matter. Some of our pirs may consider that this is transgressing on their rights. But I am sure that with the provisions proposed in the Bill their rights are to a great extent secure and those pirs and mutwallis and others should have no hesitation in supporting this measure in any modified form which can be adopted later. At this stage there is no necessity for anybody to say anything on the merits of the measure and even our non-Muslim friends should have no hesitation in supporting it. They know that at the time when the Gurdwara Bill was on the anvil the Muslims fully supported that measure and I am sure that as this Bill in a way is on the same lines as the Gurdwara Bill, they will also now support this measure. The Muslim law is very clear on this point and we who profess ourselves to be Muslims after consulting the maulvis and ulemas should support this measure and I am sure they will give us a good lead in this direction and if it is found that there is any drawback in it, it will be remedied after it has been circulated and after their opinions have been received. There is no doubt that at the present moment even if I were to go into all the clauses of the Bill, I should say that as a rule, with all due deference for the framer of the Bill, I have some differences with him. But those differences are not such which cannot be removed. I, therefore, at the moment will say that no Musalman should have any misapprehensions in his mind, nor any pirs should have any misgivings, about this Bill. In fact they should be the foremost persons who ought to come forward in support of this Bill and I am sure their suggestions will all be fully considered by this House. In the end I fully support my honourable friend who has taken this interest in this affair and who has taken very great trouble in framing this Bill and I hope that all members from all sides of the House will unite in supporting the proposal for circulation.

Khawaja Ghulam Hussain (Multan Division Towns, Muhammadan, Urban): Sir, I rise to give my whole-hearted support to the measure which has been sponsored by my honourable friend. The honourable mover who introduced this measure has made an illuminating speech. Indeed he has dwelt at length on the objects of the measure and the methods he intends to adopt in securing those objects. I need not go into the details of the Bill. But it must be made perfectly clear that there can be and there are honest differences of opinion on a matter of this kind. But so far as the underlying principle of the proposed legislation is concerned, it is undeniable that there cannot be any difference of opinion. The object of the proposed Bill is to properly control and manage the Muslim auqafs which are at present

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being mismanaged and the proceeds thereof mis-spent. I do not want to make any secret of the exact state of affairs. It is true there are honourable exceptions. I concede it. But it must also be clearly admitted that in the majority of cases there is a general complaint in all well informed circles that the income of the auqafs is not being properly spent and the very fact that we need such a legislation is an ample testimony of mismanagement. There is another thing to which reference may be made at this stage and it is that the auqaf at present are being used in a most disgraceful manner. Most of these mutwallis or mujawars who are in charge of these institutions do not care for their sanctity. In many of these dargas most disgraceful and abominable scenes are being enacted. Prostitutes are invited without any regard for the sanctity of the dargas.

The object of the proposed legislation is nothing but to secure the proper management of these places, and it is gratifying to note that the honourable mover is prepared to receive suggestions from all quarters. He does not want to go beyond the injunctions of the Shariat and he is prepared to accept whatever suggestions are given by the ulemas. In view of these facts there cannot be any objection whatever to the passage of the measure in this House. The present Waqf Act of 1923, it has already been hinted is a dead letter. My honourable friend complained that if any complaint was preferred under the terms of that Waqf Act, they went sometimes to a non-Muslim judge. My complaint is that on the contrary no action whatever has so far been taken under that Wakf Act. It is not practically a dead letter, I say that it is really a dead-letter and the need for this legislation is undoubtedly very great, particularly at this juncture. With these few remarks I would appeal to all sections of the House to give whole-hearted support to a measure of this type which intends to refer certain institutions in regard to which there are very serious complaints.

Syed Mubarik Ali Shah (Jhang Central, Muhammadan, Rural) (*Urdu*): Sir, before I proceed with my speech I would like to express my gratitude to my honourable friend Mir Maqbool Mahmood for having brought forward this Bill. The need for such an important Bill had long been keenly felt by the Muslims. I am glad that after all this Bill has been moved in this House. Before I say anything regarding the provisions of the Bill I would like to clear up a very grave misunderstanding, which has cropped up regarding our class's attitude towards this Bill, in this House as well as outside in the general Muslim public. My submission is that I am a member of that class about which it was feared in this House as well as outside this House that the members of that class would oppose this Bill. I would like to assure the honourable members of this House on my behalf and on behalf of the class—I mean the pirs to which I have the honour to belong—that we do realize our responsibility and we perfectly remember the services that our forefathers rendered and the great sacrifices they made for the propagation of Islam. I can say with authority that there cannot be a single pir who can even think of opposing such a Bill which is meant to provide for the integrity and better management of Muslim auqaf and to prevent the wastage of various charitable and endowment funds in the province. (*Hear, hear*).

(*At this stage Mr. Speaker resumed the chair.*)

I am glad to find that instead of passing this Bill straight off an opportunity has been provided to the general Muslim public to express their views on this measure. As I have already authoritatively stated all the honourable members of this House will see that all pirs, who are the true servants of Islam and who are the worthy successors of the venerable pirs of the past, will take a leading part in the passage of this Bill and would do their best to give effect to it.

This is not the occasion to discuss this Bill clause by clause, still I wish to bring a very important thing to the notice of the honourable mover of the Bill. It is provided in clause 68 that, "Save as provided in this or any other Act, it shall not be lawful for the Local Government or for any executive officer of the Local Government in his official capacity to undertake or assume the superintendence of any land or other property granted for the support of, or otherwise belonging to, any waqf to which this Act applies, to take any part in the management or appropriation of any endowment made for its maintenance or to nominate or appoint any office-holder of, or be concerned in any way with such waqf." This clause clearly shows that save on special occasions Government will not interfere in the management or appropriation of any endowment fund. But clause 10 which provides for the Provincial Muslim Auqaf Board, contains certain sub-sections which lead me to doubt that it is possible that the Government acting under those sub-sections may succeed in appointing the majority of the members on this board according to its own choice. If such a thing happens that would prevent us from achieving our real object. For instance in clause 10 sub-section (2) (i) it is provided that, "Up to ten Muslims to be appointed by the Local Government out of a panel of (i) 30 proposed by the board and (ii) such other persons who have been members of the Board and have not been removed for any misconduct or behaviour detrimental to the best interests of the Auqaf." Further in sub-section (2) (j) of the said clause it provides that "Up to two members are to be selected by the Special Committee appointed under section 6." But the Government will appoint this special committee which will work independently of the district auqaf committees. There is yet another thing which I have not been able to understand. A provision has been made that 4 members will be appointed by the Muslim Indian States in the Punjab. I may submit that such members of the board will not be responsible members inasmuch as primarily these things will not concern them as they concern us. I am surprised to see that a federation scheme on a small scale is being introduced within this province according to which the Indian States will co-operate with the British districts to carry on the management of the Muslim auqafs in the British Punjab, while such endowment in these States will be immune from this Bill. It is because my friend Mir Maqbool Mahmood has got official connection with an important State in this province, therefore he is always anxious to bring in the State influence in these matters. But I should request him that we cannot agree to this one-sided arrangement. Muslim of the British Punjab will manage their own affairs; and will not allow any outside interference, unless the Muslim States within the province, agree to some sort of reciprocal arrangement towards the waqfs within their territories. The Muslim auqafs in this province were created by Punjabee Muslims for charitable purposes and they belong to them and to nobody else. The Muslims

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should themselves manage their institutions and the election to the proposed provincial Muslim Auqaf Board " should not take place under the influence of any Government, whether it be British Government in this province or an Indian State Government, so that the Muslims may carry on the administration of the board in accordance with their wishes and their requirements unhampered by any outside influence.

There is yet another clause in the Bill under which, as my honourable friend Mir Maqbool Mahmood has suggested, (i) a prominent Muslim poet and (ii) a leading Muslim lawyer and (iii) an editor of a Muslim newspaper in the province will be co-opted by the proposed auqaf board. But I may be permitted to say that at the time of election to this board there is every possibility of my honourable friends, Mian Abdul Aziz and Malik Barkat Ali coming to blows. And I cannot say, who will settle the affair, between them, unless there is some agency for which both of them have got so much regard at least, if not respect, to abide by its decision.

I am really surprised to find a provision in the Bill to the effect that only six Muslim members will be elected from the Punjab Legislative Assembly having more than 85 Muslim members and three from the central legislature to the board. I am at a loss to understand how this proportion of representation on the Muslim Auqaf Board has been worked out. It is a pity that in spite of the fact that the honourable mover of the Bill is a non-agriculturist, he has forgotten his arithmetic, perhaps that accounts for his association with the present zamindara Government of the province.

I may point out that there are certain shrines which have not been included in the schedule attached to this Bill. They also must be included, otherwise without their blessings there is every likelihood of great difficulties being placed in the smooth working of this Bill when enacted. I would supply a list of such shrines to the honourable mover very shortly. Again, no provision has been made in the Bill for the representation of a very responsible, most representative, influential and the leading political Muslim body in this province, I mean the Provincial Muslim League. My submission is that the Bill should be so amended as to permit this most important political Muslim organisation which claims to be the custodian of the best interests of the Muslim masses in the country, to be represented on the board. I may also say that if this Bill is passed into law the main object of this political body will be achieved, that is, it will go a long way in organising the Muslims of the province, removing illiteracy from amongst them and so forth. I fail to understand why this political body has been altogether ignored.

I am constrained to allude to the most unfortunate state of affairs which exists between the two great sister communities (Sikh and Muslim) of this province, and its bad consequence, which have come about during the last three years. I mean the Shahidganj Mosque demolition and the communal riots, which have stained the fair name of the province. It is only because no such measure exists here at present. According to the definition given in the Bill, a waqf includes a mosque. If this Bill had been brought forward a few years ago, say in 1926, the proposed Provincial Muslim Auqaf Board (realising its responsibility towards the Muslim public of this province) would have come to terms with the Mahant Sahib of Shahidgunj Mosque,

and the unpleasant events that took place in the past, would have been avoided.

As the Bill is to be circulated for the purpose of eliciting public opinion thereon, I would suggest that on Friday the 5th of May, 1938, after the Juma prayers the Muslims should be called upon to express their view points about this Bill. In this way the much desired verdict of the Mussalmans as a whole can be obtained, without which, I think this Bill cannot reasonably be expected to achieve its object.

With these words I strongly support this Bill and once again assure this Honourable House and the Muslims public optside, that the particular class to which I belong—namely pirs and the sajadahnashins will do their utmost to see this Bill through and make it a success, for we have got the blood of our great and illustrious predecessors in our veins and we genuinely believe that our safety is with Islam and we live and we live for this great faith. Sir, if occasion arises we will prove to the world (following in the footsteps of that greatest martyr of the world, Imam Hussain), that sacrifice of lives and even honour is nothing as compared with one's faith.

Khawaja Ghulam Samad (Southern Towns, Muhammadan, Urban) (Urdu) : Sir, there is no gainsaying the fact that honourable Mir Maqbool Mahmood has, by moving this Bill, endeavoured to meet the long cherished desire of the Muslims, namely to provide for the better management of Muslim auqaf in the Punjab. In fact the Muslims have been anxiously waiting for a measure of this kind to be introduced either in the Punjab or central legislature. My honourable friend has, by introducing this Bill, put the Muslims of the Punjab under a debt of gratitude. But I may point out that it is necessary that certain amendments should be made in the Bill. As it is to be circulated for eliciting public opinion, I hope it will be clear in due course as to how it requires to be amended. I have also proposed an amendment to the motion under discussion before the House to-day. It has not yet come before the House perhaps because I was a bit late in sending its notice to the office. The object of my amendment is, that the Punjab Muslim Auqaf Bill may be referred to a committee of seven or eleven maulvis of established renown in India for the purpose of studying it with a view to seeing whether all its provisions are in accordance with Islamic Shariat and to favour the Muslim public with their opinion. I, therefore, submit that copies of the Bill be sent to the ulemas of the Punjab as well as those of other provinces, so that the Muslims in general and this House in particular should benefit by their valuable and considered opinion, which will be in conformity with Muhammadan law.

Again, my honourable friend, Mir Maqbool Mahmood has in the course of his speech remarked that as zakat money is not being spent properly, so if this Bill is passed into law, it will be included in the waqf funds and will be utilized in the best possible manner. But my submission is that this is a question of Shariat and on no account can these two incomes be pooled together under one single fund ; nor can they be spent on one and the same object. In my opinion two different Bait-ul-mals, one for zakat and the other for auqaf, could be set up. In this connection I may also add that probably this year or the next year a Zakat Bill will be brought forward. This Bill will propound a comprehensive scheme for collecting zakat money and for spending it in the best possible manner.

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Besides, I hope that all the pirs and sajudanashins will support this Bill and not oppose it, because it is in their best interests and after suitable amendments have been made in it, it will prove very beneficial to them. I may submit that some time ago I used to read in the newspapers that the Muslim members of the old Legislative Council helped the Sikhs in getting the Gurdwara Act passed, by lending them their whole-hearted support for the measure. Now I am confident that the Sikh members of this Assembly would also lend their support to this Bill.

The Mussalman Waqf Act (XIII of 1923) falls far short of the expectations and requirements of the Muslims. It has altogether failed to bring about any improvement in the management of the various waqfs in the Punjab and I can say without any fear of contradiction that hardly one per thousand managers of the Muslim waqfs present their accounts to the district judges of their ilaqas for approval, and, even when they do so, the clerks of court put up the papers before the district judge after writing "Seen, file," on them for favour of signature. It is evident, therefore, that the Act in question is serving no useful purpose and the situation calls for an adequate measure to set the matter right.

Again, I would submit with all the force at my command that the opinion of the ulemas should be elicited on the Muslim Auqaf Bill as it affects the Muslim Shariat.

One word more and I have done. I strongly protest against the proposal that the Government should nominate 10 members for the auqaf board. Here I would sound a note of warning that Muslims will never brook any interference by Government in their religious matters. I would, therefore, suggest that all the members should be duly elected by the Muslims themselves and in accordance with the democratic principles known to the modern world.

With these words I support the motion now before the House.

Raja Ghazanfar Ali Khan (Parliamentary Secretary): In the first instance I must express my sincerest gratitude to you for having given an opportunity to a Parliamentary Secretary to be able to move a non-official Bill. As a matter of fact when the other day you gave a ruling that Parliamentary Secretaries were not entitled to ask questions or even supplementary questions, I felt very nervous and I thought that so far as we were concerned we had no liberty to take any active part in the deliberations of the legislature. By giving this ruling that a Parliamentary Secretary can bring forward a private Bill you have given us an opportunity and I am sure that you will kindly reconsider whether in the light of this ruling it will be right that we should have also the right to ask questions.

Mr. Speaker: My ruling is not correctly quoted. A Parliamentary Secretary can, no doubt, introduce a Bill and have it passed provided Government allows it to be taken on a Government business day.

Raja Ghazanfar Ali Khan: He maintains his private capacity as a member of the Assembly. That is what I was saying. I am very grateful to you for giving this ruling. I must congratulate my honourable friend on my right for bringing forward a measure which is intended to help the Muslims in the proper management of their auqaf. As a matter of fact the

need for such a measure was very much in demand from various sections of the people and, therefore, my honourable friend Mir Maqbool Mahmood deserves the gratitude of all Muslims for having taken the initiative and for having brought forward the Bill. Having said that I must make it clear that by accepting this motion for circulation we do not accept the principle underlying the Bill. As a matter of fact I am quite conscious of the fact that there is a sharp difference of opinion so far as members of this House are concerned regarding different clauses of the Bill. As a matter of fact there are certain fundamental principles contained in this Bill to which very strong exception can be taken. To quote a few instances, Sir, if anybody would read this Bill carefully from the beginning to the end he will notice that Government steps in at every stage, a principle which I am sure the Muhammadan community would unanimously condemn in the most unequivocal language because to allow Government to have even the remotest say in the management of our religious endowments or give Government even the slightest control over the head of our religious institutions would be a political blunder which the Muhammadans will resent. I will just read one clause put at the end of the Bill, i.e., clause 73 which will make my proposition clear. It lays down—

The Local Government may, by notification in the local official Gazette exempt from the operations of this Act or of any specified provision thereof any waqf or auqaf with or without such conditions as may be prescribed in this behalf.

This clause means that Government will have full liberty to exempt any religious institution it likes from the operation of the Act. If the intention of the Act is to make the heads of religious institutions look upon Government in power for favours, then I will be one of those who will oppose the Government tooth and nail. But we will welcome the management of religious endowments by Muhammadan management elected on a very wide franchise by the Muhammadan community themselves. That I will heartily welcome but to give any sort of control to Government would be a political blunder. Then about nomination by Government on the board of management, I have never heard anything more absurd than asking the Government to nominate its own nominees to manage our religious endowments. In these days of democracy, when nominations have been abolished from the legislatures and from political bodies and when we are clamouring that nomination may be abolished even from the local bodies, to bring in a measure giving power to Government to nominate for religious endowments will be a very serious set back to our political advancement. I am sure my honourable friend will reconsider this matter. At the same time an instance was given of the Gurdwara Act and an appeal was made to my Sikh friends that they should support the Muhammadans in getting this Act passed. I think we ought to learn some lesson from the Gurdwara Act. When the Gurdwara Act was brought forward the Muhammadans supported it. It was due to the fact that the Sikh community unanimously wanted it. Public opinion had been created amongst the Sikhs, the Sikhs had made sacrifices, the Sikhs organised themselves and they had proved to the world that at any cost they were prepared to take possession of their religious places. Let me assure my honourable friend the mover of the Bill that this question is a very complicated one. By moving the Bill and getting it passed in this House without creating public opinion in its

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favour will not enable him to put the religious endowments of the Muslims on the same footing as in the case of Sikhs by passing the Gurdwara Act.

Minister for Education : Do you want jathas ?

Raja Ghazanfar Ali Khan : If you want to make radical changes in the rights of the people, then you have to organise jathas. If you cannot organise them, please do not consider that simply by moving this Bill you will give them control over the religious endowments in the Punjab.

Well, Sir, my strongest objection to this Bill is that there is no data before us. I would ask my honourable friend the mover of the Bill whether he can tell me the number of religious endowments which he wants to bring under the provisions of this Bill. I can assure you that the answer will be in the negative. Let me ask him whether he has got the slightest idea of the income from such endowments annually ? I hope he cannot give any idea. As a matter of fact, I would desire that before the Government had taken any interest in bringing forward this measure, they should have got the figures collected as to how many religious endowments there are in each district, what is their total income and what is the amount of immovable property, etc. After that, we should have proceeded with the Bill. Certainly, there are not more than 3 or 4 endowments in the whole of the province whose income is 10 or 12 thousand rupees a year which will be governed by this Act. Instead of calling it the Punjab Muslim Auqaf Bill, why not call it the Religious Endowment Bill governing a particular place. Therefore, I would request the Government that while opinions are being collected, they should issue a circular letter to the collectors. I am sure that from the revenue papers they can have the figures as to how much property is attached to certain places of worship. Let me remind my honourable friend that so far as the Religious Endowment Act of 1863 was concerned, it was applied to such places where the post of mutwalli was not literal. An enquiry was made by the Government and they found that the persons who were managing the property had a hereditary right in it and they were exempted from that right which was enjoyed by them as a matter of right. Let us not remain in the dark and let us know from the honourable mover of this Bill whether he will be in a position to tell us how many places will be governed by this Act and what will be their income. Then, Sir, the agency which has been provided for managing a waqf is cumbersome and expensive. Unless the income of waqf comes to crores, it would not be worthwhile to have this expensive agency. Therefore, Sir, all these facts require very careful consideration and I would appeal to the Government that when they have been so generous and so kind to give opportunity on an official day to my honourable friend on my right to bring forward this Bill, they would also take the trouble at least of collecting some figures. I have received letters from certain people who have said that the Government was bringing forward some legislation which would take away the rights of all Muslim heads of religion. That misunderstanding can only be removed if we have got some proper data before us. At the same time I may make it clear that I have no intention of opposing this Bill. I only say that the Bill, as it is drafted to-day, is liable to very serious objection. It contains provisions which ought not to be there at all. But if my honourable friend will radically change this Bill by collecting the required data and tell us what his real object is, I would

certainly be one of those who will whole-heartedly support this measure and I would pay the highest compliment to him for bringing forward such a measure. With these words I support the motion for circulation and by doing that I do not commit myself to the principle underlying the Bill.

Syed Amjad Ali Shah (Ferozepore East, Muhammadan, Rural) : Sir, I am surprised to hear the speech delivered by the honourable member in front of me, who not only supports the Bill but goes a long way to oppose it. If it was said that only certain clauses of the Bill were not palatable to certain sects of the Muslim community or mutwallis or people who hold charitable endowments, then I could understand that it was only a matter of detail. He opposed the very principle of the Bill. As far as I can remember his words he said that in principle also he had serious objection to the Bill. I was really surprised to hear those words fall from his lips. He is one who himself sponsored a similar Bill about Ajmere Sharif. I would like to draw the attention of the House to the fact that this Bill does nothing else but impose a check on charitable endowments and make those people who are responsible to-day for those charitable endowments to spend money for which those endowments were created. That is all what this Bill proposes to do. As regards the machinery, it is, of course, a matter of detail into which I do not want to enter at the present moment. But, I would with all humility say that I do not think that any one can reasonably oppose the laudable purpose of this Bill. If there are people, who instead of supporting this laudable object, go on to oppose this Bill, then I would draw the attention of the House to the words of that great reformer, John Calvin who wrote a letter to Francis I, King of France, in which he said :—

Why? Just because their belly is their God, and their kitchen their religion; and they believe that if these were away, they would not only not be Christians, but not even men. For although some wallow in luxury, and others feed on slender crusts, still they all live by the same pot, which without that fuel might not only cool, but altogether freeze.

That would be the reason to oppose this Bill. The reason would purely be on account of selfish motives. My honourable friend, who spoke last, on this Bill, said that we should create public opinion like that which was created for the Sikh Gurdwaras Bill. I may, inform him that we want public opinion created in a cool atmosphere without any jatha or upheaval or anything of that kind, among the Muslims. Let me warn those gentlemen who want to shelve this question that it will be only driving the Muslims, who rightly think that charitable endowments should be protected, to do what the Christians did by having wholesale reformation. Let us mend the evil when it can be mended and let it not become so pernicious as was during the days before the reformation. The following few lines will illustrate my point :—

Besides, the rapacity of churchmen went far beyond the exaction of tithes. 'I see' said a Spaniard, "that we can scarcely get anything from Christ's Ministers but for money; at baptism money, at bishoping money, at marriage money, for confession money. No, not extreme unction without money! They will ring no bells without money; no burial in the church without money; so that it seemeth that Paradise is shut up for them that have no money.

If we do not intervene at this happy moment and bring an Act or some sort of legislation to protect the endowments, then I am afraid we will be guilty of letting

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abuses continue which I am sure is not and cannot be the attitude of my friends who try to oppose or object to this Bill.

A question was raised that at every step the Government was brought into this Bill. I do not think that is really the idea of the honourable mover of the Bill. He simply has charged the Government with the superintendence of this Act. With regard to nomination I also had a talk with my honourable friend and he seems to realise that the nomination element is not acceptable to the majority and I am sure he will consider the advisability of removing that clause from the Bill.

With regard to clause 73, after public opinion has been received if there is any objection to this clause, then I am sure my friend Mir Maqbool Mahmood will try and bring in an amendment of this clause as well. Before I sit down I do want to make it clear that this measure in no way cuts across either the properties or the rights of individuals who have been enjoying these from time immemorial but only tries to check abuses of the charities which have been entrusted to them. If they fail to carry them out according to the directions of the person who gave away those charities then the machinery of the Bill will get into working and thereby carry out the intentions of the donor of such charities. I am sure no one in this House can have any opposition to such a laudable idea.

Minister for Education (The Honourable Mian Abdul Haye) : I must join other honourable members in offering congratulations to my honourable friend Mir Maqbool Mahmood on this occasion. I hope that this consensus of opinion in this House on this motion is due not only to the eloquence of my friend, Mir Maqbool Mahmood, but also to the merits of the Bill. So far as the Government is concerned, I would like to make it clear that the Government is willing to accept this motion. In fact I must pay my tribute to Mir Maqbool Mahmood for the public spirit and the zeal displayed by him and the labour put in by him in drafting this Bill and moving it before the House. Without committing Government to any definite course of action I may make it clear that Government is willing to ascertain public opinion. My honourable friend Khawaja Ghulam Samad stressed the necessity of ascertaining the opinion of the ulema in this matter. I would assure him and the House that special efforts will be made to secure the opinion of the ulema in this matter and Government will have this Bill translated into the vernacular and make it available for the benefit of all including the ulema of the province. If after public opinion has been elicited we find that there is preponderance of opinion in favour of the principle of this Bill, I am sure Government will not hesitate to do its duty in the matter.

Raja Ghazanfar Ali Khan : Will the Government be prepared to collect facts and figures as to how many places there are in the province which will be affected by this Act ?

Minister for Education : So far as this Act is concerned when Raja Sahib spoke he said that perhaps after enquiry it may be found that there are only half a dozen places in the Punjab and perhaps the waqf property has only an income of a few thousands. I am on the contrary of

the opinion that there are scores and hundreds of waqfs in the Punjab which have an income of lakhs if not crores.

Raja Ghazanfar Ali Khan : My question was whether the Honourable member has got any definite information, not mere guess-work. Is the Government prepared to collect the information ?

Minister for Education : If it is intended to collect precise information, the Government may, but so far as the number of waqf property and its income is concerned the Government has no doubt or misgivings.

Nawab Malik Sir Muhammad Hayat Khan Noon : My friend Raja Ghazanfar Ali Khan while he was in the Council of State introduced a Bill for one darga. Why should he object to a Bill which protects more than one place ?

Mir Maqbool Mahmood : I am grateful to the honourable members who have participated in the debate for their remarks and for the very generous sentiments which they have expressed regarding myself. I am particularly grateful for many constructive suggestions which have been made in the course of the debate from various sections of the House. I was particularly happy to find my old friend, Mian Abdul Aziz, join hands with me over this motion. I can assure him that I would welcome his valuable advice and assistance during all stages of this Bill.

I come next to the speech of Khawaja Ghulam Samad. He said that the opinion of the religious leaders should be invited on the Bill and very rightly the Honourable Education Minister supported that request. I have myself stated already that I propose to invite the opinion of leading religious bodies and leaders on the provisions of this Bill and to ask them to be pleased to quote chapter and verse in support of their objections and to suggest alterations in the clauses of the Bill to meet their specific objections. That is common ground and there should be no difference of opinion with regard to that matter.

The second point which my friend Khawaja Ghulam Samad raised was that zakat and auqaf could not be treated together ; on this point I am afraid he did not follow the position taken up in my speech. There is no idea to mix up zakat and auqaf funds. What I said was that the Bill leaves it as a permissible clause that such persons who so desire may entrust their zakat funds as a separate trust to the auqaf board for the purpose of being spent on specified items on which the zakat money can be spent. That I submit with due deference to his knowledge of Shariat is perfectly permissible from the Shariat point of view, and he will find that it is actually enforced in the Islamic country for many years. But these are matters which could be discussed dispassionately on merits and if there is any objection, we can move reasonable amendments at the proper stage.

I now come to the speech of my friend Sayad Mubarak Ali Shah. I am sorry he is not in his seat now, but I wish to convey to him my personal gratitude and also that of the other members who are in support of this Bill for the public spirited, courage and magnanimity which he displayed. That is the sort of courage and lead which we expect from members of his class. (*An honourable member :* Which class?) The pirs. I can assure you that such courage, such magnanimity from that class will

[Mir Maqbool Mahmood]

receive the due appreciation which it deserves from us all. Pir Mubarak Ali Shah in the course of his speech made certain specific suggestions. He said that certain changes should be introduced in the constitution of the boards. All such suggestions deserve special consideration, and I wish to assure him that the exact composition of the board is a matter of detail and when we come to the select committee stage, all his suggestions will receive the consideration which they deserve. He also objected to the inclusion of a Muslim poet, a Muslim scholar, and a Muslim lawyer in the board. I understood him to say that whenever there is election of these personages there will be difficulties. I have already stated that. My purpose in associating all Muslim talent with the auqaf board is to bring all the best Muslim talent in a common pool, and I wish to invite his attention to the fact that the board shall co-opt these persons and so there will not be any unwieldy electorate. I was, however, surprised, to find my friend Pir Mubarak Ali Shah feeling shy of the idea of election for the purpose of selecting certain members of this board. An honourable member who himself secured his seat in this House through election and one who has to-day displayed the highest spirit of Muslim charity and tradition should not need reminding that democratic institutions and election form the basis of Islamic Society. I am sure that when he analyses this point in the light of my remarks he will be prepared to change his opinion just as I am ready to meet his view point wherever possible. One important point made by him was that in the list of various Anjumans and societies which have been given representation I have not included the Muslim League. With regard to that let me make myself perfectly clear. In the first place my idea was not to bring in specially any political party as such, because I wanted the auqaf board to be a Muslim all-parties plank. Moreover other societies like the League could come in under clause 10 (e) of the Bill. Apart from that I must frankly admit that the Muslim League at that time was not the Muslim League of to-day—the most representative Muslim organisation in India—and therefore, I shall be delighted to welcome the Muslim League representatives specially on the auqaf board. His suggestion for adding more names to list I is one of details and could be met if suitable additions are proposed.

Now, I come to the speech of my honourable friend, Raja Ghazanfar Ali Khan. I have had the privilege of sitting with him on the same bench as a student in the Government College and I have had the privilege of enjoying his friendship ever since. I welcome his general support to the motion but many of us were touched by his perceptible struggle with his conscience when he was wasting his eloquence, his common-sense and ability, in finding plausible attribute motives, but points of difference with the Bill. I will not attribute motives, but when he said that in this Bill Government interference is brought at every step and at every stage, I felt sure he was allowing himself to be swayed by that poetic licence which he at times displayed in the Mushairas of the Government College, and that he was not realising his responsibility as a member of this House. If he had carefully studied my Bill he would have found that the action or the interference by Government according to the draft of the Bill has deliberately been reduced to the narrowest possible limits

and I state, as I stated before and with all the emphasis I can command, that under this Bill Government interference in the management of Muslim Auqaf is less than it has ever been since the inception of British rule in India. I am prepared to join issue with anybody on that point. Shorn of much tall talk, only with regard to two specific clauses of the Bill, objection has been taken by Raja Sahib. One is with regard to nominations under clause 10 (i) and the other to exemptions under clause 73. My honourable friend will find that the right of nomination under certain circumstances, up to ten members out of about 70 had been given only out of a panel to be proposed by the board or out of members who had already been on the board and had not been removed for misconduct. This provision was made, as already stated, so that if the board finds that there are distinguished Mussalmans commanding respect of all parties who do not wish to run the risk of election or who do not want to undergo the attendant worries of an election and whose association with the board is essential, then the board may set up a particular panel out of which the Government might nominate ten. But if the Government's nomination is not thought desirable, I shall be delighted to have some other arrangements so that the weight, wisdom and experience of such persons who are an honour to the community may be made available to the Board. I said that I am agreeable to any reasonable suggestions for change. Let me, however, state unequivocally that I am second to none in the resolve that we shall not have undue interference from any Government, even our own Government, in our purely religious matters. Therefore I shall be delighted to welcome any constructive change to that effect.

The exemption clause is not arbitrary. It provides for exemptions of certain waqfs from all or some of the provisions of this Bill with or without such conditions as may be prescribed. The definition of 'prescribed' under clause 2 is that it shall be according to Shariat and in consultation with the auqaf board so that it can be arranged under the framework of the Bill; that if any exemptions are necessary, they shall be according to the Shariat and in consultation with the board. It can be specifically prescribed that all proposals for exemptions must be initiated and disposed of in concurrence with the board. This clause is intended to meet any cases of genuine hardship which may have been overlooked or such which according to Shariat itself would deserve different treatment from what is proposed in this Bill. Moreover, my honourable friend will find that more or less similar exemption clause exists in the Waqf Act of 1923 and those of my friends who object to the clause have for 12 years slept over the clause there. But I may assure the House that the purpose of this clause is not to give a loophole to the Government, and if suitable amendments are forthcoming, I shall be delighted to consider them sympathetically. It is a matter of detail and can be adjusted.

My friend, Raja Ghazanfar Ali Khan will forgive me when I say that in spite of that apparent zeal and emotion which characterised his speech, he let the cat out of the bag when he said, "You cannot take away the rights of the people like this unless you start jathas". When he made that remark I was in my mental vision contrasting him (a mere friend of pirs) with Pir Mubarak Ali Shah (who is himself a member of that distinguished group). I am sure that the spirit displayed by Pir Mubarak Ali Shah and

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not the attitude shown by Raja Ghazanfar Ali Sahib is the true index of the spirit of our great pirs. It is this spirit which has won the respect of us all for that class and it is this spirit which is also in their best interests and in consonance with their traditions. My honourable friend, the Raja Sahib said that the rights of mutwallis could not be taken away without jathas. I can assure him if assurance is needed, in your own words, Sir, which you uttered in the Central Assembly when you were speaking once there. This is what you said—

I must point out that unless the Government is prepared to catch the bull by its horns, it is possible.....that the Akali movement to which reference has been made by certain speakers, might be repeated in certain provinces, at any rate in certain districts of my province. I think in saying this I am doing my duty towards the Government as well as towards the community which I represent.

If Raja Sahib wishes to see the history of Gurdwaras repeated over waqfs, he may be sure that, if necessary, Muslims will not be found wanting in any sacrifice for this cause. Our blood shall blossom forth in showers and torrents in the service of Islam, and where akalis succeeded the Mussalmans will not fail. But I am not so pessimistic as my friend the Raja Sahib is. I feel confident that the majority of our mutwallis do not possess the mentality generally of the old mahants and that in the service of Islam they will be found second to none as they have been found second to none in the past to make every reasonable sacrifice. As such I am sure that this delicate matter will be settled amicably without unnecessary bloodshed and bitterness in the community and in a manner which will adjust the legitimate rights of the mutwallis with the due protection of waqfs. It is to this end that I would request Raja Sahib to apply his great abilities and influence.

Sir, I crave my friend, Raja Sahib's forgiveness for inviting his attention to another matter. I know that he holds the Dargah Sharif at Ajmer in special esteem as I do, being the last resting place of the head of the Chishties. And therefore Raja Sahib must have received the approbation of his conscience, as he received appreciation of a large section of Muslims all over India when he introduced a Bill in the central Assembly for the better management of waqf at Ajmer. I appeal to him not to give reason to uncharitable critics to say that what Raja Sahib thought best for Ajmer Sharif was opposed by him, for the Punjab, because it might indirectly affect him. I feel, Sir, as an old friend of Raja Sahib that his heart is sound and I am confident that in his freer moments when he reconsiders the matter he will stand by me in support of the Bill with any suitable amendments which may be considered necessary.

Diwan Chaman Lall : What do you mean by freer moments ?

Mir Maqbool Mahmood : These are my main submissions and I would only appeal with all the earnestness that I command that all personal considerations should be set aside and we should all concentrate, and I appeal to my non-Muslim friends also to join us, in trying to find a solution of this very complicated question which will do honour to the Muslims of the Punjab.

Raja Ghazanfar Ali Khan : On a point of personal explanation. Let me assure my honourable friend that the Durga Bill so far as that is concerned.....

Mr. Speaker : Is that a reply or a personal explanation ?

Raja Ghazanfar Ali Khan : It is not a reply. I only want to inform him that there was already an Act in force with regard to the Ajmer Durga like the one brought by my honourable friend and what I did was that I tried to have it amended.

Mr. Speaker : Question is :—

“ That the Punjab Muslim Auqaf Bill be circulated for the purpose of eliciting public opinion thereon.”

The motion was carried.

RULES OF PROCEDURE.

NEW RULE.

Mr. Speaker : Now the Assembly will proceed to consider the Rules of Procedure.

Diwan Chaman Lall : The new rule that I propose to introduce runs as follows :—

That before, rule 126, the following new rule be added—

The budget shall be introduced by the moving of a Finance Bill.

The object of my amendment is really to raise a discussion regarding the necessity of having a Finance Bill at the time when the budget is passed. What I might have suggested with your permission in order that the matter may be regularised was that the Government shall introduce a Finance Bill.

Mr. Speaker : But the amendment is out of order. I think the honourable member had no time to read the Parliamentary budgetary system.

Diwan Chaman Lall : I am fully conversant with that procedure, Mr. Speaker. The point is this that there is really no rule as such governing the existence of the Finance Bill in any part of the world where the Finance Bill is in existence and therefore I beg your indulgence in regard to this matter that this amendment of mine may be taken as the basis really for a discussion of the necessity for the introduction of a measure like the Finance Bill.

Mr. Speaker : How can this be done ?

Diwan Chaman Lall : Yes. But the point is that the Government as a result of the discussion may agree by means of a convention that they would bring in a Finance Bill every year. Then there would be no necessity for this rule and therefore it is that I move that we might be permitted to discuss this question of the desirability of a Finance Bill.

Finance Minister : Not to-day on an amendment, unless you make out an amendment.

Mr. Speaker : Unless the motion is in order.

Diwan Chaman Lall : As a matter of fact all motions regarding a Finance Bill would be meaningless.

Mr. Speaker : The honorable member's amendment as well as the next amendment appears to be out of order. So, we might proceed to rule 126.

Pandit Muni Lal Kalia : In this case what I want to say is that the rule as at present worded is vague. It reads—

“ There shall be no discussion of the Budget on the day on which it is presented to the Assembly”.

It means that the discussion on the budget may take place on the next day. The rule, therefore should be more precise and accurate to show the minimum number of days which will be given to the Opposition and others to prepare themselves on the budget. It is, I understand, the convention of the house to give at least three or four days after the budget is presented so that later on there may be general discussion, but in this case even three or four days are not sufficient and I have suggested five days in this case.

Mr. Speaker : It is too stuffy and suffocating. So, if the honourable members have no objection, the House may be adjourned.

The House agreeing, the Assembly adjourned till 9 A.M. on Tuesday, 5th April 1938.

By Mian Muhammad Iftikhar-ud-Din : That before rule 126, the following new rule be added :—

“ the annual statement of the estimated receipts and expenditures of the Province in respect of every financial year shall be presented to the Assembly in the form of a Finance Bill on such day in the preceding financial year as the Governor may appoint.”

PUNJAB LEGISLATIVE ASSEMBLY.

2ND SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Tuesday, 5th April, 1938.

The Assembly met at the Council Chamber at 2 P.M. of the clock. Mr. Speaker in the chair.

STARRED QUESTIONS AND ANSWERS.

BHAI GURMUKH SINGH, A POLITICAL PRISONER.

***2519. Sardar Rur Singh :** Will the Honourable Minister of Finance be pleased to state—

- (a) whether Bhai Gurmukh Singh, a political prisoner in the Old Central Jail, Multan, is being treated as a C class prisoner ;
- (b) whether all the other repatriated prisoners from Andamans are either placed in B class or are being given B class diet ; if so, the reasons for the differential treatment ;
- (c) whether any newspapers and writing materials are being supplied to the said Bhai Gurmukh Singh ; if not, why not ?

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

(b) Yes.

For an answer to the second half of this question the honourable member is referred to the answer given to question *380¹ asked by Sardar Hari Singh.

(c) Yes.

Sardar Sohan Singh Josh : May I know the names of the papers supplied to Comrade Gurmukh Singh ?

Minister : I think he gets the Sunday edition of the *Statesman*, *Paisa Akhbar* and *Fauji Akhbar*. I may also inform the honourable member that the Government is considering the propriety of papers that should be supplied to this prisoner. I am now considering it myself.

Sardar Sohan Singh Josh : Will the Government also consider the question of supplying the *Tribune* to political prisoners ?

Minister : That is also a matter which the Government is considering.

Sardar Hari Singh : It is the Honourable Minister's own journal !

Minister : No, not Honourable Minister's but it is more yours in reflecting opinions than mine.

LAND ACQUIRED BY RAILWAY DEPARTMENT FOR RAILWAY
LINE AT SIALKOT.

***2520. Mian Muhammad Nurullah :** Will the Honourable Minister of Public Works be pleased to state—

- (a) the number of thoroughfares and foot-paths acquired by the Railway Department while acquiring land for Railway line at Sialkot in November, 1887; from village Attari, Mianapura Tappa, Sialkot tahsil;
- (b) what cost was assessed for land under foot-paths and thoroughfares in question and to whom it was paid;
- (c) whether the Collector of the district had given an undertaking at the time of acquisition that the foot-paths and thoroughfares would not be closed to the owners of adjacent land and to the general public;
- (d) whether the foot-paths and thoroughfares continued to exist up to 1934;
- (e) whether these foot-paths and village roads continued to be shown as such in all the settlements of the district;
- (f) if the reply to the above be in the affirmative, what action the Government propose to take in the matter?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : I regret that the answer to this question is not ready.

THOROUGHFARES AND FOOT-PATHS ACQUIRED BY RAILWAY DE-
PARTMENT FOR RAILWAY LINE AT SIALKOT.

***2521. Mian Abdul Aziz :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the number of thoroughfares and foot-paths acquired by the Railway Department while acquiring land for railway line at Sialkot in November, 1887, from village Attari, Mianapura Tappa, tahsil Sialkot;
- (b) what cost was assessed for the land under foot-paths and thoroughfares in question and to whom was it paid;
- (c) whether the Collector of the district had given an undertaking at the time of acquisition that the foot-paths and thoroughfares would not be closed to the owners of adjacent land and to the general public;
- (d) whether the foot-paths and thoroughfares continued to exist up to 1934;
- (e) whether these foot-paths and village roads continued to be shown as such in all the settlements of the district;
- (f) if the reply to the above be in the affirmative, what action the Government propose to take in the matter?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : I regret that the answer to the question is not ready.

JUDGMENT OF ADDITIONAL DISTRICT JUDGE OF LAHORE IN CASE
 "MRS. FAZAL ELAHEE *versus* LAHORE MUNICIPAL
 COMMITTEE."

*2522. **Mian Abdul Aziz :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether Government is aware of the judgment of the additional district judge of Lahore, 4th December, 1935, in case 'Mrs. Fazal Elahee *versus* Lahore Municipal Committee', regarding the effect of suspension of resolutions passed by the Municipal Committees, on acts already done or completed in pursuance of such resolutions;
- (b) whether the Commissioner, Lahore division, suspended the resolutions passed by the Municipal Committee of Sialkot concerning the cases of M. Fazal Din, Head Clerk and M. Siraj Din, Accountant, of the said committee;
- (c) whether the Commissioner, Lahore division, subsequently held that his order of suspension in the two cases mentioned in (b) above was effective only from the date of its issue, and was not applicable to the past;
- (d) if replies to the above be in the affirmative, whether the Government propose to issue necessary instructions to all concerned to observe the principles adumbrated in the judicial finding mentioned above?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) Yes. Government have seen the judgment in question.

(b) No. The Commissioner, however, in connection with the two clerks mentioned passed two orders under section 42 of the Punjab Municipal Act, 1911, requiring the Municipal Committee of Sialkot to reduce the remuneration of the two clerks to specified amounts from dates given in the orders. In one case the date fixed was the date of the order itself and in the other case the date fixed was approximately six weeks later than the date of the order.

(c) and (d) Do not arise.

TENDERS FOR TAPPING RESIN IN SHAHPUR KANDI FOREST,
 DISTRICT GURDASPUR.

*2523. **Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Revenue be pleased to state whether tenders for tapping resin from trees in Shahpur Kandi forest, district Gurdaspur, were invited; if so, when and with what result?

The Honourable Dr. Sir Sundar Singh Majithia : Yes, tenders were invited for the year 1938-39 for the 30th November, 1937. But none was accepted in view of the advice of the Forest Department who were of the opinion that heavy and indiscriminate tapping during the year 1937-38 had had an adverse effect on the trees.

Dr. Gopi Chand Bhargava : May I know whether the agriculturists who are the owners of that area lose anything by these licences not being granted ?

Minister : My honourable friend knows that steps are being taken for the preservation of forests and, therefore, the Government has to consider the question from a wider point of view than from the narrow point of view of the agriculturists.

Dr. Gopi Chand Bhargava : I want to know whether the agriculturists lose anything or not.

Minister : That is a matter of opinion.

Dr. Gopi Chand Bhargava : It is a matter of fact and not of opinion. I ask whether they lose money or not.

Minister : I do not think they lose anything because they get a share of the.....

Dr. Gopi Chand Bhargava : Then does not the Government think of licensing this thing at all ?

Minister : Licensing of tapping of trees ?

Dr. Gopi Chand Bhargava : Yes.

Minister : I do not think that that is possible.

CONFISCATION OF LANDS BOUGHT BY PERSONS IN LYALLPUR DISTRICT.

***2524. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether the lands of some persons who had bought it at the time of auction from the Government in Lyallpur district have been confiscated ; if so, why and also the number of such persons ;
- (b) whether such lands in other districts have also been confiscated ; if so, why ;
- (c) whether any differential treatment has been adopted by Government in any district, if so, why ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes ; for default in the payment of instalments of purchase price according to the conditions of sale. The number of such persons was 2,427.

(b) Yes ; for similar reasons.

(c) Yes ; to purchasers of inferior lands on the Lower Bari Doab Canal and to inferior non-perennial lands on the Upper Chenab Canal : the reason being that the land was considered inferior, and the new terms fair to Government and the purchasers.

MURDERS COMMITTED IN JHANG DISTRICT.

***2525. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state the number of murders committed in Jhang district in years 1935-36, 1936-37 and up to 28th February, 1938, how many of these were challaned and tried and in how many cases culprits were convicted ?

The Honourable Major Sir Sikander Hyat-Khan : The requisite information is given in the statement laid on the table.

Statement showing details of the number of murders, murder cases, etc., in the Jhang District for the years 1935, 36 and 1937.

Year.	Number of persons murdered.	Number of cases registered.	Number of persons challaned.	Number of persons discharged or acquitted.	Number of persons convicted.
1935	10	17	37	23	14
1936	31	27	41	27	14
1937	17	16	50	34	16
January and February 1938.	..	2	80	Cases pending in Court.	

MURDER OF AHMAD, SON OF MUHAMMAD MURAD.

***2526. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether one Mr. Ahmad, son of Mr. Muhammad Murad, Khokhar, of village Ahmadpur, thana Garh Maharaja, district Jhang, was murdered in April, 1937, if so, whether the case was challaned and with what result ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : Yes. Three accused were sent up for trial but were acquitted by the Additional Sessions Judge, Lyallpur.

Dr. Gopi Chand Bhargava : Is the honourable member quite sure that the enquiry by the police was quite adequate ?

Parliamentary Secretary : I have no reason to doubt that the police made adequate enquiry.

Dr. Gopi Chand Bhargava : On what grounds were the accused discharged ?

Parliamentary Secretary : If the honourable member were to obtain a copy of the judgment, he will find the grounds stated therein.

CONSTRUCTION OF A BRIDGE OVER ROHI NEAR VILLAGE KACHA HUDIARA, DISTRICT LAHORE.

***2527. Sardar Chanan Singh :** Will the Honourable Minister Revenue be pleased to state—

(a) whether the land through which the Rohi passes in the village of Kacha Hudiara, tahsil Lahore; belongs to the Canal Department, Majitha Division ;

(b) whether it is a fact that the aforesaid land remains submerged in water during the rainy months ;

[Sardar Chanan Singh.]

- (c) whether the Government has ever considered the question of constructing a bridge for removing the inconvenience of the public?

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

(b) Yes.

- (c) A piece causeway already exists close to the village for traffic across the drain, and a bridge is, therefore, not proposed to be constructed.

MEMORIAL FROM MUSLIM EMPLOYEES AGAINST SUPERINTENDENT
OF GOVERNMENT PRINTING, PUNJAB.

***2526. Malik Barkat Ali :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether a memorial from the Muslim employees of the Government Printing, Punjab, complaining against the Superintendent of the said Press has been submitted to him, and, if so, when he received the same memorial;

- (b) whether he has so far taken any action on this memorial, and, if so, what?

The Honourable Dr. Sir Sundar Singh Majithia : The attention of the honourable member is invited to the reply to question No. *2153¹ asked in the present session.

SUPERSESSION OF MUSLIM EMPLOYEES OF GOVERNMENT PRINTING, PUNJAB.

***2529. Malik Barkat Ali :** Will the Honourable Minister of Revenue kindly state how many Muslim employees in the Punjab Government Printing Press were superseded by the promotions of (i) Lala Merari Lal, (ii) Lala Benarsi Dass, (iii) Lala Sukh Dial and (iv) Lala Rattan Lal?

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

Malik Barkat Ali : Does exposure of communalism also fall within the definition of that communalism in respect of which the present Ministry think that they have established a convention of some sort?

ORDERS FOR PREPARATION OF LIST OF PETTY LANDHOLDERS.

***2530. Sayad Mubarik Ali Shah :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that the Government has recently sent orders to its officers in certain districts (Jhang being one of those) to prepare a list of petty landholders?

The Honourable Dr. Sir Sundar Singh Majithia : No.

PARTY GIVEN TO THE COMMISSIONER, RAWALPINDI DIVISION, AT
BHAKKAR.

***2531. Munshi Hari Lal :** Will the Honourable Premier be pleased to state—

- (a) whether there are any Government orders or instructions prohibiting a party being accepted by the Government officials while on tour in their circles, district or divisions ;
- (b) whether it is a fact that the Commissioner, Rawalpindi division, received a party at Bhakkar during his last visit to that place in January last ;
- (c) if the answer to (b) be in the affirmative, whether the party was organized by subscriptions raised from the members of the public ;
- (d) if the answer to (c) be in the affirmative, who were the subscribers and organisers ;
- (e) whether the Government intends to put a stop to such practice ?

Parliamentary Secretary (Mir Maqbool Mahmood) : I regret that the answer to this question is not yet ready.

DISTRICT BOARD, AMRITSAR, AND AWARD OF A SCHOLARSHIP TO A
STUDENT OF VETERINARY COLLEGE.

***2532. Khan Sahib Chaudhri Fazal Din :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that the District Board, Amritsar, at its meeting held on 7th February, 1938, awarded a scholarship to a student of the Veterinary College in contravention of their rules ;
- (b) whether it is a fact that the Principal of the Veterinary College had recommended for scholarship the name of another brilliant student who is also an agriculturist but whose name was ignored on the ground that he does not belong to the major community in the District Board, Amritsar, if so, the action Government propose to take in the matter ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : (a) No.

(b) No.

NOTIFIED HINDU AGRICULTURAL TRIBES IN POLICE DEPARTMENT.

***2533. Chaudhri Ranpat :** Will the Honourable Premier be pleased to state the number of the members of the Notified Hindu Agricultural Tribes in the Karnal District at present employed in the Police Department ?

Parliamentary Secretary (Mir Maqbool Mahmood) : In view of the policy enunciated by the Honourable Premier on the floor of the House, I regret that I cannot answer this question in the form put.

HINDU NOTIFIED AGRICULTURAL TRIBES IN CRIMINAL TRIBES
DEPARTMENT.

***2534. Chaudhri Ranpat :** Will the Honourable Minister for Finance be pleased to state the number of the members of the Karnal district Hindu notified agricultural tribes at present employed in the Criminal Tribes Department ?

The Honourable Mr. Manohar Lal : In view of the policy recently enunciated regarding answers to questions of this type, it is not proposed to collect the information. Besides Government cannot countenance any such principle as is suggested in this question.

HINDU NOTIFIED AGRICULTURISTS EMPLOYED IN COMMISSIONER'S
AND DEPUTY COMMISSIONER'S OFFICES, AMBALA
DIVISION.

***2535. Chaudhri Ranpat :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the number of the members of the Hindu notified agriculturist families belonging to the tahsils of Kaithal and Thanesar, district Karnal, who are at present employed in the Commissioner's and Deputy Commissioner's offices, Ambala ;
- (b) if the number is nil or if they are under-represented, whether Government proposes to make up their number in these posts ; if not, why not ?

The Honourable Dr. Sir Sundar Singh Majithia : I regret that I have to decline to answer this question on communal considerations.

HINDU AGRICULTURISTS EMPLOYED IN FOREST DEPARTMENT.

***2536. Chaudhri Ranpat :** Will the Honourable Minister for Revenue be pleased to state the number of the members of the Karnal district notified Hindu agricultural tribes at present employed in the Forest Department ?

The Honourable Dr. Sir Sundar Singh Majithia : I regret on communal grounds I cannot answer this question.

HINDU NOTIFIED AGRICULTURAL TRIBES IN DEPARTMENT OF
AGRICULTURE.

***2537. Chaudhri Ranpat :** Will the Honourable Minister of Development be pleased to state—

- (a) the number of the members of the Hindu notified agricultural tribes at present employed in the Department of Agriculture who belong to the tahsils of Kaithal and Thanesar, district Karnal ;
- (b) if they are under-represented, whether the Government proposes to secure for them proper representation in this department ?

The Honourable Chaudhri Sir Chhotu Ram : (a) The attention the honourable member is invited to page 1 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, 1938.

(b) Claims of all candidates including those from Kaithal and Thanesar tahsils possessing the requisite qualifications will receive careful attention.

Mian Abdul Rab : May I know whether the question that the honourable member has been pleased to reply savours of communalism or not ?

Minister : No, it does not.

Dr. Sir Gokul Chand Narang : On a point of order. I am sorry I was not present here but I understand that it has been ruled by the Members of the Government that in future replies to questions savouring of communalism shall not be answered and I find to-day that several questions have not been answered on that ground. May I know whether it is in accordance with the rules or in accordance with any resolution of this House that this policy has been adopted ? I would not have raised this question—I am not in favour of communalism or encouraging communal considerations—but I do so (*interruption*) because there is considerable discontent on this ground. The minority communities feel that this policy has been adopted to gag them as the majority community is now in power and it is not necessary for them to ask communal questions because if they have any grievances they can redress those grievances themselves but the minorities will not be in a position to have their grievances redressed.

Mr. Speaker : I am not aware of any rule under which a question may not be answered on the ground of communalism. I have already ruled that it is open to a Minister to decline to answer a question without assigning any reason or on the ground that it will not be in the public interest to answer it. But instead of declining to answer the question without assigning any reason or saying that it was not in the public interest to answer it, the Honourable Minister declined to answer it, because it involved communalism.

Dr. Sir Gokul Chand Narang : There must be some reason for having departed from the old practice. Were the wishes of the House consulted in the matter ?

Mr. Speaker : The House was not consulted nor was I consulted.

Malik Barkat Ali : May I draw the attention of the House to the fact that the statement of my learned friend Sir Gokul Chand Narang, that it is to gag the minority community that this convention has been adopted, is not correct. The majority community also suffers from this convention.

Mr. Speaker : Dr. Sir Gokul Chand Narang only raised a point of order. Therefore, the honourable member has no right to make a speech.

Diwan Chaman Lal : Is it not a fact that the particular statement is not correct ? The majority community is not in power. Government is in existence because of the support of the Hindus and Sikhs. If that support is withdrawn then the Government must fall.

Premier : Who said that it was a communal Government ?

Dr. Sir Gokul Chand Narang : Nobody said that it was a communal Government ; I say it now that it is a communal Government (*interruptions*).

Mr. Speaker : I request the honourable member to resume his seat.

HINDU AGRICULTURAL TRIBES IN PUBLIC WORKS DEPARTMENT
(IRRIGATION BRANCH).

***2538. Chaudhri Ranpat :** Will the Honourable Minister of Revenue be pleased to state the number of the members of the Karnal district notified Hindu agricultural tribes at present employed in the Irrigation Branch of the Public Works Department ?

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

Malik Barkat Ali : May I through you ask the Premier to state what steps he expects members to take with a view to expose communalism.

Diwan Chaman Lall : Yes ! Don't be a communalist yourself.

Premier : May I suggest in an informal way—you may call it a formal way but I call it an informal way—that members should put unstarred questions with regard to these proportions and they will get answers which will be incorporated in the proceedings.

Dr. Sir Gokul Chand Narang : That will not serve the purpose because questions not answered on the floor of the House seldom come to the notice of the public. The proceedings of the House even before they are published in the regular reports are intended to be brought to the notice of the public outside.

Malik Barkat Ali : I request the Premier to consider that in the case of unstarred questions the right of putting supplementary questions does not exist and sometimes answers are so vaguely worded that supplementary questions are necessary to remove the ambiguity and in the interests of elucidation.

Premier : It appears to me that the intention of the honourable member opposite is not to elicit information but to draw the attention of the Government to any disparity amongst services and also create fireworks in this House.

Mr. Speaker : Malik Barkat Ali's question to Premier, though not strictly relevant, was allowed. I request the House to stop any further discussion.

HINDU AGRICULTURAL TRIBES IN REVENUE DEPARTMENT.

***2539. Chaudhri Ranpat :** Will the Honourable Minister of Revenue be pleased to state the number of the members of the Karnal district notified Hindu agricultural tribes at present employed in the Revenue Department ?

The Honourable Dr. Sir Sundar Singh Majithia : I must decline with regret to answer questions which savour of communalism on the floor of the House. I am sorry to have to adopt this attitude but Government

consider it necessary in the public interest to establish a convention in connection with such questions. I shall, however, always be prepared to examine any particular instance of disproportionate representation which honourable members may bring to my notice in a more informal way.

PIECE-WORKERS, GOVERNMENT PRINTING, PUNJAB, LAHORE.

***2540. Chaudhri Muhammad Abdul Rahman Khan :** With reference to the answer to starred question No. 5377, asked by Mr. M. A. Ghani on 11th March, 1936, will the Honourable Minister of Revenue be pleased to state whether the Government has promoted such temporary piece-workers of the Government Printing, Punjab, to the permanent establishment whose period of service has exceeded ten years; if so, how many of the above-named workers have been so promoted; if not, reasons therefor?

The Honourable Dr. Sir Sundar Singh Majithia : The reply is in the negative.

Diwan Chaman Lall : May I ask the Honourable Minister as to why the piece-workers who have been actually working in the printing press for 10 years have not been brought on the permanent cadre.

Minister : I think if my friend will wait perhaps the next question will answer it.

REPRESENTATION OF MUSLIM TEMPORARY PIECE-WORKERS OF THE
GOVERNMENT PRINTING, PUNJAB.

***2541. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that the Muslim temporary piece-workers of the Government Printing, Punjab, have submitted a representation to the Superintendent, Government Printing, to the effect that they may be confirmed according to the gradation list; if so, the action taken on the aforesaid representation; if no action has been taken reasons for the same?

The Honourable Dr. Sir Sundar Singh Majithia : This question as framed unfortunately has some communal tinge in so far that it suggests that confirmation has been withheld unjustly from Muslim compositors. Such is not the case as applications from temporary piece-hand compositors that have been received are under consideration. Action will, however, be taken in accordance with rules framed for this department for disposal of such matters.

Pandit Muni Lal Kalra : I want to know whether the part of the answer which deals with communalism is an answer or a discussion.

Mr. Speaker : The honourable member may understand it according to his lights.

Dr. Sir Gokul Chand Narang : The Revenue Minister was too much afraid to refuse to answer this question.

Minister : I am very sorry the honourable member has made a statement like that and I repudiate that charge.

Lala Bhim Sen Sachar : Do I take it that Government are seriously considering the question of dispensing with recruitment of services on communal basis ?

Minister : May I ask if this question arises out of the question ?

Diwan Chaman Lall : May I ask as to why the piece-workers who have been on a temporary basis for 10 years have not been incorporated in the permanent cadre ?

Minister : My friend understands that in a matter like the Press it is always not possible to go on employing men on a permanent basis. We employ men as occasion arises and dispense with their services when the occasion so requires.

Diwan Chaman Lall : Is it a fact that there is a large number of compositors who have been in permanent employment, but that they have been on a temporary basis for a number of years ?

Minister : Possibly it may be like that, but my reply holds good.

Diwan Chaman Lall : May I ask the Honourable Minister if they are in permanent employment for a number of years, what justification there is for keeping them in a temporary cadre ?

Minister : I shall make enquiries as to whether their services are to be dispensed with or they could be brought on the permanent cadre.

Diwan Chaman Lall : My question is this that if there are temporary hands who are on the temporary cadre and who are actually in permanent employment for a number of years, why those hands are not brought on to the permanent cadre ?

Minister : My honourable friend knows that temporary hands, if they are required to be taken on the permanent cadre and when the occasion arises for that purpose, they are generally taken on the permanent cadre. But it does not preclude me or the Government from taking action against people, who are on the temporary cadre, to dispense with their services when their services are no longer needed.

Diwan Chaman Lall : May I ask the Honourable Minister again to look at my question a little carefully. My question is this that if there are temporary hands and they are in continuous permanent service as compositors for a number of years, why are they not brought on the permanent cadre ?

Minister : I may be permitted to say that there are people who may be temporary hands and who have been continuously employed in permanent employment and as I have already explained, occasions arise when there is a vacancy which is of a permanent nature when these temporary men are given a chance.

Diwan Chaman Lall : Has the Honourable Minister decided to look into this particular matter which has caused a certain amount of grievance amongst those people ?

Minister : No such grievance has come to my notice.

EXTENSIONS IN SERVICE TO LALA CHUNI LAL, CLEARING OFFICER,
GOVERNMENT PRINTING, PUNJAB.

***2542. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) when Lala Chuni Lal, Clearing Officer, Government Printing, Punjab, was retired from service ;
- (b) the number of times, the number of years and the reasons for which the above-named officer was given extension in his service ;
- (c) the age of Lala Chuni Lal at the time of his retirement ;
- (d) whether it is a fact that the Government proposes to re-appoint him to his post ; if so, the reasons therefor ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) 1st April, 1935.

(b) He was retained in service after the age of 55 and up to the age of 60 years in accordance with the ordinary rules as he continued to be efficient. After he attained the age of 60 his service was extended first for 6 months and then for 2 months and 28 days as numerous changes in the superior staff of the press made it desirable for Government to retain the services of this very experienced officer.

(c) 60 years, 11 months and 28 days.

(d) Government have no such proposal under consideration.

PERMANENT VACANCIES IN THE POSTS OF PIECE-WORKERS OF GOVERNMENT PRINTING, PUNJAB.

***2543. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the number of posts of permanent piece-workers that have fallen vacant in the Government Printing, Punjab, from March, 1936, to the present day ;
- (b) whether it is a fact that these vacancies have not been filled so far ; if so, when it is intended to fill them ; if it is not intended to fill them, reasons for the same ?

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

(b) Acting arrangements have been made in all the vacancies except in the latest, which occurred only a few days ago. Substantive arrangements will be made in due course.

HEINOUS CRIMES SUCH AS MURDERS IN JHANG DISTRICT.

***2544. Sardar Harjab Singh :** Will the Honourable Premier be pleased to state—

- (a) whether Government is aware of the fact that the number of heinous crimes such as murder, etc., has greatly increased in the Jhang district ;

[Sardar Harjab Singh.]

(b) if so, will he be pleased to supply statistics of heinous crimes such as murder, etc., in Jhang district for years beginning from 1985;

(c) how many accused for murders out of these were challaned and how many were discharged and how many were acquitted?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh): (a), (b) and (c) A statement showing details of murders and dacoities committed in the Jhang district during the last three years is laid on the table. It will be observed as regards murders that there was an increase in 1986, but that the number fell during the following years.

Statement showing details of dacoities committed and number of persons challaned, etc., in the Jhang district, during the years 1985, 1986 and 1987.

Year.	Number of cases admitted.	Number of persons challaned.	Number of persons discharged and acquitted.	Number of persons convicted.
1985 ..	2	32	27	5
1986 ..	1	14	14	..
1987 ..	2	20	3	17

Statement showing the details of the number of murders, murder cases, etc., in the Jhang district for the year 1935-1936 and 1937.

Year.	Number of persons murdered.	Number of cases registered.	Number of persons challaned.	Number of persons discharged or acquitted.	Number of persons convicted.
1935	19	17	37	23	14
1936	31	27	41	27	14
1937	17	16	50	34	16

COMMUNITY-WISE REPRESENTATION AMONG THE EMPLOYEES OF THE HAVELI PROJECT.

***2545. Bhagat Hans Raj :** Will the Honourable Minister of Revenue be pleased to state—

(a) the number of new employees appointed in connection with the Haveli Project community-wise and particularly the number of the scheduled caste employees among them;

- (b) the reasons for the inadequate representation of the members of the scheduled castes and the steps the Government propose to take to give them proper representation?

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

REPRESENTATION OF SCHEDULED CASTES AMONG TEACHERS OF GOVERNMENT SCHOOLS.

***2546. Bhagat Hans Raj :** Will the Honourable Minister of Education be pleased to state—

- (a) the number of the members of the scheduled castes working in Government schools as senior vernacular teachers ;
(b) the steps the Government intends to take to give them adequate representation in the teaching staff of the Government schools?

The Honourable Mian Abdul Haye : The honourable member is referred to the answer given to question No. *2143¹.

CANAL WATER SUPPLY IN VILLAGE NURIWALA, TAHSIL KASUR.

***2547. Sardar Muhammad Husain :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that in Nuriwala village, tahsil Kasur, no water-courses were dug at the time of the killabandi ;
(b) whether it is a fact that the zamindars of the village have not received any supply of canal water either ; if so, the reasons why these zamindars are being asked to make their contributions towards the charges of digging the watercourse in the said village?

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

(b) The revenue records show that canal irrigation ceased after 1933-34. I am enquiring into the reasons.

ASSESSMENT OF ABIANA ON CROPS DAMAGED IN A CERTAIN AREA OF ZIRA TAHSIL.

***2548. Mian Abdul Rab :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether the Government is aware of the fact that the crops of the zamindars of Dharamkot and some other villages in

[Mian Abul Rab.]

its vicinity in tahsil Zira, district Ferozepore, were damaged in the last rainy season on account of the overflowing of Aghawah Canal;

- (b) whether it is a fact that the zamindars of these villages have been assessed abiana for the flood water which escaped into their lands and damaged the crops; if so, reasons for the same and the action the Government intend to take in the matter?

The Honourable Dr. Sir Sundar Singh Majithia: (a) No. There was no damage to kharif crops in the villages concerned.

(b) No, only the area matured by irrigation from the canal was assessed to abiana.

ADDITIONAL POLICE POST AT VILLAGE SABHARWAL, TAHSIL KASUR.

***2549. Sardar Muhammad Husain:** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that an additional police post has been quartered at village Sabharwal in tahsil Kasur for the last ten years;
- (b) whether the Government intends to remove it; if not, reasons for the same?

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

RELIEF FOR ZAMINDARS OF CERTAIN VILLAGES IN LAHORE TAHSIL.

***2550. Sardar Muhammad Husain:** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that the last rabi crops of villages Manga, Khorian and Rangilpur, etc., in tahsil Lahore, were submerged in canal water; if so, reasons for the same and the action the Government proposes to take to give relief to the zamindars of that area?

The Honourable Dr. Sir Sundar Singh Majithia: No. There was a little damage in low lying land owing to the rising of the river, but most of the crops are excellent. Remissions, if found necessary, will be given in the ordinary way.

***2551. Cancelled.**

REMISSION OF TAQAVI LOANS FOR SINKING TUBE-WELLS IN SIALKOT DISTRICT.

***2552. Chaudhri Ghulam Rasul:** Will the Honourable Minister of Revenue be pleased to state—

- (a) the number of persons who were granted taqavi loans for sinking tube-wells in the Sialkot district;
- (b) the number of cases in which the boring did not prove successful and the people instead of deriving any benefit from tube-wells suffered a loss and reported the matter to the higher authorities;

- (c) whether it is intended to afford some relief to the sufferers by remitting some portion of the taqavi loans; if so, whether the Honourable Minister will lay a statement on the table of the House showing the names of the sufferers with the names of their villages, the amount of taqavi due from them and the portion of the loan proposed to be remitted?

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

IRRIGATION FROM DEK NULLAH IN SIALKOT DISTRICT.

***2553. Chaudhri Ghulam Rasul :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that in the Sialkot district one hundred and seventy villages have been deprived of the benefit of irrigation from the Dek nullah and their condition is becoming worse and worse every day; if so, the action the Government intends to take in the matter?

The Honourable Dr. Sir Sundar Singh Majithia : The number of villages affected is 78, and Government has sanctioned reduction of land revenue amounting to Rs. 14,138, approximately as a measure of relief. A solution of the problem is still being sought, but there is no progressive deterioration, as the honourable member implies in his question.

Mian Abdul Rab : May I know what steps, if any, the Government propose to take to supply water for irrigation purposes to those villages which are deprived of the benefit of this nullah?

Minister : I am afraid my honourable friend has not heard my reply carefully which runs as follows:—

“A solution of the problem is still being sought, but there is no progressive deterioration, as the honourable member implies in his question.”

Mian Abdul Rab : May I know what is the nature of the solution that is being sought and whether any particular enquiry is being held?

Minister : Naturally the question would not be looked into without a proper enquiry.

Chaudhri Ghulam Rasul : Sir, I may submit that if the Government grant remissions every year they will sustain loss. Therefore, I request that if adequate arrangements for irrigation purposes are made, it will bring more income to the Government.

Mr. Speaker : That is a request for action.

COMPLAINT MADE BY S. CHANCHAL SINGH AND OTHER LANDOWNERS OF VILLAGE KACHA PAKKA, DISTRICT LAHORE, AGAINST CHARGING A CERTAIN AMOUNT FOR CAMPING EXPENSES OF OFFICERS.

***2554. Dr. Sant Ram Seth :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether S. Chanchal Singh and several other landowners of village Kacha Pakka, tahsil Kasur, district Lahore, presented an application to the naib-tahsildar, Kasur, on the 3rd August, 1937, at village Moghalwala, in which they complained that

[Dr. Sant Ram Seth.]

the village headmen had been charging a certain amount per harvest along with the land revenue to meet the camping expenses of the officers coming on tour since the last settlement of 1912-13 ;

- (b) if the answer to (a) above be in the affirmative, whether any inquiry was made by the Government in the matter, if so, with what result ;
- (c) whether it is a fact that no one of the complainants was called upon or served with a notice to appear before the investigating officer uptill the 12th January, 1938 ;
- (d) if the answer to (c) be in the affirmative, what were the grounds for doing so ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes. Such a complaint was made to the naib-tahsildar.

(b) The enquiry showed that no charge was being levied on the residents to meet officers' touring expenses.

(c) Yes.

(d) The lambardars admitted that they did realise *malba*. There was no question for an enquiry.

ENTRY OF THE NAME OF S. BAKHSHISH SINGH IN POLICE REGISTER No. 10.

***2555. Lala Duni Chand :** Will the Honourable Premier be pleased to state—

- (a) whether the name of Sardar Bakhshish Singh, son of Parmatma Singh, caste Jat, Jagirdar of Sohana village, Kharar tahsil, Ambala district, has been entered in Police Register No. 10 by the Sub-Inspector of Chandigarh police station ;
- (b) whether it is true that the said Sardar Bakhshish Singh has made serious allegations against the predecessor of the present Sub-Inspector of Police to the Deputy Superintendent of Police, Rupar ;
- (c) action, if any, the Government proposes to take ?

The Honourable Major Sir Sikander Hyat-Khan : (a) The contents of Police Register No. X are not made public and I do not think that it would be in the public interest to answer this part of the question. Government understand that Sardar Bakhshish Singh is not a Jagirdar.

(b) Yes. The allegations were investigated by the District Inspector of Police and found to be false.

(c) Government propose to take no action in the matter.

RATE OF COPYING FEE CHARGED FOR JUDICIAL RECORDS.

***2556. Lala Duni Chand :** Will the Honourable Minister of Finance be pleased to state—

- (a) whether it is a fact that some time ago a fixed fee of one rupee eight annas was prescribed for each copy of judicial record

and now this rule has been again changed and each copy is charged at the rate of 6 annas per one hundred words ;

(b) the reasons for the change ?

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

(b) Does not arise.

CONSTRUCTION OF A DAM TO PROTECT VILLAGE SHAHZADPUR MAZARA,
TAHSIL NARAINGARH.

***2557. Lala Duni Chand :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that a hill torrent passing along the *abadi* of Shahzadpur Mazara, tahsil Naraingarh, has washed off a number of houses and further destruction of *abadi* is threatened ;

(b) whether on a representation having been made to the Deputy Commissioner, Ambala, the District Engineer was ordered to prepare an estimate of a dam to be put up and the residents of Shahzadpur Mazara had agreed to bear half the cost ;

(c) whether any further steps have been taken to stop the threatened destruction of the village ; if so, when they are expected to be taken ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, a well and a house were washed away.

(b) Yes.

(c) A scheme for the construction of a bund has been prepared by the District Engineer and will be proceeded with as soon as the local residents have paid their promised contribution. In the meantime the District Board is taking such temporary measures as its finances permit.

ARRANGEMENTS FOR THE SUPPLY OF DRINKING WATER TO THE SCHEDULED
CASTES IN NARAINGARH TOWN.

***2558. Lala Duni Chand :** Will the Honourable Minister of Education be pleased to state—

(a) whether it is a fact that the sweepers and other scheduled caste men belonging to Naraingarh town, Ambala district, are being denied the use of public wells ;

(b) how the Government proposes to arrange for their water supply ?

The Honourable Mian Abdul Haye : (a) No. Every community has got its own well situated in the vicinity where they live.

(b) Does not arise.

Lala Duni Chand : May I know the source of this information which the Honourable Minister has given us ?

Minister : The source that is available to the Government, namely, officers of the Government.

Lala Duni Chand : Will the Honourable Minister accept my statement that I had been myself to that village and found that the trouble does exist there ?

Minister : Does my honourable friend mean to state that there is no well for scheduled castes in Naraingarh? Evidently he has not paid a visit to the vicinity where such wells do exist.

Lala Duni Chand : There is no well belonging to these people. There is a well which belongs to the village people and they do not allow these people to make use of that well.

Mr. Speaker : I cannot allow discussion.

Lala Duni Chand : In view of the information supplied to the House, will the Honourable Minister for Education make further inquiries into the matter ?

Minister : If he writes to me, I shall make inquiries.

SHORT NOTICE QUESTIONS.

***2559. Lala Duni Chand :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that no information is usually given by the Ministers to the honourable members concerned regarding the short notice questions sent to them ;
- (b) the considerations by which the Honourable Ministers are guided in answering the short notice questions ;
- (c) whether the Government intends laying down an expeditious procedure to answer short notice questions ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) If the honourable member means that he is not informed whether a short notice question has been accepted or refused, he should address himself to the Secretary of the Assembly.

(b) The Honourable Ministers have to consider whether the question relates to a matter of urgency and whether the desired information can be collected without the usual period of notice ;

(c) No.

Lala Duni Chand : Is it true that very few of the short notice questions are answered as short notice questions ?

Parliamentary Secretary : This question does not arise, but if the honourable member gives notice that question will be looked into.

Lala Duni Chand : Is it true that even when Government Members are in a position to answer short notice questions, they do not answer them ?

Parliamentary Secretary : My honourable friend seems to know something more about the intentions of the Honourable Ministers than they themselves know.

Lala Duni Chand : How many short notice questions have been sent during the last one month and how many have been answered ?

Mr. Speaker : I disallow the question.

Lala Duni Chand : Is it not for the honourable member to answer the question ?

Mr. Speaker : If I allow it.

Chaudhri Krishna Gopal Dutt : In view of the grievances which the Opposition has in regard to this matter, will the honourable the Parliamentary Secretary please consider a joint conference with representatives of the Opposition on it ?

Premier : Short notice questions are meant to elicit information in regard to urgent matters of public importance in respect to which information can be immediately obtained and communicated to the House, but I might point out to the honourable members that short notice questions are not meant to evade the normal rules governing the asking of ordinary questions.

Chaudhri Krishna Gopal Dutt : We have a grievance in respect to short notice questions, so I ask whether the Honourable the Premier is prepared to consult us on the question ?

Premier : The policy of Government is this. If information can be obtained with regard to a question which raises an urgent matter of public importance, that short notice question is accepted. But if information cannot be obtained in time to be of use to the House naturally Government decline to accept such short notice questions. Similarly those questions in regard to which Government feel that the ordinary rules regarding questions are sought to be evaded, Government refuses to accept such short notice questions.

Chaudhri Krishna Gopal Dutt : When information is not available to Government then we have no grievance, but.....

Mr. Speaker : No discussion on an answer is permissible.

Lala Duni Chand : Is it not a fact that the selection of short notice questions for the purpose of being answered is wholly arbitrary ?

Mr. Speaker : That is a question of opinion.

Chaudhri Krishna Gopal Dutt : My question has not been answered. The question may be a question of opinion, but we might question.....

Mr. Speaker : I cannot allow discussion.

ASSESSMENT OF AREAS UNDER GARDENS.

***2560. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister of Revenue be pleased to state if the answer to my question No. *1624¹, asked on 28th January, 1938, is now to ready ; if not when it may be expected to be ready ?

The Honourable Dr. Sir Sundar Singh Majithia : A copy of the answer is placed on the table¹.

¹Volume II, page 1072, and Appendix.

COMPLAINT AGAINST MALIK FATEH KHAN, TAHSILDAR, NAWANSHAHR.

***2561. Master Kabul Singh :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that Chaudhri Muhammad Abdul Rahman Khan, M.L.A., sent a representation to the Commissioner, Jullundur division, on or about 17th February, 1938, against the irregularities committed by Malik Fateh Khan, Tahsildar of Nawanshahr in district Jullundur; if so, what action the Government proposes to take on that representation and, if no action is intended to be taken, the reasons therefor?

The Honourable Dr. Sir Sundar Singh Majithia : *First part.*—Yes.

Second part.—The representation contained vague allegations of bribery. The Commissioner asked Chaudhri Muhammad Abdul Rahman Khan to give specific instances which could be investigated. This he has not done.

INCLUSION IN BASTA B OF S. JALWANT SINGH AND OTHER POLITICAL WORKERS.

***2562. Sardar Ajit Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that names of most of the political workers of the Punjab are included in Basta B, a list meant for bad-mashes;
- (b) whether it is a fact that S. Jalwant Singh, son of S. Nihal Singh of Arifwala and Lala Tota Ram, son of S. Labh Singh of Arifwala and S. Sunder Singh, son of S. Nihal Singh of Burewala are included in Basta B, i.e., the list of badmashes;
- (c) the reasons why the names of the persons mentioned in (b) were included in this list?

N. B.—By the expression political workers I mean those who are interested in politics : want freedom for their country and hold Congress, Socialist and anti-Unionist views.

Parliamentary Secretary (Mir Maqbool Mahmood) : It is not in the public interest to answer questions about surveillances.

THE PUNJAB DEBTORS' PROTECTION (AMENDMENT) BILL.

Finance Minister (The Honourable Mr. Manohar Lal) : I beg to introduce the Punjab Debtors' Protection (Amendment) Bill. I also beg to move—

That the Punjab Debtors' Protection (Amendment) Bill be referred to a select committee consisting of the following :—

Pir Akbar Ali,
Raj Bahadur Mr. Mukand Lal Puri,
Major Sardar Muhammad Nawaz Khan,
Diwan Chaman Lal,
Sardar Sampuran Singh,
Khan Bahadur Nawab Chaudhri Fazl Ali,
Mir Maqbool Mahmood,
Sardar Pritam Singh,
Raja Fateh Khan,
Chaudhri Anant Ram,
Advocate-General,
Nominee of the Honourable Speaker,
Minister for Development, and
Minister for Finance.

In commending this motion to the House it is not necessary for me to say many words. The occasion for the introduction of this short measure for amending the Punjab Debtors' Protection Act is amply explained in the statement of objects and reasons. It has been found recently on account of certain rulings of the High Court that the protection to debtors under the Act has become considerably reduced because under the law the appointment of a receiver defeats the object. The whole object of section 18 of the Colonization of Government Lands (Punjab) Act, 1912, which prohibits the attachment or sale in execution of any of the rights or interests vested in a Government tenant practically comes to an end as a result of the position in law laid down recently, by the appointment of receivers to give protection to the debtors. In this connection I may be permitted to draw the attention of the House to the law as laid down in a recent ruling of the High Court reported in All-India Reporter, 1937, Lahore 738, where it was laid down as follows :—

Section 51 of the Civil Procedure Code is to be read with R. 1 of O-40 and an order appointing a receiver is to be regarded as made under the latter rule and can be passed only if the order appears to the Court to be just and convenient. While a decree-holder may not as of right and as a matter of course apply for execution by the appointment of a receiver, the law allows the appointment, by way of equitable or indirect execution, of a receiver to take charge of property immune from attachment and sale under the provisions of the Code of Civil Procedure.

Where therefore a decree-holder in execution of money decree applied under section 51 (d), Civil Procedure Code, for a receiver to be appointed to recover the income of an occupancy holding, to which the provisions of section 18, Colonization of Government Lands (Punjab) Act prohibiting the attachment and sale in execution were applicable ;

Held : that the order appointing a receiver for seven years, the period for which the property in suit could be leased, was just.

This ruling follows another ruling of the High Court reported in the same volume of the All-India Reporter; a ruling by a division bench of the High Court. The Government feel that the effect of this view of the law has been to take away the protection which the Punjab Debtors' Protection Act was intended to afford. Therefore it is, that the Government propose this short measure to secure that the protection which was intended is not affected in any way. All that I need add further is a reference to section 3 of the Bill where you will see that it is not proposed to give retrospective effect to this Bill. What is proposed is that the receivers that have actually been appointed, unless for special reasons stated by the court, will continue to act for six months. There is no doubt that after six months, the receivers' function comes to an end. But as I said, it is not proposed to give full retrospective effect to this measure. With these few words I beg to move this motion.

Mr. Speaker : Motion moved.—

That the Punjab Debtors' Protection (Amendment) Bill be referred to a select committee consisting of :—

Pir Akbar Ali,
Rai Bahadur Mr. Mukand Lal Puri,
Major Sardar Muhammad Nawaz Khan,
Diwan Chaman Lal,
Sardar Sampuran Singh,
Khan Bahadur Nawab Chaudhri Fazl Ali,
Mir Maqbool Mahmood,

Sardar Pritam Singh,
Raja Fateh Khan,
Chaudhri Anant Ram,
Advocate-General,
Nominee of the Honourable Speaker,
Minister for Development,
Minister for Finance.

Lala Duni Chand (Ambala and Simla, General, Rural) : Sir, on further consideration and after going more carefully into the relevant sections, I have decided not to move the motion for circulation that I have given notice of. (*Hear hear and applause from Ministerial benches*). But at the same time I would like to utilise this occasion for saying a few words. I wish the Government would afford as much protection as possible to the debtors—(*An honourable member* : Not mere lip protection)—to those debtors who are unable to pay their debts. They are going only to a small extent and we wish them to go much further than they are going. (*Cheers and counter cheers*). At the same time I do want Government members to know in what the protection of the debtors lies. I do know that very many times they are not able to know in what the protection of the debtors lies. I would like to say one thing. There is a section of agricultural debtors who command a great deal of credit in the Punjab. If they borrow they borrow for the purpose of their own good. (*An honourable member* : Everybody does that). But I do want the Government members to understand that if they destroy the credit of that substantial section of the agriculturists, they will be doing the greatest wrong to the agriculturists. (*Hear, hear*). This is what they should bear in mind. They should see what they want and what they do not want. Mere cheap popularity in the eyes of the agriculturists will not do. What is needed is that there should be a substantial help rendered to the agriculturists. I have said these few words by way of warning. Let us see whether they accept this warning in time or not.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural) : Sir, I find myself in a very difficult position so far as this Bill is concerned and so far as the motion before the House is concerned. I know that this House has very few sympathisers so far as the lenders are concerned. Almost everybody is for the borrower. Nobody feels that the fault may lie on the side of the borrower and by affording too much protection to the borrowers indiscriminately without any distinction between the rich and the poor we may be doing great injustice to the lender. When the Honourable Finance Minister got up to move this motion, the words that came to my lips were "*Et tu, Brute.*" I need not explain what it means. Certainly the Finance Minister should have been the last person to have come to this House with such a Bill. It confirms the opinion generally held by the members of his community that with all his gifts he is helpless.

Mr. Speaker : I cannot allow discussion of persons.

Dr. Sir Gokul Chand Narang : He is helpless.

Diwan Chaman Lall : The lamb has been swallowed by the tiger.

Dr. Sir Gokul Chand Narang : He can have it if that pleases Diwan Chaman Lall. I do not mean any personal reflection. These are the obligations, limitations, restrictions, disabilities and inabilities of office. I recognise that. Still it cannot help striking any one who may read this Bill, that the Honourable Finance Minister really should have been the last person to have taken up such a Bill. It would have been appropriate for the Honourable Minister for Development to have come forward with such a Bill.

Mr. Speaker : The honourable member is again personal.

Dr. Sir Gokul Chand Narang : No. You will see how I am not. I do not mean any reflection. What I intended to say was that the Honourable Minister for Development has been taking very keen interest in such legislation.

Mr. Speaker : The honourable member is becoming personal.

Dr. Sir Gokul Chand Narang : The Act which is going to be amended was, if I am not mistaken, his measure. One could have therefore easily understood that a particular minister should have come forward—

Mr. Speaker : Which principle of the Bill is the honourable member now discussing ?

Dr. Sir Gokul Chand Narang : Leaving personal references aside, although they were not intended to be reflections in any way to give offence, the object was to refer to the policy underlying such a measure. You will see that the purpose of this legislation in this province has been to stop all avenues of realization even of just and equitable debts. Whenever any avenue is discovered by a member of this House or by a member of the Government by which the poor lender can recover a part of what he has been lending, steps are taken immediately to stop that avenue. Now it may be that under section 18 certain lands are immune from attachment and from sale in execution of decrees, but there was in existence a legitimate method for the lender of just loans to recover a part at least of the money lent by him and that was by applying to the court for the appointment of a receiver who would take charge of the profits accruing from the land and utilize them or a part of them for the payment of the loan owed by the debtor. Even that avenue is stopped simply because a ruling has been given by the High Court that appointment of a receiver in such cases is perfectly legitimate and valid. My submission is that such a measure is calculated to do injustice to one class of people, that is, the lenders, and shows too much favour to another class, that is, the class of borrowers. A very wrong opinion prevails that a borrower is necessarily a poor person that he is necessarily a person who deserves pity and mercy. A large number of them are certainly poor, they certainly deserve help, they deserve consideration, commiseration. Show them pity, show them mercy and give them all the protection you can, but it does not mean that there are not still a large number of persons among the borrowing classes who are in a position to pay their debts, if they are inclined to do so, if they are sufficiently honest and realized their obligations to pay the money which they had borrowed for necessary purposes and which they are in a position to pay. Is there any distinction made in this Bill which would exempt such people from the protection which is sought to be afforded by means of this measure? My honourable friend Lala Duni Chand would probably have spoken in a different strain if he also had not suffered from certain restrictions (*hear, hear from the Government benches*). He has not probably said all that he wanted to say under party discipline, but I have no doubt that he feels that such a measure—

Mr. Speaker : The honourable member is again personal.

Dr. Sir Gokul Chand Narang : He feels that such measures are calculated to do injustice to one great class namely the class of lenders. I know sometimes money is borrowed (*Lala Duni Chand rose for personal explanation*). I am not going to make a long speech and the honourable member can thereafter offer any personal explanation he likes. I only wanted to raise my voice so that it may not be said that the other side was entirely unrepresented and there was nothing to be said on the other side on behalf of the poor lenders as distinguished from rich borrowers. I was saying that there is a wrong opinion prevailing that every borrower is poor and deserves pity and that every lender is rich and he deserves to be guillotined, to be hanged and quartered, to be persecuted and exterminated. That impression is entirely wrong. There are bad people among the lenders, there are bad people among the borrowers, there are rich people among money-lenders and there are rich people among the borrowers and there are very poor people among the lenders and there are very poor people among the borrowers and if you make distinction between the people who can pay but would not pay and those who are unable to pay, then certainly nobody would have any objection, nobody who would not have sympathy with the poor debtor, as one would sympathise with any person who is poor and helpless and deserves sympathy and consideration.

Chaudhri Krishna Gopal Dutt : I beg to move an amendment with your permission..

Mr. Speaker : Please let me have your amendment in writing.

Chaudhri Krishna Gopal Dutt : I beg to move—

That honourable members of this House be exempt from this Bill.

Lala Duni Chand : On a personal explanation. So far as any sacrifices for protecting the poor debtors are concerned, I can go to any length (*hear, hear*) but so far as the protection of dishonest debtor is concerned, so far as protection of those debtors is concerned who have got thousands of acres of land and who are very rich, I am against it.

Mr. Speaker : A second speech has been inflicted in the form of a personal explanation.

Malik Barkat Ali (Eastern Towns, Muhammadan, Urban) : Sir, the policy of this Bill cannot in any manner be objected to. I take it that competent legislation has already laid it down that certain properties as for instance land or interests in land are unattachable. So long as this legislation is on the Statute Book, it follows as a corollary that land which has been declared by competent legislation to be unattachable shall not be reached in other indirect and improper ways (*hear, hear*). It has been held that although the legislature has declared certain property to be unattachable, yet that unattachable property can be taken away in the teeth of that legislation and a receiver of that property can legally be appointed. It will be recognized that this interpretation of the legislation really defeats the object of that legislation which sought to make certain properties unattachable. Therefore, so long as that legislation is on the Statute Book, and I see no reason why that legislation should not remain on the Statute Book in the wider interests of the State,—so long as certain properties are unattachable, it should not be open to anybody by the indirect method of the appointment of a receiver to take benefits which the legislature has declared shall not be taken.

As regards the argument of a dishonest lender or dishonest borrower, it appears to me that it is really not a question of the dishonest lender or the dishonest borrower; the question which underlies this legislation is a very simple one, namely that properties which have been held to be unattachable shall remain unattachable so long as that legislation is on the Statute Book and that any inroads on that legislation cannot be permitted. I therefore submit that the present Government are rightly advised and are within their power to move this Bill and that they have acted properly and justly and that the insinuations that have been poured on the doomed head of the Honourable Finance Minister are really not justified (*hear hear*) when it is suggested that he is carrying the legislation one step further. He is only trying to ensure that the pledged word of the legislature is respected in full and that legislation which is on the Statute Book shall be interpreted in the sense in which that legislation was passed by this House, or its predecessor. With these words I certainly support the principle of this Bill.

Mr. E. Few (Anglo-Indian) : I had no intention of taking part in this debate. The only reason why I have risen to say a

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few words is that I was surprised when I heard my honourable friend Dr. Sir Gokul Chand Narang saying that the Honourable Minister for Finance should have nothing to do with this Bill. The honourable member is perhaps thinking of diarchy and not the present system of government which is of joint responsibility and which must act together. (*Interruption*).

Khan Bahadur Chaudhri Riasat Ali (Hafizabad, Muhammadan. Rural) : The remarks of my honourable friend, Lala Duni Chand, is the cause of my rising to speak on this occasion. He said that it is very dangerous for us to minimise in any way the chances of creditors and that we should not limit the so-called credit of the debtor. (*Interruption*). We forget the famous words of Mr. Calvert that "credit holds the borrower as a rope holds a hanged man." This credit is the most dangerous thing going about the financial world and it is always with the intention of limiting credit that we stop the bad habit of the people especially the rural people borrowing money. You know that these people, as the proverb goes, will not hesitate even to mortgage paradise if they can lay their hands upon it. Unless you minimise the chances, unless you create difficulties, unless you create obstacles in his way, he will not stop from borrowing money.

They do not borrow money for genuine necessities. They do not hesitate to borrow money for the performance of many vicious ceremonies—I call them vicious because they are not essential—such as the performance of marriages and funeral ceremonies. So far as my honourable friend, Dr. Sir Gokul Chand Narang is concerned, he has said that we are by every piece of legislation opposing the interests of the money-lenders. My honourable friend forgets that sympathy with the borrower means sympathy with the money-lender. Unless you keep alive the borrower, unless you keep alive the debtor, you cannot live at all. It is on his flesh and bone that you are living. If he ceases to take any interest in the world, if he ceases to take interest in the cultivation of land, if he ceases to work for you, it will be impossible for you, while in Lahore, to move about in your Rolls Royce or any Buick or other make of car—the name of which I do not know—that you possess. Again, this reminds me of another thing. Just as it is in the

[K. B. Ch. Riasat Ali.]

interest of the wolf to keep alive the lamb, as it is in the interest of the lion to keep alive the goat, as it is the interest of the hawk to keep alive the partridge, so it is the interest of the money-lender to keep alive the debtor. Unless he flourishes, unless he is going about, you cannot flourish. I would remind Dr. Sir Gokul Chand Narang of his own words which he used in connection with the Executive Officers Act. He said that if we happen to apply a knife, it is the surgeon's knife which cures and not the butcher's knife which kills. (*A voice: It is butcher's knife*). If we apply our knife to any particular legislation in the interest of the money-lender, it is the knife which cures and not the knife which kills. It was said that the Relief of Indebtedness Act had stopped all realisations in this province. My first submission in this respect is that this is not the actual state of affairs and this statement can be proved by instances quoted on the floor of this House. It can be proved that even now in spite of the Act to protect the debtors, arrests and detentions in prisons are not very few. In spite of these legislations debtors are being arrested and molested. If you collect figures, you will see that the methods of realisations are going on as perfectly as they were going on before, because the provision that unless the refusal is contumacious, the judgment-debtor cannot be sent to jail is being very loosely interpreted.

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

Khan Bahadur Chaudhri Riasat Ali : If you want me to finish my speech, I do not want to continue. If the House does not want me to speak, then I will not add a single word and would resume my seat. Unless you give a ruling that I am going wide of the motion, I am doubtful if I am doing so.

Mr. Speaker : The principle of the Bill and its general provisions may be discussed ; but the details of the Bill must not be discussed further than it may be necessary to explain its principle.

Sardar Sampuran Singh (Lyallpur West, Sikh, Rural): Sir, I rise to support this motion. (*Hear, hear*).

Premier : The Jat speaks.

Sardar Sampuran Singh : So far as this Bill is concerned, it only clarifies the position that actually exists. When the Punjab Debtors' Protection Act was passed, the intention was that a zamindar's land should not be alienated for more than twenty years and that some portion of it should be left to him for maintenance. But, somehow or other, clever lawyers found ways and means to dodge that healthy principle of law and it is only to remedy that evil that this Bill is introduced. So, this is really rectifying a mistake for which nobody should have any objection. I think that the fears and apprehensions which have been expressed by my honourable friend Dr. Sir Gokul Chand Narang are misplaced because the object of this Bill is not to attack the money-lender nor is there any insinuation in this piece of legislation that he is to be treated in an inequitable or unjust way. The only object is that the principle which we have already established and upon which we are all agreed, should be made more clear and that the ambiguity which exists already in the law should not exist any further.

Dr. Gopi Chand Bhargava : I move for closure. The question may now, be put.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : It is hardly necessary for me to dilate on the merits of the Bill because the whole House seems to be unanimous. But I wanted to say one or two words with regard to the remarks—and I must say very uncharitable remarks—made by my honourable friend Dr. Sir Gokul Chand Narang who is not now present in the House. (*Lala Duni Chand :* I suppose they were lively remarks). No. They were uncharitable remarks. I am afraid he went out of his way to attempt a fling at my honourable colleague the Minister for Finance. What has the Honourable Minister for Finance done ? He has, as a member of this Government, put forward a measure which is to restore the usefulness of an Act which was passed during the regime of the previous Government when my honourable friend Dr. Sir Gokul Chand Narang was a member of the Government.

He never opposed that measure when that measure was brought forward. I think it is very uncharitable now to get up and attack the Finance Minister just because—he wants to restore the effectiveness of the measure which was passed when my friend Dr. Sir Gokul Chand Narang was a member of the Government. Then he tried to confuse the issue by making certain very irrelevant remarks about debtors and borrowers. We all know there are honest borrowers and dishonest borrowers just as there are honest lenders and dishonest lenders. Nobody in any way contests that assertion made by him. As a matter of fact I myself made it quite clear during the Simla session as to the object of this measure. It does not in any way help the big borrowers, as he says, the rich borrowers. It merely wants to protect mainly those small grantees who get about two squares of land. We have found in practice that if one square of land is attached he is incapable of fulfilling the conditions of his grant which are that he should keep the brood-mare and its issue in a healthy state and in a certain condition. Now he cannot possibly do so unless he retains the whole of the block or the economic unit for the upkeep of the brood mare and its issue. It is these people whom the Bill wants to protect because, as my honourable friend opposite pointed out clever lawyers and clever lenders are always on the look out to evade the Debtors' Protection Bill and similar other measures and we have to be always on the look out to see that they do not evade that measure and if there are any loop-holes in the measure we should close those loopholes as quickly as possible with a view to restoring the *status quo*. That is the object of this Bill. Similarly, as my honourable friend opposite pointed out, under the Debtors' Protection Act it is the collector who has to decide how much land should be left for the maintenance of the borrower and his family. Now this healthy provision has been torpedoed by the appointment of official receivers, which means that they can get hold of all the profit of the land and then distribute it amongst the creditors and wholly undo the good work which the Debtors' Protection Act was meant to do. There again it is the small man who will benefit rather than the big borrower. I do not think it is necessary to dilate further on this point but I may assure my honourable friends that so far as we are concerned as Government here, our policy is that we must give the fullest possible protection to the smaller man, but at the same time it is our policy that we should not in any way do injustice to the

[Premier.]

honest lender, but if there are dishonest lenders, as my honourable friend opposite said that there are dishonest lenders, and some members of this House might say that the majority of lenders are dishonest though I will not say that, we merely want to cramp the style of the dishonest lender and so long as it is necessary to cramp that style with a view to save poor and honest borrowers we will if necessary bring in even more drastic legislation to protect them. But short of that we will also protect the legitimate rights and interests of the honest lender. That is the position of the Government and that will continue to be the position of the Government. If any honourable member thinks that position is not fair, just and honourable then I beg to differ from him.

Mr. Speaker : The question is—

That the question be now put.

The motion was carried.

Mr. Speaker : The question is—

That the Punjab Debtors' Protection (Amendment) Bill be referred to a select committee consisting of—

Pir Akbar Ali,

Rai Bahadur Mukand Lal Puri,

Major Sardar Muhammad Nawaz Khan,

Diwan Chaman Lal,

Sardar Sampuran Singh,

Khan Bahadur Nawab Chaudhri Fazl Ali,

Mir Maqbool Mahmood,

Sardar Pritam Singh,

Raja Fateh Khan,

Chaudhri Anant Ram,

Advocate-General,

Nominee of the Honourable Speaker,

Minister for Development,

Minister for Finance.

The motion was carried.

Mr. Speaker : The question is—

That the quorum of the select committee be 7.

The motion was carried.

Mr. Speaker : I nominate the Deputy Speaker.

RULES OF PROCEDURE.

Rule 126.

Pandit Muni Lal Kalia (Ludhiana and Ferozepore, General, Rural) :
Sir, I beg to move—

That in line 2, for the word "on", the words "for at least five days following" be substituted.

So far as this amendment is concerned, it appears, on the face of it to be of a very technical nature. But it involves, so far as the minority in the House is concerned, the protection of its interest. In this respect the practice so far

prevalent in this House is that the budget, while it is presented, is not discussed on the day it is presented, but ordinarily 2 or 3 days are given for studying it. But the time given is not sufficient and at the same time this period is not provided in the rules. The time that is now given is not sufficient for the reason that here we have not got committees like those in the House of Commons. So far as the House of Commons is concerned, there the different estimates, that are prepared about six months before, are presented to the two committees, the Committee of Supply and the Committee of Ways and Means, and there the figures given by the Government are scrutinised and later on the opposition have got ample opportunity to study the real working of the budget. But so far as the procedure in this House is concerned, within 2 or 3 days or within 72 or 74 hours after the presentation of the budget and the financial statement by the Finance Minister we are expected to come prepared with the general policy underlying the different figures in the budget and to discuss them. We are, handicapped in different other ways.

Mr. Speaker : What is the law ?

Pandit Muni Lal Kalia : It is the practice in this House that generally 3 or 4 days are allowed before the general discussion of the budget. My submission is that the period given is insufficient for the reason that the House is not taken into confidence at earlier stages in the form of different sub-committees as there are in the House of Commons. Then there are other handicaps as well. Annual reports of different departments are not supplied to the members in time and if they are supplied, they relate to a period of about one year or two years back. So, we are not in a position to understand the actual working of the budget for the current year and we are not in a position to know what is the position of the Government so far as different departments are concerned, and how money has been spent or why the money was not spent according to the provisions made in the budget. In a House like this, several instalments of supplementary demands are presented and in the last year, 4 such different instalments of supplementary demands were presented before the House and not only one or two departments were concerned in these demands but most of the departments were concerned. Then there was another trouble. If provision for certain expenditure is made under a wrong head, in order to set it right, a fresh supplementary estimate is presented. Estimates generally relate to the figures that are collected by different departments of the Government sometimes 6 or 7 months before the current year. This House has not full control over the finances. The initiation of policy rests with the Governor in several capacities—in his capacity as one invested with special responsibilities as Governor in his discretion, and as Governor in his individual judgment, and sometimes as Governor acting on the advice of his Ministers. So, this House is deprived of having complete control over the finances. When most of the expenditure is taken out of its control by the Government of India Act under the powers which the Governor is entitled to exercise in his discretion or in his individual judgment, it is all the more necessary that the House should have control over the partial finances and over the policy enunciated by the Government and by the Finance Department. It may be said on the other side that it is of a technical nature and that 3 days are sufficient. I have put in 5 days, and that is a reasonable

[Pandit Muni Lal Kalia.]

period. It is not proposed with a view to prolong the session, but because it is a reasonable period ; otherwise, if I were the person to be concerned, I would say that even two weeks are not sufficient to understand different figures that are given in the budget and to go through the reports on the basis of which the budget is presented. I fail to understand why the Government should oppose such a salutary and healthy amendment when it is within their knowledge that they require several months to prepare the budget that is presented by different departments of the Government. We are all the more to be on our guard when the fate of the province, unfortunately, lies in the hands of those who do not at all command the confidence of the masses. It may be contended by the other side of the House that the majority on those benches reflects the voice of the majority, but that is a thing which is not a reality at this time ; otherwise I challenge any of my honourable friends on the other side of the House to come out and seek election again and find out whether they command confidence of the masses.

Mr. Speaker : The honourable member is not relevant.

Pandit Muni Lal Kalia : My point is this that we are all the more interested in the protection of the finances of the province because we represent the masses and for that purpose I want to know whether there are any safeguards for the interests of the masses. The annual reports are not published in time.

Mr. Speaker : That is a repetition.

Pandit Muni Lal Kalia : I want to say that we want at least 5 days for discussing the general policy and at the same time we do not want that such provision should only be left in the hands of the Governor. Section 84 (1), proviso (b) of the Government of India Act says that the Governor can fix a certain number of days for securing the timely completion of financial business, but he has to do that in consultation with the Speaker. We want to strengthen the hands of the Speaker by giving him power that the House wants at least 5 days preparatory to general discussion after the presentation of the budget. In the interim rules which must have been prepared with the consultation of the Honourable Speaker, we have only 3 days. The time of 3 days is not sufficient. With these words I move my amendment.

Mr. Speaker : Rule under consideration, amendment moved—

That in line 2, for the word 'on', the words 'for at least five days following' be substituted.

Sardar Dasaundha Singh (Deputy Speaker) : The rule provides that the budget shall not be discussed on the day on which it is presented. Further than this the practice is that ordinarily the discussion on the budget does not start for two or three days. All this time is given for the honourable members to prepare themselves for the discussion of the budget. The honourable mover of the amendment seems to be anxious to have more time for preparation. If it were possible there would have been no objection to the wish of the honourable member. But section 84 (1) (b) stands in our way.

We cannot have indefinite time or even definitely fixed time for preparation for the discussion of the budget. The provision is—

A Chamber of a Provincial Legislature may make rules for regulating, subject to the provisions of this Act, their procedure and the conduct of their business :

Provided that, as regards either a Legislative Assembly or a Legislative Council, the Governor shall in his discretion, after consultation with the Speaker or the President, as the case may be, make rules—

(a) for regulating the procedure of, and the conduct of business in, the Chamber in relation to any matter which affects the discharge of his functions in so far as he is by or under this Act required to act in his discretion or to exercise his individual judgment :

(b) for securing the timely completion of financial business.

As the honourable members are aware the discussion on the budget has to be finished and the budget has to be passed before the end of March and the time at the disposal of the House is limited and therefore it is that this fixing of the days for discussion is left to the discretion of the Governor.

My friend has stated that the reports on the working of the various departments by the heads of departments are not supplied to the honourable members. I think the reports are issued long before the annual statement of budget is presented to the House and if those honourable members who are anxious to have access to the reports of the various departments, write to the heads of departments, they can easily have those reports before the annual statement of the budget is presented to the House. That is the only way to go through those reports carefully, otherwise it will be difficult for honourable members to secure those report on the working of the various departments and to prepare themselves on those reports, even in five days which the honourable mover of the amendment wants. With these words I oppose the amendment.

Mr. Speaker : The question is—

That in line 2, for the word 'on', the words 'for at least five days following' be substituted.

The Assembly divided : Ayes 27 ; Noes 82.

AYES.

Ajit Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhim Sen Sachar, Lala.
Chaman Lall, Diwan.
Chanan Singh, Sardar.
Duni Chand, Lala.
Duni Chand, Mrs.
Gopi Chand Bhargava, Dr.
Hari Lal, Munshi.
Hari Singh, Sardar.
Harjab Singh, Sardar.
Kabul Singh, Master.
Kishan Singh, Sardar.
Krishna Gopal Dutt, Chaudhri.

Lal Singh, Sardar.
Muhammad Hassan, Chaudhri.
Mula Singh, Sardar.
Muni Lal Kalra, Pandit.
Partab Singh, Sardar.
Prem Singh, Mahant.
Raghbir Kaur, Shrimati.
Rur Singh, Sardar.
Sahib Ram, Chaudhri.
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, Chudhri (Gurgaon).
 Afzaalali Hasnie, Sayed.
 Ahmad Yar Khan, Chaudhri.
 Akbar Ali, Pir.
 Ali Akbar, Chaudhri.
 Amjad Ali Shah, Sayed.
 Balbir Singh, Rao Bahadur Captain Rao.
 Binda Saran, Rai Bahadur.
 Chhotu Ram, The Honourable Chaudhri Sir.
 Dasaundha Singh, Sardar.
 Dina Nath, Captain.
 Faiz Muhammad Khan, Rai.
 Faiz Muhammad, Shaikh.
 Faqir Hussain Khan, Chaudhri.
 Fateh Jang Singh, 2nd-Lieutenant Bhai.
 Fateh Muhammad, Mian.
 Fazl Ali, Khan Bahadur Nawab Chaudhri.
 Fazal Din, Khan Sahib Chaudhri.
 Few, Mr. E.
 Ghazanfar Ali Khan, Raja.
 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.
 Jagjit Singh Man, Sardar.
 Jagjit Singh Bedi, Tikka.
 Jahangir Khan, Chaudhri.
 Jalal-ud-Din Ambar, Chaudhri.
 Jogindar Singh Man, Sardar.
 Jugal Kishore, Chaudhri.
 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 Azam Khan, Sardar.
 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 Hussain, Chaudhri.
 Muhammad Jamal Khan Leghari, Nawab Sir.
 Muhammad Nurullah, Mian.
 Muhammad Saadat Ali Khan, Khan Sahib Khan.
 Muhammad Sarfraz Khan, Chaudhri.
 Muhammad Sarfraz Khan, Raja.
 Muhammad Shafi Ali Khan, Khan Sahib Chaudhri.
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
 Muzaffar Khan, Khan Bahadur Captain Malik.
 Muzaffar Khan, Khan Bahadur Nawab.
 Narendra Nath, Diwan Bahadur Raja.
 Nasir-ud-Din, Chaudhri.
 Nur Ahmad Khan, Khan Sahib Mian.
 Pir Muhammad, Khan Sahib Chaudhri.
 Ram Sarup, Chaudhri.
 Ranpat, Chaudhri.
 Riasat Ali, Khan Bahadur Chaudhri.
 Ripudaman Singh, Thakur.
 Shahadat Khan, Khan Sahib Rai.
 Shah Nawaz, Mrs. J. A.
 Shah Nawaz Khan, Nawab Khan.
 Sham Lal, Rai Bahadur Chaudhri.
 Sikandar Hyat-Khan, The Honourable Major Sir.
 Sita Ram, Lala.
 Sohan Lal, Rai Sahib Lala.
 Sultan Mahmood Hotiana, Mian.
 Sumner 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.
Uttam Singh Dugal, Sardar.

Mr. Speaker : The next amendment¹ of Pandit Muni Lal Kalia is superfluous and unnecessary. The wording of section 79 (3) of the Government of India Act is :

No demand for a grant shall be made except on the recommendation of the Governor.

The recommendation referred to in that section is to be signified. Unless the House is informed of that recommendation, I will not put any motion and this has been our practice in the past.

Pandit Muni Lal Kalia : I have only incorporated here the wording of the section of the Government of India Act, with the addition that the recommendation should be signified by a Minister at the time of the presentation. At present the practice is that the book is laid on the table and on it are written the words, presented by order of His Excellency the Governor. My submission is that the recommendation should be signified by a Minister in the House.

Mr. Speaker : Section 79 (3) makes it perfectly clear that the recommendation of the Governor has to be signified to the House in the case of every individual demand and not the whole budget. But on that point I am not giving a ruling now.

Minister for Finance : Recommendation on all the demands.

Mr. Speaker : I think on every individual demand.

Minister for Finance : When it is said that no demand shall be made except on the recommendation of His Excellency the Governor, does it mean that there ought to be a signification by the Minister to that effect on every demand singly and individually ?

Mr. Speaker : The honourable member is referred to May's Parliamentary Practice, page 505.

Minister for Finance : I shall have a great deal to say about Parliamentary practice in financial matters if you permit me some time to refer *in extenso* to this matter.

Mr. Speaker : I have expressed my off-hand opinion only by the way. I have not given a ruling. So, the matter can be discussed again.

Minister for Finance : That is a different matter.

Mr. Speaker : The question is—

That rule 126 be adopted.

The motion was carried.

New Rule.

Sardar Hari Singh : May I put my amendment in an amended form. May I put it in this form ?

On the opening day of the session, there shall be made a declaration of the ministerial policy and programme for the ensuing year.

¹That at the end, the following be added :—

"The recommendation of the Governor shall be signified by a minister at the time of presentation."

Mr. Speaker : We are now dealing with the budget.

Diwan Chaman Lall : May I submit that this particular rule may be taken up now and discussed and when we are re-alloting the numbers it may be put down in the proper place ? I cannot see why there should be any difficulty with regard to permitting my honourable friend a discussion on this particular matter now.

Sardar Hari Singh : This is the parliamentary practice in all dominions.

Mr. Speaker : The honourable member's amendment is—

On the opening day of the session, there shall be a declaration of the ministerial policy and programme for the ensuing year.

If there are four sessions in a year, on the opening day of which session should there be a declaration of policy with regard to *the ensuing year* ?

Diwan Chaman Lall : The words 'for the ensuing year' may be deleted.

Minister for Finance : That is not the way in which amendments ought to be pushed.

Mr. Speaker : There is ample time. The honourable member may give notice of a well-considered amendment.

Minister for Finance : We have no notice of an amendment.

Mr. Speaker : This House is concerned with the procedure of its own business. It need not make rules for regulating the Government procedure.

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Sardar Hari Singh : The activities of the Government are to be governed by this House.

Mr. Speaker : Does the honourable member mean that it should be made obligatory on the Minister concerned to make a declaration of Government policy ?

Sardar Hari Singh : If they agree to have a convention.....

Mr. Speaker : The decisions of the House are directed to the outer world or to internal affairs of the House. The former are expressions of wish or resolutions, while the latter are orders or commands.

Sardar Hari Singh : The Government is subordinate to the House—rather it is responsible to the House.

Minister for Finance : That has a different meaning.

Diwan Chaman Lall : They are neither subordinates nor menials but they are superior officers. (*Laughter.*)

Rule 127.

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

That rule 127 be deleted.

This provision is unnecessary in view of section 80 (b) of the Government of India Act and also in view of the fact that there is no procedure for appropriation in the Government of India Act.

Mr. Speaker : Motion moved—

That rule 127 be deleted.

Diwan Chaman Lall : May I say one or two words with regard to this particular matter? This rule certainly contemplates the existence of appropriation procedure. My honourable friend says that there is no such procedure. If this rule is accepted, then, would not the Government be compelled to bring in appropriation procedure practically on the lines of the House of Commons Procedure and if that position arises, would that position be inconsistent with the provisions of the Government of India Act?

Mr. Speaker : I think so.

Diwan Chaman Lall : If it is inconsistent then my honourable friend is perfectly right in withdrawing it. If it is not inconsistent then we would like to have discussion on this particular rule.

Mr. Speaker : In India appropriation is done not by an Appropriation Act, as in England; but by authorisation of the budget under section 80. Therefore, so long as the Government of India Act is there, no question of appropriation can be raised independently of section 80.

Diwan Chaman Lall : There is a slight distinction that we would like to draw your attention to and that is this. It is perfectly true that under section 80 (iv) authorisation is the end of it.

Mr. Speaker : There are four stages of the annual budget. (i) Presentation under section 78, (ii) passing under section 79, (iii) authentication and authorisation under section 80.

Diwan Chaman Lall : The words of section 80 (1) are:—

80(1) The Governor shall authenticate by his signature a schedule specifying—
(a) the grants made by the Assembly under the last preceding section;

We are not going to take away the authority of the Governor under section 80 of authenticating anything that is being done on the floor of this House. What we are concerned with is the appropriation procedure as far as it relates to passing of grants in this House. What happens in the House of Commons? You bring forward a grant as far as expenditure is concerned in the Committee of Supply, and as far as taxation is concerned you bring it in the Committee of Ways and Means. The first Act in order to appropriate money is the Consolidated Fund Bill Number one.

Mr. Speaker : A Consolidation Fund Act is entirely different from an Appropriation Act.

Diwan Chaman Lall : If you will consider the actual procedure in the House of Commons you will find that what I am stating is correct. The first thing that is done is the Consolidated Fund Bill Number one. Then, for a period of five months the House of Commons sits and goes on discussing the budget item by item and the first Bill is for the purpose of authorising the expenditure up to that particular period and then comes afterwards, when all the discussion has taken place, the final Appropriation Act and this is after five months. Then you will have the second Consolidated Fund Bill which is also called the Appropriation Bill. What we are

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suggesting to my honourable friend is this, that a similar procedure regarding appropriation be adopted. It will not be inconsistent with what the Government of India Act says because the final authority will inevitably rest with the Governor. We do not challenge that authority. We want that he should regulate the procedure as to how appropriations should take place and for that particular purpose if we were to adopt the procedure of the House of Commons, I think it will be a very useful thing to do for two reasons. Firstly, it would mean detailed consideration of the votes administered by my honourable friends in their budget. Secondly, it would mean detailed discussion on policy at another stage which is not available. At present rule 127, to which my honourable friend is objecting, means adoption of appropriation procedure as it exists in the House of Commons. It is a very different thing to saying that it is inconsistent with the authority of the Governor to authenticate under rule 80 of the Government of India Act. As a matter of fact, if the procedure of the House of Commons regarding appropriation were to be adopted, it would not only be useful but it would mean detailed discussion of the budget which we are prevented from entering into under the present rules.

Premier : You want to convert the House into a Committee.

Diwan Chaman Lall : Then there would be a Committee of Ways and Means and a Committee of Supply.

Mr. Speaker : The question is—

That rule 127 be deleted.

The motion was carried.

Rule 128.

Mr. Speaker : The question is—

That rule 128 be adopted.

The motion was carried.

New Rule.

Sardar Hari Singh : I beg to move—

That after rule 128, the following new rule be added :—

128-A. The Opposition will choose the Demands for grants for criticism and discussion.

Mr. Speaker : May I know the object of the honourable member's amendment ?

Sardar Hari Singh : We want the Opposition to have the right to suggest the order, which is not being conceded by the Treasury benches. It means that demands for grants shall be printed in such an order as the Leader of the House may intimate. There is no question of discussion here.

Mr. Speaker : But the practice to consult the Opposition is already there.

Sardar Hari Singh : I want that the Opposition shall have the right. That practice is not being followed here.

Diwan Chaman Lall : May I draw attention to the wording? I am afraid it is meaningless. It says—

The Opposition will choose the Demand for grants for criticism and discussion.

Suppose you choose the demands then who is to compel the Government to discuss the demands on the floor of the House according to your choice? The right of choosing is there with the Opposition, but it is a different matter to compel Government to accept those particular demands for discussion on the floor of the House. I think that convention has already been established.

Sardar Hari Singh : What happened in the Simla session and this session?

Diwan Chaman Lall : May I take it that the Premier will make a statement that a convention has been established that as far as demands are concerned the Opposition can choose the demands for discussion and that they would concede that point as far as Opposition is concerned?

Premier (The Honourable Major Sir Sikander Hyat-Khan): The convention hitherto adopted and which is in vogue at the moment is this, that I ask my honourable friend the Leader of the Opposition to select certain demands which he wants to discuss in preference to others. If you discuss demands at the rate of two complete days for each demand, you can take up only 5 demands for discussion. The convention established so far is this that the Leader of the Opposition selects three demands, and with regard to the remaining two grants I in consultation with him fix those demands. The first three demands selected this year were Police, General Administration and Land Revenue: last year they were the same. He selected the same demands this time and I had no objection. With regard to the other two demands I told him that, unless he had any objection, I would have the choice. That is what happened. That convention is more or less established.

Sardar Hari Singh : That convention was not accepted by the House.

Premier : That convention is accepted now.

Mr. Speaker : May I invite the attention of the House to page 241 of Campion where it is stated—

Notice is always placed on the paper of the votes which it is proposed to consider in the Committee of Supply on a particular day, and of the order in which it is proposed to consider them. The selection of votes and their order is made by the Government after consultation with the Opposition, and is independent of the order in which the Estimates were presented, or the order of the Votes in any Estimate.

That is what exactly is being done here.

Sardar Hari Singh : Please read pages 93 and 94 of Campion.

Mr. Speaker : I have read them.

Sardar Hari Singh : It is stated there—

In view of this it has become the practice for the Government gracefully to cede to the Opposition the right of choosing the particular vote to be taken on a day which has been allotted to Supply.

Mr. Speaker : If the honourable member reads page 241, he will agree with me.

Diwan Chaman Lall : The only difference between my friend Sardar Hari Singh and the Honourable the Premier seems to be that as far as procedure in the House of Commons is concerned all demands which are selected by the Opposition for discussion are selected in consultation with the Government. What the Premier says is this that three demands out of five, if discussion on each demand is to go on for two days, should be selected by the Opposition, while the two others are selected by Government in consultation with the Opposition.

Premier : As a matter of fact, as I have already stated we have gone a step further than the House of Commons convention. There it is the Government which prepares the list in consultation with the Leader of the Opposition, and the convention is to put normally what the Leader of the Opposition wants to put on the agenda paper. Here we have gone a step further. The first three grants, whichever he may choose, will be put on the paper automatically, and nobody will object to it. With regard to the remaining two I consult him and tell him that these are the two other demands I want to discuss, because, as I explained during the Simla session, we do not want to discuss the same grants year in and year out for the simple reason that other departments may require our vigilant attention, and there may be other reasons for discussing other departments. Take the example of the Department of Industries. If you want to lay stress on industries I will tell the Leader of the Opposition that I will take up the Department of Industries to stress the need of a certain policy with regard to the industrialisation of the province. Nobody can have any objection to that. I do not see what objection my honourable friend opposite has got. I go a step further than the House of Commons. The first three demands are selected by the Leader of the Opposition and are put on the agenda and with regard to the other two I select them after taking into consideration the views of the various sections of the House as well as of the Leader of the Opposition.

Diwan Chaman Lall : I do not anticipate any difficulty will arise if the Leader of the Opposition's voice in the matter would be regarded as the determining factor.

Premier : I would not go to that extent. I do not think it would be fair. The convention has been established and my honourable friend opposite will tell you that I allow him to select the first three demands for discussion.

Sardar Hari Singh : It is the right of the Opposition to select all the demands.

Premier : No, it is not. It is the right of the whole House. You have to consider the whole House. Take the hypothetical question. Supposing the Opposition consists only of 3 members—it is improbable but it is possible—then does my honourable friend mean that I should deprive the whole House of discussing particular demands merely because of those 3 members?

Sardar Hari Singh : It is the right of the Opposition.

Mr. Speaker : I have already invited attention of the House to page 241 of *Campion*, where it is expressly stated that the Premier in consultation with the Opposition will fix the order of demands. I gave an exhaustive ruling on that point some years ago.

Premier : The convention is quite clear. I have gone even further than the House of Commons and I asked the Honourable Leader of the Opposition to select three particular grants and they were put on the agenda paper. With regard to other grants, I asked my honourable friend that unless he had an objection, I should like to discuss such and such demands and we took up Industries and Public Health, because we want a change in the field of discussion from year to year as far as possible so that other departments may not get slack.

Rule 129.

Mr. Speaker : The question is—

That rule 129 be adopted.

The motion was carried.

Rule 130.

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

That in line 1 of sub-rule (2), for the words "an amendment", the words "a motion" be substituted.

The motion was carried.

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

That in line 1 of sub-rule (3), for the words "an amendment", the words, "a motion" be substituted.

The motion was carried.

Mr. Speaker : The question is—

That rule 130 as amended be adopted.

The motion was carried.

Rule 131.

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

That in rule 131, for the word "amendments", the word "motions" be substituted wherever the word occurs.

The motion was carried.

Sardar Dasaundha Singh : Sir, I beg to move—

That sub-rule (2) of rule 132 be inserted as proviso (1) to rule 131, and that the existing proviso to the rule be numbered as proviso (2).

The motion was carried.

Mr. Speaker : The question is—

That rule 131 as amended be adopted.

The motion was carried.

Rule 132.

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

That sub-rule (2) be deleted.

The motion was carried.

Mr. Speaker: The question is—

That rule 132 as amended be adopted.

The motion was carried.

Rule 133.

Pandit Muni Lal Kalia (Ludhiana and Ferozepore, General, Rural): Sir, I beg to move—

That in lines 1-2, for the words "be confined to the administrative", the words "relate to all" be substituted.

If this amendment is carried, the rule will read thus:—

Debate on motions must relate to all matters for which the Government is responsible and not to matters requiring legislation.

My submission in introducing this amendment is that when the question of legislation is before the House the discussion should not only be restricted or limited to administrative matters, but as a matter of fact, to all other matters dealing with the policy of the Government. The restriction intended to be placed by this rule will deprive the House of having a full discussion on all matters that deal, directly or indirectly, with any legislation and for that purpose I want that a restriction of this kind should be avoided as far as possible. The imposition of such a restriction only justifies the case for the Government. In the Government of India Act itself there are so many restrictions and so many other limitations, we should not add more. The Act does not require such restrictions, specially when they can reasonably and conveniently be avoided. With these words I move my amendment.

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

That in lines 1-2, for the words "be confined to the administrative" the words "relate to all" be substituted.

Sardar Dasaundha Singh (Deputy Speaker): Sir, rule 133 reads thus:—

Debate on motions must be confined to the administrative matters for which the Government is responsible and not to matters requiring legislation.

This rule is absolutely consistent with the Parliamentary practice. On page 538 of May's Parliamentary Practice, you will find that administrative action of a department is open to debate but the necessity for legislation and matters involving legislation cannot be discussed in Committee of Supply. This is a very wholesome rule. You can discuss only those administrative matters for which the Government is responsible. But when the discussion bears on a matter which requires legislation, it is obviously out of order, you cannot in such a case criticise the Government justly. The Government is to follow the law only if it is there and in order to criticise the Government fairly or to blame the Government justly for something which Government

is doing it should be inconsistent with the law, otherwise, your criticism is absolutely of no use. This way the amendment goes against the procedure in the Parliament. I therefore oppose the amendment.

Diwan Chaman Lall (East Punjab, Non-Union Labour): Of all the miraculous and wonderful things that happen on the floor of the House one of the most miraculous is the Oracular sentiment and expression given effect to by my friend the Deputy Speaker. Whenever he is faced with a difficulty he takes shelter under May's Parliamentary Practice and Campion, and he says that you are perpetrating a grave injustice to the cause of Parliamentary practice because May's Parliamentary Practice is against it, and that in the House of Commons there is no such practice. But my friend ought to pay a little attention to the actual procedure in vogue in the House of Commons when he is discussing matters of this description. When he read out from page 538 of May's Parliamentary Practice, he referred to what? He referred to the Committee of Supply. May I ask my honourable friend, whether we have a committee of supply in this House?

Finance Minister: We act as such.

Diwan Chaman Lall: My friend the Finance Minister, another great custodian of Parliamentary practice, says we act as such (*Laughter*). My friend surely does not know what happens in the Committee of Supply. We do not act as such. The Committee of Supply is a permanent body appointed every session and continues in session for practically five months at the time the budget is presented. Do we continue for five months? My honourable friend does not know that it is a permanent body appointed every session.

Sardar Dasaundha Singh: Not at all.

Diwan Chaman Lall: My friend says, not at all. I can give my friend chapter and verse in support of my statement. He does not realise that this committee is appointed by the House when the House meets and continues to deal with matters financial by the conversion of the entire House of Commons into a committee of supply, and therefore when the budget is presented from the 1st April right up to the end of August this committee meets in order to discuss the details of the budget. Are we governed by a similar procedure in this House so that for five solid months you can discuss the details of the budget? Is it possible that we are permitted to discuss at such length the details of the budget? My friend says that we are also a committee of supply. That is incorrect, but if he is in agreement with this procedure that we should have a committee of supply I am quite willing to concede this point to him, and if the Finance Minister wants a committee of supply I assure him that he will get the support of every member sitting on these benches. Let us have a committee of supply so that we can straightforwardly deal with the budget in detail and not in the cursory manner in which we have been discussing it in the past.

The object which my friend has in putting forward this amendment is this that he desires to bring forward every matter connected with the Government's policy when we are dealing with these demands. Why should legislation be barred? Why should we be debarred from discussing legislative measures? What is the basis for it? It is all very well to turn

[Diwan Chaman Lall.]

round and say the House of Commons has no rule for it. Why do you want to prevent the discussion of legislative measures or the policy of Government involved in the matter of legislation? As far as the House of Commons is concerned the object is that the general policy of Government is discussed in the House not on one occasion, not in fifteen minutes as we do at the time of the general discussion, but the general policy, Mr. Speaker, is discussed time and again on many occasions in the House of Commons. For instance, it is discussed at the time of the Finance Bill. It is discussed again on four or five other occasions when the matter is brought up before the House of Commons. My honourable friends ought to be familiar with the occasions when general policy is discussed. General policy can be discussed on the Consolidated Fund Bill. General policy can be discussed on the Appropriation Act. It can be discussed on the Finance Bill. In fact apart from all these occasions several other occasions can be taken to discuss general policy. It is in order to concentrate the attention of honourable members of the House of Commons on the actual details of expenditure that the attention of the House of Commons is confined at the committee of supply stage to the details of expenditure, and it is not because there is no lack of provision for the discussion of general policy. The provision is there on many occasions when you can discuss general policy during the course of the progress of financial business in the House. Here in this House it is with great difficulty as a result of my persistence that we were able to obtain the foundation of a convention set by the Honourable the Premier in consultation with the Leader of the Opposition enabling us to choose a particular demand for general discussion of policy, and let me, through you thank the Premier for giving his consent so that the Opposition can now choose a particular demand and discuss the general policy of the Government on that demand. That is the only occasion, I submit, when we can discuss the general policy of Government in detail. Therefore to bar us from discussing the general policy of Government at that stage, namely when we are discussing the demands for grants, or from suggesting ameliorative measures, is, I submit, unnecessarily hindering the freedom and the activity of the Opposition in criticising Government's policy. It is putting a check on the ameliorative measures which may be undertaken by the Government for the benefit of the province. I submit that we have not at our command the procedure which they have in the House of Commons, and that we are prevented from discussing legislative measures when we are discussing demands. My friend's amendment means to grant freedom to discuss whatever is desirable that should be discussed on this occasion when the demands for grants are before you.

Premier (The Honourable Major Sir Sikander Hyat-Khan): My honourable friend Diwan Chaman Lall has again given us the benefit of his wide knowledge about Parliamentary practice and of course he has been as usual very eloquent. But I am afraid he has missed the point of my friend the Deputy Speaker. He has gone into the various stages in the House of Commons when the general discussion of Government's policy is allowed. What is the position here? The honourable members are at perfect liberty to discuss the policy during the general discussion of the budget. We have set up a convention according to which they can discuss

the general policy of Government when we take up grants that they themselves choose, that is to say, on five particular occasions for three weeks they can constantly go on discussing the general policy of Government and you are aware, Sir, that we have throughout the budget session when the grants were presented to this House been discussing the general policy of Government invariably whenever a demand for grant was put before the House.

I personally think that here we have gone even further than the House of Commons. Not that we are in any way trying to restrict the House to discuss the general policy of the Government. But we have set up a convention which goes even beyond the convention set up in the House of Commons. But the real point which my honourable friend, the Deputy Speaker, made and to which I draw the attention of my honourable friends opposite, was that it is no use wasting the time of the House by a discussion of the proposals for legislation or criticising the Government with regard to their inability to act outside the existing law. That is the point which he has made. If Government is acting under an existing law, until that law is amended or repealed, you cannot blame the Government for acting under that particular enactment. It is no use discussing or criticising the Government because they have been acting under a particular law passed by this legislature or by its predecessor. It was this point that my friend, the Deputy Speaker was stressing, that it will be futile to criticise the Government on the question of legislation and if fresh legislation is sought to be brought into this House there are ways and means and the procedure is quite clear. My honourable friends in this House have got opportunities to suggest legislative measures or to themselves introduce legislative measures. I personally think that the issue has unnecessarily been confused and if my honourable friend had borne in mind the very cogent objections taken on this amendment by my friend, the Deputy Speaker, it would not have been necessary for him to make that rather elaborate delectation.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban): Sir, what we have been told is that we can criticise the administration of the Government according to the laws which exist and whilst criticising them we are not entitled to suggest what the law should be. It is said that we have got other occasions to suggest to the Government what the laws should be. If we look to what had happened during the last two budget sessions, we find that practically all Bills which we wanted to bring forward or the changes in legislation which we wanted to make and by moving which we wanted to draw the attention of the Government to what the law should be, were rejected even at the introduction stage. Then the other method for us is by moving resolutions. You very well know that we have only two days for discussing resolutions during this session and we had two days during the last budget session and hardly a resolution and a quarter could be discussed on one day and that too with your valuable help. Otherwise sometimes even one resolution cannot be discussed in one day. The resolutions have to be ballotted also. Therefore it will not be in our life time that we will be able to suggest to the Government what the laws of the land should be. Thus it will be futile to criticise the administrative policy of the Government if we are not permitted to discuss what the law should be. You always find that when the Honourable Ministers go out

[Dr. Gopi Chand Bhargava.]

on tour they say that the Opposition only offers destructive criticism and no constructive criticism. But how can you have any constructive criticism unless we are permitted to suggest what the laws of the land should be. I do not know why the Government should be afraid of it. When we say that a certain department should be run in such and such a way they should welcome the suggestions, because it is not only by way of destructive criticism that we make those suggestions, but they are constructive suggestions for running the Government as we want them to run it. It is open to them to throw out our suggestions and say that they are not prepared to consider them. They have got their majority always at their command. Therefore I think the right of the Opposition to offer constructive suggestions should not be taken away.

Mr. Speaker : The question is :

That in lines 1-2, for the words "be confined to the administrative", the words "relate to all" be substituted.

The Assembly divided : Ayes 21 ; Noes 76.

AYES.

Chaman Lall, Diwan.
Duni Chand, Lala.
Duni Chand, Mrs.
Gopi Chand Bhargava, Dr.
Hari Lal, Munshi.
Hari Singh, Sardar.
Harjab Singh, Sardar.
Kabul Singh, Master.
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.
Raghubir Kaur, Shrimati.
Sahib Ram, Chaudhri.
Sant Ram Seth, Dr.
Shri Ram Sharma, Pandit.
Sohan Singh Josh, Sardar.
Sudarshan, Lala.

NOES.

Abdul Rahim, Chaudhri (Gurgaon).
Afzaalali Hasnie, Sayed.
Ahmad Yar Khan Daulatana, Khan Bahadur Mian.
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, Shaikh.
Faqir Hussain Khan, Chaudhri.
Farman Ali Khan, Subedar Major Raja.

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.
Gopal Das, Rai Sahib Lala.
Gurbachan Singh, Sardar Sahib Sardar.
Habib Ullah Khan, Malik.
Haibat Khan, Daba, Khan.
Harnam Das, Lala.
Het Ram, Rai Sahib Chaudhri.

Indar Singh, Sardar.
 Jagjit Singh Bedi, Tikka.
 Jahangir Khan, Chaudhri.
 Jogindar Singh Man, Sardar.
 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 Azam Khan, Sardar.
 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 Hussain, Chaudhri.
 Muhammad Jamal Khan Leghari, Nawab Sir.
 Muhammad Nawaz Khan, Major Sardar.
 Muhammad Nurullah, Mian.
 Muhammad Saadat Ali Khan, Khan Sahib Khan.
 Muhammad Sarfraz Khan, Chaudhri.
 Muhammad Sarfraz Khan, Raja.

Muhammad Wilayat Hussain Jeelani, Makhdumzada Haji Sayed.
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
 Muzaffar Khan, Khan Bahadur Captain Malik.
 Narendra Nath, Diwan Bahadur Raja.
 Nasir-ud-Din Shah, Pir.
 Nawazish Ali Shah, Sayed.
 Nur Ahmad Khan, Khan Sahib Mian.
 Prem Singh, Chaudhri.
 Pritam Singh Siddhu, Sardar.
 Riasat Ali, Khan Bahadur Chaudhri.
 Ripudaman Singh, Thakur.
 Roberts, Professor W.
 Shahadat Khan, Khan Sahib Rai.
 Shah Nawaz, Mrs. J. A.
 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.
 Talib Hussain Khan, Khan.
 Tara Singh, Sardar.
 Tikka Ram, Chaudhri.
 Wali Muhammad Sayyal Hiraj, Sardar.

Lala Duni Chand (Ambala and Simla General, Rural) : Sir I rise to move that rule 133 be deleted. I have observed in the course of proceedings of the committee and also in the course of Assembly proceedings that attempts have been made successfully to rob this House of many valuable rights that it should possess. The Government being entrenched behind a solid and safe majority has been trampling upon the rights of the House. We on this side of the House being in a minority the Government can well-afford to do anything and to pass anything that it desires to do. All that we claim on our side is that we in regard to all matters affecting the welfare of the public, stand by this province and the people of this province. The only consolation that we have got is that through thick and thin and even in the midst of heavy odds we have been raising our voice against the wrong doings of this majority. I do not understand why they should be putting one halter after another round our necks. Whether it is a question of interpellations, whether it is a question of moving resolutions, whether it is a question of moving Bills, they are trying to hedge round the rules

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by so many qualifications that they are reduced practically to a nullity. What does it mean? Why should the Government lay down that our right to debate on the floor of the House is to be confined only to administrative matters and not to matters that require legislation? It is very difficult for me to understand it. It is difficult to lay down a clear line of demarcation between matters which can be strictly called administrative matters and matters which require legislation. Suppose the present Government does not make laws to protect the rights of the agriculturists and the rights of the debtors, suppose the Government fails to make laws to protect labour, suppose the Government fails to make laws that will meet the communal situation that might arise at any time, and suppose we want to say that the Government has failed in its duty to legislate in time to cope with this situation that might arise from time to time in this province, does the Government mean to say that we should not be allowed even to suggest that it is the duty of the Government to make such and such law. Sir, the scope of the duties of the Government is very wide and extensive. It is not

confined to any particular matter. Why should the

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Government fear even the criticism with regard to those matters which it is the duty of the Government to set right. We know that the whole machinery of the Government is rotten. Under these circumstances it should be the duty and right of the Opposition to lay its finger on every plague spot and there are so many plague spots. All that we claim is that we should be given the right of criticising and discussing certain matters freely in the course of the budget or on other occasions. Why should we be deprived of that? If the rights of the House are taken away in this way from time to time by reason of the fact that the Government has got a very big majority on its side, the unconstitutional position may come to such a pass without the knowledge of the Government, that this House might cease to have any kind of rights worth anything. Even though May and Campion do allow supplementary questions for the purpose of suggesting certain actions, we know that in the course of the question hour we are every day being disallowed even the suggestions that we make.

Mr. Speaker: Will the honourable member please withdraw the expression that I am disallowing supplementary questions. I take exception to it.

Lala Duni Chand: I can assure You, Sir, that I am one of the most jealous advocates of the rights of the Chair and I want its rights to be respected. It is from the point of view of the grievances of the people that I put this matter before the House. If you feel that there is any kind of reflection—either direct or indirect—then I withdraw my words. I submit that it is the habit of an arbitrary Government to make the utmost use of any weapon that it has got in its armoury. When the Government thinks that it can carry on things in its own way, it brushes aside fair and reasonable interpretation of the rules. I am quite sure that if rule 193 is made a rule, whenever we raise any matters which may not fall even within the strictest scope of the rule, objection will be raised from that side that this is a matter which requires legislation, this should not be discussed and so on and so forth. We shall then be confronted with great

difficulty as we have been confronted on other occasions in other matters. After all, how does the Government suffer from the retention of the provision which will allow discussion of administrative as well as legislative matters? There are certain days that are allotted for this purpose. We can raise objections, we can criticise, we can discuss within a limited time only. The Government should consider itself strong enough to meet those criticisms. I may submit another point also which I consider to be very pertinent. So far as the duty of the Government regarding the budget is concerned as soon as the Government prepares a budget and puts it up in the form of demands for grants, that duty is finished. That is the only duty that devolves upon the Government with regard to the budget. After that the duty shifts on the Opposition. It is the peculiar privilege of the Opposition to raise all points of discussion and all points of criticism. It is for the Opposition, it is the entire right of the Opposition to suggest to the Government in what matters the demands should be modified, in what matters the budget is not acceptable to the people and in what matters it is acceptable to the people. Just a few minutes ago the Premier was claiming the right of selecting certain demands as a matter of right. It is not a question of getting the right but it is a question of taking away the right from the Opposition which in the very nature of things applies to the Opposition. It is not the business of the Opposition how the Government should be supplied with funds. It is the duty of the Government to find ways and means and our duty is to say that the ways and means that you have found are inadequate, and they are not the proper ways and means. We suggest to you the ways and means. It is only in this way that you can consult the province. It looks as if we are not to be given an opportunity to serve this province.

Mr. E. Few : Is the honourable member entitled to use this occasion for trying to impose his debating powers for furthering his practice in the law courts as the arguments have no bearing on the motion before the House?

Diwan Chaman Lall : Is the honourable member not able to understand my honourable friend Lala Duni Chand?

Mr. E. Few : No, I am not.

Lala Duni Chand : Mr. Few may be an expert—

Mr. Speaker : I cannot allow the honourable member to give a reply.

Lala Duni Chand : He may be an expert in railway matters but I doubt if he is an expert in budget matters. What I want to say is that the situation in the Punjab requires every hour and every day that all the wrong doings of the Government should be brought not only to the notice of the Government but also to the notice of the people of the Punjab. We know in how many ways the people of this province are suffering. The only medium through which the grievances of the people can be brought to the notice of the Government as well as to the notice of the people is this House. I know there is the press but I am not going to deal with it. This is the most important organ brought into existence to expose all the wrong doings and every member of the House should see that we are allowed the right to expose those wrongs. I have a feeling of pity for most of the followers of the Unionist party. Do they understand how the rights that belong to them are being taken away from day to day? Do they understand the implications

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of the wrongs that are being done? Do the rank and file of the Unionist party want that all those matters that affect their constituencies, all those problems that affect their daily life, should not be discussed? Do they want that we should not make any suggestions regarding economic improvement of the country by means of legislation? Do they want this? The truth of the matter is that they are being led and I have great sympathy with them. I do pray to them to consider this matter. There are seven or eight matters belonging to the scheduled castes. Do they ever reflect that certain things are being done against their vested interests?

Mr. Speaker : I think I have shown sufficient tolerance. There is a limit of irrelevancy. The proposed rule is :—

Debate on motions must be confined to the administrative matters for which the Government is responsible and not to matters requiring legislation.

It is clear that the rule includes everything so far as the responsibility of the Government is concerned. The only thing it excludes is "matters requiring legislation".

Lala Duni Chand : If you have tolerated my irrelevancy then I say that a wrong has been done to me, because if irrelevancy on my part is tolerated then it means that I am encouraged to say irrelevant things. In fact I want that the very moment I utter a single irrelevant word, you should stop me.

Mr. Speaker : Will the honourable member please proceed with his speech?

Lala Duni Chand : The point is whether debate on motions should be confined only to the administrative matters or also to matters requiring legislation. I have been saying that the scope of criticism and debate should be widened. It is only with reference to this aspect of the question that I have drawn the attention of the members of the Unionist party and the members of the scheduled castes that the right to discuss matters that affect them is being taken away. What I said was perfectly relevant and if I tell a certain section of the House that the retention of rule 133 will affect their rights I am within the bounds of law.

Sardar Dasaundha Singh : The rule is a simple one. It places a limited check on debate on motions. The House has every right to criticise the Government for matters which involve administrative responsibility. I do not think honourable members would like to go beyond this. The thing is that criticism can be just and fair only if the Government is shown to having gone beyond the right that they have to administer their various departments according to law. Where no administrative responsibility is involved even a question is not allowed to be put : that rule we have already passed. So far as motions are concerned debate should not be allowed to go beyond that. It is a fair and reasonable limit of debate. The next provision that is covered by this rule is that matters that require legislation should not be allowed to be discussed. This again is a fair and reasonable check on debate. If honourable members want to move certain matters for which no legislative provision exists then the way is open to the honourable member to bring in proposals for legislation, but as long as law is there it is the duty of the Government to go by that law. In view of all this my submission is

that this rule embodies very wholesome and salutary provisions and it should be allowed to be there. It is consistent with Parliamentary Practice and even if the rule be not there I think we shall have to draw on the Parliamentary Practice and shall have to go by the provision of this rule ; why not have it in so many words in our procedure ? With these words I oppose the amendment.

Pandit Muni Lal Kalia : I sent in a separate amendment wherein these words of this rule were sought to be deleted. It has just been pointed out by the learned Deputy Speaker that the rule is a simple one. A simple thing can be irrelevant ; it can be redundant, it can be offensive and it can create restrictions on the rights of the House. Simply because a thing happens to be simple it does not mean that it is not harmful. It has been pointed out that it is a wholesome and salutary provision. This time the House has lost the opportunity of hearing from the Deputy Speaker the provisions, chapters and the lines of Campion or May upon which such wholesome and salutary provisions are based. We do not want in these rules anything that is restrictive of our rights and places limitation on discussion. It is one thing to say that in the discussion we should not bring in anything which is of a defective nature and that the law as it exists is right ; but that is not the point on which controversy hinges. The point is that we are being deprived of discussing a matter in all its aspects. If that is not the point then rule 180 which has just been passed is sufficient with regard to motions. In this case the marginal note to rule 133 is misleading. The other thing is that we are being deprived of an essential thing. As the Speaker wants that these rules should be gone through speedily. I do not want to take any more time of the House. With these words I submit that this rule should be omitted.

Diwan Chaman Lall : The object of moving this amendment is obvious, namely, the deletion of the rule.

Mr. Speaker : A negation is not an amendment.

Diwan Chaman Lall : The result of this would be to leave the situation absolutely free from any doubt whatsoever that is to say allow full effect to criticism relating both to matters of administration and the policy of Government in relation to any particular demand. My honourable friend said that it is a wholesome thing and that it is the duty of the Government to go by the existing law and that if you want to alter the law you should bring in a measure before the House and get it passed by the vote of the House. But my honourable friend missed the entire point. The point is this that no reason has been advanced why we should not be able to suggest on the floor of the House when demands for grants are before the House, why a particular course should not be adopted which may involve legislation. Has any honourable member on the floor of the House suggested that there is any reason behind this unreason on the part of my honourable friend the Deputy Speaker ?

Premier : My honourable friends can make constructive suggestions in the course of the general discussion.

Diwan Chaman Lall : True. But what I am going to suggest is that if my honourable friends would study the subject very carefully,

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go into it with deep care and concern, they would realise how absurd and idiotic the existence of the rule would be as far as procedure of the House is concerned. Why should they follow blindly the procedure in the House of Commons ? I hold here, Mr. Speaker, in my hand Parliamentary Debates, Fourth Series, Volume XXVIII. On page 1523 of it—a reference to it is also made in the foot-note of the May's Book, page 538—you will find that an objection of this particular nature was taken and it is as follows :—

Mr. Farquharson : I was going to point out the want of action on the part of the Board of Trade in the matter.

The Chairman : Order, order ! The President of the Board of Trade has no power to interfere.

Mr. Farquharson : Am I not right in saying that the Board has the power to interfere ?

The Chairman : "No ; that requires legislation."

You cannot even say that the Board has the right to interfere. Your words on the floor of the House are so limited, your arguments are so restricted that it is impossible for you to utter even a sentence like this that the Board has the power to interfere. You want to stultify the discussion on the occasion of voting of demands for grants. Then Mr. Farquharson said :—

"Then I must be silent in the matter. There must be some means, surely, of bringing the matter before the House."

Am I to bring in an Act, a Board of Trade Act, in order to empower me to discuss whether the President of the Board of Trade can take certain action or not ? Why can I not simply state on the floor of the House that the President of the Board of Trade has no power and that he should be given power to act in this particular manner ? What particular calamity would happen and what particular hardship the Deputy Speaker would suffer, if I were allowed to say on the floor of the House that although under the law, the Honourable Premier has no authority to act in a particular way ; yet I do think that it is in the interest of the province that he should be given the power to act in that manner ? If this rule is passed, I will be prevented from making this simple suggestion to my honourable friend. My honourable friend over there said that it was a salutary and healthy rule. May I ask him, where is the health in a rule like this ? There is a great deal of absurdity in it. There is a great deal of unnecessary restriction in it, preventing full freedom of debate on any matter that is raised on the vote of demands. But my honourable friend says that it is a healthy thing, it is a salutary thing and it is a necessary thing. How is it salutary, healthy and necessary ? Because there is a rule to this effect in the House of Commons. You are the blind followers of the rules in the House of Commons without even considering, for a moment, what lies behind those rules. There are provisions in the House of Commons, which would enable you, time and again, to raise such matters on the floor of the House. My honourable friend objected to my remarks on the last occasion when I said that the Committee of Supply was appointed on the first day, and that it was of a permanent nature. My honourable friend does not know this. It is true. The Committee of Supply is appointed on the first day after the address

of the Throne and continues in permanent session until the next session and it is on many occasions that they are allowed to raise matters which involve legislation ; whereas here we are allowed to discuss the general policy only on one occasion. Why do you want to restrict us like this ? It is incorrect to say that we can discuss general policy on more than one occasion. No other occasion is permissible to us, under the rule, at budget time, to discuss the policy of the Government in detail except one and here we are being constrained in the matter of discussion, and in the matter of reference even to a matter which requires legislation, by means of the rule that my honourable friend suggests that we should adopt. May I make an appeal to my honourable friends opposite that nothing would be lost if this rule were to be eliminated from the rules ? On the contrary what would happen would be this that you will be called upon, time and again, to call honourable members to order. Every five minutes of the time will be occupied in points of order being raised. Is that a healthy state of affairs, is that a salutary state of affairs that every five minutes you should be called upon to exercise your power calling honourable members to order ? I submit that in view of the arguments that I have advanced and in view of the difficulties that we would be faced with in the matter of discussion, the honourable members opposite will be well advised to withdraw this rule.

Raja Ghazanfar Ali Khan (Parliamentary Secretary): Sir, I am grateful to my honourable friend, Diwan Chaman Lall for having interpreted the principle which the previous speakers on the other side of the House have not been able to convey, and to interpret. Now we are in a position to understand the real idea of this amendment. Let me ask my honourable friends to understand it clearly that there is a distinction between making a suggestion and criticising the policy of the Government. As far as the general discussion of the budget is concerned, no member is debarred from making a constructive suggestion with regard to any change in legislation which any member may desire to bring to the notice of the Government. But now we are dealing with the discussion on demands for grants, which means that if any member is allowed to criticise the policy of the Government for having acted in accordance with the law as it exists, it will be highly improper. This is exactly what the intention of the Opposition is. They want to criticise the Government for having acted in accordance with the provisions of the existing law. (*Diwan Chaman Lall* : Why are you afraid of it ?) I am afraid of it because it will be highly unfair that you may have an opportunity of criticising the Government for having acted rightly. If the Government acts in accordance with the provisions of the law and still it is criticised that to my mind seems to be unjustifiable and absolutely unfair.

Dr. Gopi Chand Bhargava : Is it not the duty of the Government to change the laws if they find that the existing laws are not sufficient ?

Raja Ghazanfar Ali Khan : I entirely agree with my honourable friend. I have already said that when you are discussing the budget, you can certainly suggest as to what changes you want in the law. There is nothing to prevent you from doing that. But when you are discussing the demands, you cannot do so. As a matter of fact, the discussion on demands means criticising the Government for certain things. I am sure that no

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honourable member in this House will consider that the Opposition are justified in asking the Government to give them an opportunity to criticise the Government for having acted in accordance with the provisions of the law. Therefore what we are now called upon to vote is that we should allow the Opposition to criticise us when a certain law exists and when we are acting in accordance with the provisions of that particular law. I personally thought that my honourable friend, Lala Duni Chand, would not take the trouble of opposing this rule when he knew that the House had already given its verdict in favour of confining the discussion at the time of discussion on grants, to administrative matters. The House has only just now voted down an amendment which wanted to discuss matters involving legislation. Now he is getting up and opposing that clause. As a matter of fact he is asking the House once again to give opinion on a matter on which it has already recorded its opinion. I am sure the honourable members would strongly oppose this meaningless suggestion made by the Opposition.

Mr. Speaker : The question is—

That rule 133 be adopted.

The motion was carried.

New Rule.

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

That between the rules 133 and 134, the following new rule be added : —

133-A. On a day fixed by the Governor before the last of the days allotted by him for the moving of demands for grants, further demands for grants may be moved :

Provided that—

- (i) they are required for purposes which in the opinion of the Governor are of an emergent nature ;
- (ii) they are for new matters which have not been included in the original estimate of the year. Such demands shall be classified according to the original demands for grants, the details being shown by sub-heads of appropriation in detailed account heads under each grant.

Sir, the rules 125-A, 125-B, 125-C, and 125-D relating to the presentation and the various stages of the discussion of the budget were adopted in this House. Objection was taken by the Finance Minister that the House had no power to add these rules, but that objection was over-ruled and the Premier and the House agreed to have those rules. As a necessary corollary to the incorporation of those rules, this rule and the subsequent rule 133-B should also be adopted.

Premier : We have no objection. It is necessary for this purpose that if you want to avoid Governor making rules of his own then it would be necessary to make another rule.

Mr. Speaker : Motion moved is—

That between the rules 133 and 134, the following new rule be added :—

133-A. On a day fixed by the Governor before the last of the days allotted by him for the moving of demands for grants, further demands for grants may be moved :

Provided that—

- (i) they are required for purposes which in the opinion of the Governor are of an emergent nature ;
- (ii) they are for new matters which have not been included in the original estimate of the year. Such demands shall be classified according to the original demands for grants, the details being shown by sub-heads of appropriation in detailed account heads under each grant.

The annual budget or the demands for grants, contained therein, are voted on days allotted by the Governor for that purpose. The rule moved by the honourable Sardar Hari Singh empowers the Governor to have "further demands for grants" moved on one of the days, before the last, originally allotted by the Governor for the voting of the budget. It may happen that some of the demands for grants, specified in the budget, might have been disposed of before the day on which the Governor authorises the moving of "further demands for grants" ; while no action may have been taken on the remaining demands for grants, mentioned in the budget. It may also happen that some of the further demands for grants, authorised to be moved by the Governor on a particular day, may be integral parts of demands already rejected or passed by the House ; while some of these "further demands for grants" may be parts and parcels of some demands for grants, yet undisposed of. In the former case, the 'further demands for grants' may be moved, like supplementary demands, as independent demands for grants ; but in the latter case the "further demands for grants" shall have to be added on to the original demands for grants of the same class. In other words, an original as well as a "further demand" shall have to be put before the House as one increased demand and not as two independent demands. But according to parliamentary practice even a minister of the Crown cannot increase the amount of a grant beyond the sum specified in the original estimate ; and if such increase is considered necessary the original estimate has to be withdrawn and a revised estimate presented in its place. May I know what will happen if and when such a contingency arises ?

Sardar Hari Singh : May I explain the intention of the rule as moved by me ? The intention is exactly as suggested by you. The further demands refer to the demands that have already been voted upon and not the demands which are yet to be voted upon.

Mr. Speaker : What has the Minister for Finance to say ?

Minister for Finance : I have nothing to say at this stage.

Mr. Speaker : The procedure is open to several further objections ; but as an identical rule is being considered by His Excellency the Governor, in consultation with me, I prefer not to raise those objections here.

Diwan Chaman Lall : But we may be passing these rules now without the benefit of the objections you might have to raise on the point. Therefore I think this is the proper stage at which you should indicate to us your objections.

Mr. Speaker : In the Government of India Act express provisions are made for the presentation to the Assembly of "the annual budget" (see section 78) and for the submission of "supplementary demands for grants" after the authentication and authorisation of "the budget" (see section 81); but no provision is made for the presentation of further demands for grants, as proposed by the rule, moved by the honourable Sardar Hari Singh.

In England there is no law or rule which, like section 81 of the Government of India Act, permits a "supplementary demand" to be presented *only after* the "regular budget" has been passed, *authenticated* and *authorised* under section 80. Consequently, in Commons, if the regular estimates have not been considered prior to the submission of the summer supplementaries, the two are considered together. On this point the practice of the House of Commons is that in addition to the ordinary estimates, which are submitted to the House of Commons as early as possible in each session, the various departments are often compelled to present further estimates for expenditure, which was not foreseen at the time when the original estimates were prepared. Such supplementary or additional estimates, as the case may be, are presented to the House of Commons as soon as possible. If the original estimate for the department in question has not been already disposed of in Committee of Supply, the supplementary sum is incorporated with the sum remaining to be voted for that department, if, however, the original vote has been agreed to, the additional money required is voted separately. But this cannot be done under section 81 of the Government of India Act, which expressly precludes the submission of "supplementary demands for grants" before the authorisation of the "annual budget".

In America the national government and several states and local governments have *legal provisions* whereby the budget making authority may submit to the legislative body supplementary or additional expenditure estimates *after* the budget has been transmitted and *before* final action has been taken on it. It is particularly noticeable that in the United States of America the right to present supplementary or additional estimates, *after* regular budget has been transmitted and *before* final action has been taken on it, is regulated by statute, and not by rules or usage.

The rule, moved by the honourable Sardar Hari Singh, is open to several other objections as well. But in my opinion the best course would be to postpone consideration of the rule until the matter is further considered by all concerned.

Finance Minister : There are certain rules to be made by the Governor in the exercise of his discretion after consultation with you. Suppose a rule of this description were eventually to be framed by the Governor in the exercise of his discretion, what would happen if a further demand has to come up? Will you then say that the demand is *ultra vires* of the Government of India Act?

Mr. Speaker : I will answer that question when it arises.

Consideration of the New Rule was then postponed.

Rule 134.

Mr. Speaker : On 31st March last I expressed my doubts about the legality of "Excess grants". I suggest, therefore, that this rule also may be postponed.

Rule 135.

Sardar Hari Singh : Sir, my amendment reads—

"That in sub-rule (4), line 2, between the word 'members' and the sign 'full stop' the words 'from the Opposition' be inserted.

Sub-rule (4) of rule 135 reads as follows :—

The Chairman shall be elected by the Committee from among their members. and I wish to insert 'from the Opposition' after the word 'members'. The Chairman of the Public Accounts Committee must be from the Opposition according to parliamentary practice. That is the intention of this amendment.

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

That in sub-rule (4), line 2, between the word 'members' and the sign 'full stop' the words 'from the Opposition' be inserted.

The Assembly divided : Ayes 29 ; Noes 81.

AYES.

Ajit Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhagat Ram Sharma, Pandit.
Bhim Sen Sachar, Lala.
Chaman Lall, Diwan.
Duni Chand, Lala.
Duni Chand, Mrs.
Gopi Chand Bhargava, Dr.
Hari Lal, Munshi.
Hari Singh, Sardar.
Kabul Singh, Master.
Kartar Singh, Chaudhri.
Kartar Singh, Sardar.
Kishan Singh, Sardar.
Krishna Gopal Dutt, Chaudhri.

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.
Raghubir Kaur, Shrimati.
Sahib Ram, Chaudhri.
Sampuran Singh, Sardar.
Shri Ram Sharma, Pandit.
Sohan Singh Josh, Sardar.
Sudarshan, Lala.

NOES.

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.
Ashiq Hussain, Captain.
Badr Mohy-ud-Din Qadri, Mian.
Balwant Singh, Sardar.
Bhagwant Singh, Rai.
Chhotu Ram, The Honourable Chaudhri Sir.
Dasaundha Singh, Sardar.
Faiz Muhammad Khan, Rai.
Faqr Hussain Khan, Chaudhri.

Farman Ali Khan, Subedar Major 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 Qadar Khan, Khan Bahadur.
 Ghulam Rasul, Chaudhri.
 Gopal Das, Rai Sahib Lala,
 Gopal Singh (American), Sardar.
 Habib Ullah Khan, Malik.
 Hans Raj, Bhagat.
 Harnam Das, Lala.
 Het Ram, Rai Sahib Chaudhri.
 Indar Singh, Sardar.
 Jagjit Singh Man, Sardar.
 Jahangir Khan, Chaudhri.
 Jogindar Singh Man, Sardar.
 Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.
 Manohar Lal, The Honourable Mr.
 Maqbool Mahmood, Mir.
 Mubarik Ali Shah, Sayed.
 Muhammad Akram Khan, Khan Bahadur Raja.
 Muhammad Azam Khan, Sardar.
 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 Nurullah, Mian

Muhammad Saadat Ali Khan, Khan Sahib Khan.
 Muhammad Sarfraz Khan, Chaudhri.
 Muhammad Shafi Ali Khan, Khan Sahib Chaudhri.
 Muhammad Yasin Khan, Chaudhri.
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
 Muzaffar Khan, Khan Bahadur Captain Malik.
 Muzaffar Khan, Khan Bahadur Nawab.
 Narendra Nath, Diwan Bahadur Raja.
 Naunihal Singh Mann, Lieutenant Sardar.
 Nawazish Ali Shah, Sayed.
 Pir Muhammad, Khan Sahib Chaudhri.
 Pritam Singh Siddhu, Sardar.
 Ram Sarup, Chaudhri.
 Ranpat, Chaudhri.
 Ripduman Singh, Thakur.
 Roberts, Professor W.
 Sahib Dad Khan, Khan Sahib Chaudhri.
 Shahadat Khan, Khan Sahib Rai Shah Nawaz, Mrs. J. A.
 Shah Nawaz Khan, Nawab Khan.
 Sham Lal, Rai Bahadur Chaudhri.
 Singha, Mr. S. P.
 Sita Ram, Lala.
 Sohan Lall, Rai Sahib Lala.
 Sumer Singh, Chaudhri.
 Sundar Singh Majithia, The Honourable Dr. Sir.
 Suraj Mal, Chaudhri.
 Talib Hussain Khan, Khan.
 Tara Singh, Sardar.
 Tikka Ram, Chaudhri.

Mr. Speaker : The question is —

That rule 135 be adopted.

The motion was carried.

The Assembly then adjourned till 9 A.M. on Thursday, 7th April, 1938.

PUNJAB LEGISLATIVE ASSEMBLY

2ND SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Thursday, 7th April 1938.

The Assembly met at the Council Chamber at ~~9.15~~ of the clock. Mr. Speaker in the chair.

QUORUM.

Mr. Speaker : There is no quorum.

(At this stage some members came in.)

Diwan Chaman Lall : We are more than thirty, we are thirty-five.

Premier : As you see there is very thin attendance in the House and personally as you are aware one Governor is handing over to-day and another Governor is taking over charge, and there are many matters of administrative details which we have to work out. Besides this, it is an official day. Personally, I should be glad to sit. If the honourable members of the House want to continue they can continue and some of my colleagues and I can go away and look into those administrative details but if the House cares to adjourn, I would personally have no objection to that adjournment.

Diwan Chaman Lall : May I request you not to permit the adjournment of the House but to continue ?

Mr. Speaker : The Honourable Premier has not requested me to adjourn the House.

Diwan Chaman Lall : The Honourable Premier is suggesting that the House should adjourn. He said if the House desires to adjourn it may adjourn in order that they may attend to the ceremony connected with the taking over charge by the new Governor.

Mr. Speaker : Did he make any suggestion ?

Diwan Chaman Lall : The Honourable Premier used the words :—
“ If the House wishes to adjourn it may adjourn in order.... ”

Mr. Speaker : There is no question of adjournment before the House.

Diwan Chaman Lall : May I suggest that the Honourable Premier and other Ministers, who have duties to perform, may be permitted to perform their duties, but that the House should continue to sit ?

Mr. Speaker : They might leave, if necessary.

Premier : That is what I suggested. I said, if the House, in view of the thin attendance, wants to adjourn, I have no objection because it is an official day—otherwise there is no question of any ceremony.

Minister for Finance : There is no ceremony whatever going on at the moment.

Mr. E. Few : One Governor is handing over and the other Governor is taking over and it is—

Diwan Chaman Lall : Governors come and Governors go, but we go on for ever.

Mr. Speaker : Order, order.

Diwan Chaman Lall : May I draw your attention to the fact that it appears that a deliberate attempt is being made to empty the House on behalf of the Unionist Party in order that there should be no quorum. The Chief Secretary of the Unionist Party is going about asking honourable members to vacate their seats in order that there should not be the requisite quorum. Is that a fair and just way of dealing with public business?

Premier : I do not think that the honourable member is correct.

Diwan Chaman Lall : The Chief Secretary of the Unionist Party has himself been going about and asking honourable members to go out of the House.

Premier : Two members from the opposite side have gone out. Did the honourable member then object?

Diwan Chaman Lall : This is the manner in which the finances of the Punjab Government are being managed by my honourable friends and this is the sense of responsibility that they have towards public business.

Premier : Please do not impute motives.

Diwan Chaman Lall : Why are you not straightforward and say so? Am I imputing motives?

Mr. Speaker : Honourable members should not impute motives.

Diwan Chaman Lall : It is not a question of imputing motives. Honourable members are imputing motives, when they say that it is not so. Let them courageously deny that it is not so. But when they are giving instructions themselves, they have not the courage to accept the challenge and get up to reply. What is the honourable member whispering?

Minister for Finance : Why shout? (*Interruption*).

Mr. Speaker : May I know the rule or law which allows the Honourable Diwan Chaman Lall to speak over and over again without being called by the Chair?

Diwan Chaman Lall : I am drawing your attention to the actual state of affairs prevailing at present.

Premier : I have openly denied it and I do so again. (*Interruption*) But may I ask if all their friends are present over there?

Diwan Chaman Lall : Did not your Secretary ask them to go out?

Mr. Speaker : Let us proceed with questions.

STARRED QUESTIONS AND ANSWERS.

RELEASE OF ISHAR SINGH, A BABBAR AKALI PRISONER.

*2563. **Sardar Ajit Singh :** Will the Honourable Minister of Finance be pleased to state whether it is a fact that one Ishar Singh, a

Babbar Akali prisoner, now confined in Multan Jail is suffering from a chronic stomach trouble and indigestion; if so, whether and when the Government contemplate releasing him?

The Honourable Mr. Manohar Lall: No; therefore the second part of the question does not arise.

**GRANT OF EXTENSIONS TO GOVERNMENT SERVANTS ABOVE THE AGE
OF FIFTY-FIVE.**

***2564. Mian Abdul Rab:** Will the Honourable Minister of Education be pleased to state the number of cases in which he or any of the Heads of Departments under him has been pleased to grant extensions, since April, 1937, with reasons in each case?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz): Extensions were granted as follows:—

Name of the Department.	Number of cases.	Reasons.
1	2	3
Education.. ..	Five	Public interests.
Public Health ..	<i>Nil.</i>	..
Medical	6 ministerial Government servants.	Because the conditions laid down in Fundamental Rules 56 (b) were fulfilled in each case.
	3 non-ministerial Government servants.	In the interest of the public service and because it was not possible to replace them.

Mian Abdul Rab: May I know the nature of the public interest involved in granting extensions to those persons who have completed the age of 55 years?

Parliamentary Secretary: As the honourable member is probably aware, most of these extensions are granted to people who are holding administrative appointments and sometimes it is very difficult to replace—say a head clerk. Therefore, the term of office has to be extended.

Mian Abdul Rab: Is the honourable Parliamentary Secretary aware of the fact that the granting of extensions to these Government servants who have completed the usual age of 55 years accelerates unemployment and hampers the chances of young educated people?

Parliamentary Secretary: Yes, I am aware of that but in public interest sometimes extensions have to be granted to people who have had so much experience of administrative work.

Mian Abdul Rab: Cannot the next man take over charge who is the next senior man on the establishment list?

Parliamentary Secretary : Many times the next man cannot take over charge as he does not possess the necessary experience.

Mian Abdul Aziz : Was it not known to the departments that such and such people would attain the age of 55 years on such and such a date and if this was known, why were no arrangements made previously ?

Parliamentary Secretary : It is true that people have to retire at the age of 55 generally but it has been left to the discretion of the heads of departments to grant extensions whenever they think that in public interest it is necessary to do so.

Mian Abdul Aziz : Will they in future see that all these arrangements are made in proper time ?

Parliamentary Secretary : Arrangements are always made.

Mian Abdul Rab : Is the Government contemplating the laying down of a principle not to grant extension to any official who has attained the age of 55 years ?

Parliamentary Secretary : The Government has it in mind and the question will be considered in due course.

Mian Abdul Rab : Will the Government lay down a general principle for the future that no extension will be granted to any official who has attained the age of 55 years and whosoever he may be ?

Parliamentary Secretary : Government will consider the question.

COMMUNAL REPRESENTATION IN THE OFFICES UNDER INSPECTOR-GENERAL OF POLICE.

***2565. Mian Abdul Rab :** Will the Honourable Premier be pleased to state—

- (a) the number of clerks, community-wise, at present employed in the office of the Inspector-General of Police, Punjab ;
- (b) the number of clerks, community-wise, at present employed in the offices of the Deputy Inspectors-General, Central, Eastern and Western Ranges in the Punjab and the Assistant Inspector-General, Government Railway Police, Lahore ;
- (c) the number of Muhammadans as against the Hindus employed in the office of the Inspector-General of Police, Punjab, since 1920 ;
- (d) the number of clerks community-wise posted as head clerks in the offices of the Deputy Inspectors-General, Central, Eastern and Western Ranges and the Assistant Inspector-General, Government Railway Police, since 1920 ;
- (e) the number of clerks who held the posts of head clerks in the offices of the three Deputy Inspectors-General of Police in the Punjab more than once and their communities ;
- (f) the proportion, community-wise of the head clerks in the offices of the various Superintendents of Police in the Punjab ;

- (g) the date since when a non-Muslim is posted as head clerk in the office of the Senior Superintendent of Police, Lahore?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh): I think it better not to answer this. The honourable member will have heard the replies given to other questions of a communal character. The information which he requires may be available in the consolidated statement. If he wants any further particulars I will be glad to supply if he sees me in my room.

WOODEN BARRIER IN JANDRAKA MINOR OF THE GOGERA BRANCH,
DISTRICT MONTGOMERY.

***2566. Mian Sultan Mahmud Hotiana:** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that in Jandraka minor of the Gogera Branch, district Montgomery, a wooden barrier has been put up by the Canal Department;
- (b) whether it is a fact that at night the zamindars of the locality put extra pieces of wood on the barrier against which the inhabitants of the chaks on the tail have often complained to the Canal authorities; if so, what action the Government propose to take in the matter?

The Honourable Dr. Sir Sundar Singh Majithia: (a) No wooden barrier across the Jandraka Distributary of the Gogera Branch exists.

- (b) Does not arise.

ADMISSION OF PATIENTS TO THE ALBERT VICTOR WARD OF THE MAYO
HOSPITAL.

***2567. Khawaja Ghulam Husain:** Will the Honourable Minister of Education be pleased to state—

- (a) when the Albert Victor ward of the Mayo Hospital at Lahore was started;
- (b) whether there were any specific instructions about the class of patients to be admitted into it;
- (c) whether it is a fact that it was originally meant for better class Indians and they continued to be admitted thereinto for a number of years;
- (d) since when Indians have ceased to be admitted in the said ward;
- (e) whether the said ward is now exclusively reserved for Europeans and Anglo-Indians and better class Indians are not at all admitted thereinto; if so, why and whether Government propose to remove the distinction;
- (f) the special amenities which are available in the said ward?

The Honourable Mian Abdul Haye : (a) In 1890.

(b) Yes.

(c) No.

(d) On the contrary there are always some Indian patients in this ward.

(e) *First part.* No.

Second part. Does not arise.

(f) (i) European food is served at a cost of Rs. 2 per diem on payment by patients.

(ii) The standard of nursing is somewhat higher than that in the Mayo Hospital, Lahore.

NUMBER AND NAMES OF MEMBERS OF JAGADHRI MUNICIPAL COMMITTEE
WHO ABSENTED THEMSELVES FOR 3 MONTHS.

***2568. Chaudhri Muhammad Hassan :** Will the Honourable Minister for Public Works be pleased to state the number and names of the members of the Municipal Committee, Jagadhri, who absented themselves for more than three consecutive months from the meetings of the said committee and the action intended to be taken against them?

Parliamentary Secretary (Shaikh Faiz Muhammad) : Only Lala Kishori Saran, President of the Committee; but as he has since tendered his resignation which is under consideration, no action is intended to be taken against him.

Lala Deshbandhu Gupta : May I know why no action was taken against him before he tendered his resignation.

Parliamentary Secretary : He has tendered his resignation and no further action is called for.

MOVEMENT FOR NON-PAYMENT OF HAI SIYAT TAX IN GUJRAT DISTRICT.

***2569. Sardar Hari Singh :** Will the Honourable Minister of Public Works be pleased to state—

(a) whether he is aware of the movement for non-payment of haisiyat tax in the district of Gujrat;

(b) if answer to (a) above be in the affirmative, causes of the agitation and action proposed to be taken by the Government in the matter?

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

(b) Haisiyat tax was imposed in Gujrat District Board area in 1930, but due to the failure of the Board to prepare the assessment lists for the period 1930-31 to 1934-35, at the proper time, the tax for this period had to be remitted. The assessment lists for the year 1935-36 were, however, prepared in due time, and will remain in force for three years. The previous remissions give a false impression and people thought they could avoid

payment of the tax. This appears to be the reason for the agitation which is now subsiding. Government intends to take no action beyond insisting on the payment of the tax.

Lala Bhim Sen Sachar : May I know how many arrests were made in connection with this agitation ?

Parliamentary Secretary : If the honourable member will wait there is another question on that subject to which reply is being given.

REWARD GRANTEES OF LAND IN PIR MAHAL.

***2570. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the reward grantees of land in Pir Mahal area are now asked by the Government to pay Rs. 700 as nazrana and Rs. 2,800 as price for purchasing proprietary rights ;
- (b) whether it is a fact that similar reward grantees of land in other colonies (Montgomery, Multan and Lyallpur) had to pay much less amount of money either as nazrana or as price for purchasing proprietary rights ;
- (c) if the answer to the above be in the affirmative, the reasons for this differential treatment and whether it is intended to treat the reward grantees in the Pir Mahal area in the Lyallpur district in the same way as the grantees in other colonies were treated ?

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

Rupees 700 represents Rs. 25 per acre *nazrana* (payable in four instalments) on payment of which occupancy rights are conferred.

Rupees 100 per acre is the sum by payment of which proprietary rights are obtained, *viz.*, Rs. 100 payable in instalments at the rate of Rs. 2 per allotted acre and upwards. No penalty attaches to failure to pay.

(b) In the earlier stages of the colonies prices were nominal in order to tempt people to take up land in what was then an experimental area. Later, land was given to reward grantees at a price calculated to represent a figure below the market value, but no longer nominal. To encourage acquisition of proprietary rights, *malikana* representing rent, was assessed on the sliding scale which increased after a period of years. It is true that these later conditions were considerably more onerous than the earlier ones.

(c) (i) The whole position was reviewed in the summer of 1936 and the present orders involving considerable concessions on the original conditions of the grants were passed.

(ii) The reward grantees on the Pir Mahal area will be treated in accordance with the orders most recently passed. It is no longer necessary to treat the Pir Mahal as an experimental colony.

GRANT OF ENHANCED POWERS TO SUB-JUDGES.

***2571. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister of Finance be pleased to state the reasons for which the batch of Sub-Judges appointed after 1929 has not been granted enhanced powers so far according to the rules framed by the High Court in this behalf ?

The Honourable Mr. Manohar Lal : Several batches of Subordinate Judges have been appointed since 1929 and it is not clear to which the honourable member refers. Many of the Subordinate Judges appointed since 1929 are, however, exercising powers higher than those with which they were gazetted on appointment.

DESECRATION OF NATIONAL FLAG AT ADAMPUR.

***2572. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether a National flag was snatched away and thrown in the tank in Adampur on 12th March, 1938 ; if so, have the culprits been traced and what action does the Government propose to take in the matter ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : *First part.* No, the Congress flag carried by certain Congressmen at Adampur on 12th March, 1938, was not snatched away and thrown into a tank by any person. The flag was merely knocked over in the confusion that was caused by the procession organised by the Congressmen.

Second part. Does not arise.

Dr. Gopi Chand Bhargava : May I know whether it is not a fact that a *girdawar kanungo* and one Kesar Singh, an official of the Zamindara League snatched the National flag and threw it in the tank ?

Parliamentary Secretary : I have already replied that the National flag was not snatched away and was not thrown in the tank.

Dr. Gopi Chand Bhargava : May I know whether the Parliamentary Secretary is aware of the fact that there was a *hartal* in the town of Adampur on account of an insult to the National flag ?

Premier : It is not necessary that the *hartal* should take place merely on account of an insult to the National flag because there was no insult to the flag. It might be merely a *peshbandi* as there have been several other *peshbandis*.

Dr. Gopi Chand Bhargava : It is not a question of what might be. I want to know whether it is a fact that a *hartal* took place on account of an insult to the National flag.

Premier : *Hartal* not on account of any disrespect to the so-called National flag.

Dr. Gopi Chand Bhargava : What was the reason of the *hartal* ?

Premier : How could I know ? Possibly those who engineered the *hartal* should know.

Lala Deshbandhu Gupta : What was the police and Criminal Investigation Department report as to the causes of the *hartal* ?

Premier : The police report said that there was no disrespect to the Congress flag.

Lala Deshbandhu Gupta : Did the Criminal Investigation Department report say that people observed *hartal* as they thought that the National flag was disrespected ?

Premier : Not as they thought.

Lala Bhim Sen Sachar : What was the confusion in the procession due to ?

Premier : Due to the unfortunate tendency in certain quarters to stage a demonstration against the creed of the Congress.

Dr. Gopi Chand Bhargava : Is it a fact that the Honourable Minister for Development apologised for the insult to the National flag in the meeting which he addressed ?

Minister for Development : On a report that the flag had been snatched away by certain people I told the audience that as the reported act must have been done for my sake I apologised on my own behalf and on behalf of those who were alleged to have done it.

Lala Deshbandhu Gupta : That was very good on the part of the Development Minister ; but did he verify the incident ?

Minister for Development : No.

Lala Bhim Sen Sachar : Had the Minister any reason to doubt the veracity of the information supplied to him ?

Premier : There is no question of doubting. We have ascertained and it is not a fact.

Dr. Gopi Chand Bhargava : When the attention of the Minister for Development was drawn to this fact, did anybody say that that was not so ?

Premier : There was no occasion for anybody to say that.

Dr. Gopi Chand Bhargava : Did anybody object ?

Minister for Development : Why should anybody object ?

Dr. Gopi Chand Bhargava : When you asserted that such and such people have done so, did anybody stand up and say that that was not so ?

Minister : The man did not say it publicly, he merely informed me.

Lala Bhim Sen Sachar : Who enquired on behalf of Government into the correctness or otherwise of the allegation that the flag was insulted ?

Premier : Government officials.

Lala Bhim Sen Sachar : Who was the Government official ?

Premier : I cannot tell you who was the Government official. Very likely it was some senior officer who would have enquired into it.

Lala Bhim Sen Sachar : Has the Prime Minister looked into the record of this enquiry ?

Premier : Yes, I saw the correspondence and everything connected.

Dr. Gopi Chand Bhargava : May I know whether the attention of the Minister for Development was drawn in the public meeting publicly or privately ?

Mr. Speaker : The honourable member first put a question to one Minister, then he brought in another Minister. This is not in order.

Dr. Gopi Chand Bhargava : I want to know whether it is a fact or not.

Mr. Speaker : Then put the question to the Premier.

Dr. Gopi Chand Bhargava : That is what I am asking the Honourable Premier whether this question was put to the Honourable Minister for Development in a public meeting publicly or privately ? What is the information of the Honourable Premier ?

Premier : My information is that there was no deliberate snatching of the flag and no insult was meant to it.

Dr. Gopi Chand Bhargava : I want to know whether the information that was given to the Honourable Minister for Development was given publicly or privately ?

Premier : It may have been given publicly or privately I cannot say.

Dr. Gopi Chand Bhargava : When it was given publicly, was there any objection raised by any man publicly that the information given to him was wrong ?

Mr. Speaker : This is not a supplementary question.

Dr. Gopi Chand Bhargava : I want to know whether any objection was raised or not to that information ?

Premier : No decent person would raise any objection when the Honourable Minister himself stated that the allegation that was made was true and that it was a bad thing.

Lala Bhim Sen Sachar : With reference to the answer that the confusion was caused by persons who made the demonstration contrary to the creed of the Congress, may I take it that the demonstration was made by the members of the Unionist Party ?

Premier : No, Sir. It is the Congress people who profess to make such demonstrations when there is any trouble. If it was not by the Congress people, it was by somebody else.

Lala Bhim Sen Sachar : Does the Honourable Premier mean that the flag was snatched by the Congress people ?

Mr. Speaker : That question need not be answered.

DEARTH OF DRINKING WATER IN THE KANDI AREA OF UNA TAHSIL.

***2573. Rai Hari Chand :** Will the Honourable Minister of Education be pleased to state whether he is aware of the fact that there is a dearth of drinking water in the Kandi area of Una tahsil, in the Hoshiarpur district ; if so, the steps Government proposes to take to remove the hardship ?

The Honourable Mian Abdul Haye : Yes. A scheme for the construction and repairs of wells in four villages, namely Hambewal, Bangarh, Cholala and Daulatpur in the Una tahsil of Hoshiarpur district at an estimated cost of Rs. 20,915 has been sanctioned and a grant-in-aid of Rs. 18,948 will be allotted for the purpose when funds from Government of India grant are made available.

IRRIGATION OF CERTAIN VILLAGES IN TAHSIL CHUNIAN.

***2574. Sardar Muhammad Husain :** Will the Honourable Minister of Revenue be pleased to state whether the Government is aware of the fact that a large area of the villages Basti Sayad Hakim Shah, Jhuggian Meera, Baqapur, Khabbe, Bhoneka Tharr, Fateh Muhammad Kalan, Fateh Muhammad Khurd, Chhabbar, Chhina, Bela Singh, Arayanwala, situated in the ilaqa Tharr of tahsil Chunian, is not irrigated from the new Dipalpur Canal as the outlets of the aforesaid villages lie at a very low level ; if so, the action the Government intends to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : No. The lands in the villages are satisfactorily commanded by Government channels.

WASTE LAND UNDER OLD UPPER SOHAG CANAL IN TAHSIL CHUNIAN.

***2575. Sardar Muhammad Husain :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that the four or five miles area of land under the bed of the old Upper Sohag Canal from the precincts of bungla Fateh Muhammad Kalan to head Sattoki in ilaqa Tharr of tahsil Chunian is lying waste on account of the opening of the new Dipalpur Canal and that in it *sem* water stagnates in summer and produces *kallar* in the neighbouring areas of the villages Fateh Muhammad Kalan, Fateh Muhammad Khurd, Chhina, Bela Singh and Gara Singhwala ; if so, the action, if any, the Government proposes to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : Four or five miles of the old Upper Sohag Canal is lying waste and water does collect in it in places, but this is not responsible for the appearance of *kallar* in the neighbouring villages. The possibility, however, of draining off this water is at present under investigation.

PROVINCIAL CIVIL SERVICE EXECUTIVE BRANCH EXAMINATION.

***2575-A. Sardar Lal Singh :** Will the Honourable Premier be pleased to state—

(a) whether the Provincial Civil Service (Executive Branch) examination is conducted by the Public Service Commission, Punjab and North-West Frontier Province, every year ;

(b) whether this examination is to be held this year as well ; if so, when and whether the date when this examination is to be held has been notified ;

[Sardar Lal Singh.]

- (c) whether it is a fact that the candidates desiring to appear in the examination are required to get their names registered in the Deputy Commissioner's office by the 1st of April every year; if so, the reasons why they are required to get their names so registered so early?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh): (a) The Punjab and North-West Frontier Province Joint Public Service Commission was established in May 1937 and the examination held in October last was conducted by it. Previously the examination used to be conducted by a Board of Examiners.

(b) Yes, the examination will be held in October, 1938, but the exact date will be notified by the Commission in due course.

(c) The reply to the first part is in the affirmative. In order, however, to give more time to candidates to get their names registered, Government have this year fixed 15th April as the last date for the receipt of applications by deputy commissioners. Past practice has shown that it is necessary to have the registration completed in April.

AMENDMENT OF SECTION 85 OF THE GOVERNMENT OF INDIA ACT, 1935.

***2575-B. Sardar Sohan Singh Josh**: Will the Honourable Premier be pleased to state whether he made any representation to the Secretary of State for India in pursuance of a resolution passed in the last session of the Punjab Legislative Assembly in regard to an amendment of section 85 of the Government of India Act, 1935; if so, whether he is prepared to lay a copy of that representation as well as the reply thereto, if any, on the table of the House?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana): *First part.*—Yes.

Second part.—No.

Lala Bhim Sen Sachar: Why does the honourable member feel chary of placing the correspondence on the table?

Premier: It is no question of feeling chary. If the honourable member realised the demands of propriety, he would have not asked this question.

Lala Bhim Sen Sachar: Will the Honourable Premier have any objection to making a copy of that representation available to this House?

Premier: The House should take my word that a strong representation was made not once but on two occasions.

Mian Abdul Aziz: Will the Honourable Premier be kind enough to remind the Government of India to expedite the matter?

Premier: Yes.

KARTARPUR-KAPURTHALA ROAD.

***2575-C. Sardar Sahib Sardar Gurbachan Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that Public Works Department has taken over Kartarpur-Kapurthala road from the District Board, Jullundur and a sum of Rs. 20,800 have been allotted in the new budget for metalling this road ;
- (b) how many miles of this road are in Government territory and in the State territory separately ;
- (c) whether the Government has inquired or has taken an undertaking from the State authorities that they would metal and keep their portion of the road in perfect order before provincialising this road ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) Yes, only the portion which lies in the British territory.

(b) Four miles are in British territory and three miles in the Kapurthala State.

(c) Does not arise.

IRRIGATION EXPERIMENTS BY TUBE-WELLS.

***2576. Chaudhri Kartar Singh :** Will the Honourable Revenue Minister be pleased to state—

- (a) whether the Government is going to start experiments regarding irrigation by tube-wells in the province ;
- (b) the district or districts in which this experiment is to be started ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) Government is at present conducting general investigations on this subject, which are not yet complete.

(b) Two experimental tube-wells are being run at Qadian in the Gurdaspur district.

Chaudhri Kartar Singh : Is it a fact that the Government intends to work the tube-wells by electricity by way of experiment ?

Parliamentary Secretary : I have said that the Government is trying experiments and has not yet arrived at a definite conclusion.

Chaudhri Kartar Singh : Is it a fact that the Government has started certain tube-wells at Shahdara which are worked by electricity ?

Mr. Speaker : This question does not arise.

Chaudhri Kartar Singh : Is it a fact that the Government propose to start tube-wells in different districts in the province ?

Parliamentary Secretary : How does this arise out of this question ?

Dr. Gopi Chand Bhargava : Are these tube-wells run by electricity or by oil engines ?

Minister : Tube-wells in Qadian are being run by electricity and tube-wells near Lahore would also be run by electricity.

DELAY IN CONVEYING INFORMATION AS TO THE AMOUNT OF GRANTS-IN-AID TO AIDED SCHOOLS.

***2577. Lala Deshbandhu Gupta :** Will the Honourable Minister of Education be pleased to state—

- (a) whether it is a fact that information as to the amount of grant-in-aid to the aided schools from Provincial Revenues is supplied as late as the month of January 1937, for the period beginning from October 1937 to March 1938 ;
- (b) whether it is a fact that such information used to reach by the month of November every year ;
- (c) the action the Government proposes to take to avoid such delay in future ?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : (a) No.

(b) No.

(c) Does not arise.

Lala Deshbandhu Gupta : Is the honourable Parliamentary Secretary sure that in Ambala district the grant-in-aid was not delayed ?

Parliamentary Secretary : I have the whole file here with me and I find that no such delay has taken place in any case.

DUTIES OF PATWARIS TO SUBMIT REPORTS REGARDING PUBLIC MEETINGS.

***2578. Lala Deshbandhu Gupta :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a part of the duties of the patwaris to report public meetings which are held in their *halqas* ;
- (b) whether they are required to send regular diaries about the political activities of the villagers to their high officials ;
- (c) how many prosecutions were launched by Government on the basis of such reports made by the patwaris ;
- (d) whether Government propose to continue this practice in future ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) No.

(b) No, but under section 45 of the Criminal Procedure Code they are under the same obligations as lambardars and owners of land in the matter of reporting crime.

(c) and (d) Do not arise.

Lala Deshbandhu Gupta : With reference to the honourable member's reply to part (b), may I know if the term 'crime' used by him also includes political activities and public meetings held by the Congress?

Parliamentary Secretary : It includes every activity which is intended to disturb law and order.

Diwan Chaman Lall : May I ask the honourable member whether it is a fact that public meetings addressed in villages are reported by the patwaris?

Parliamentary Secretary : Not necessarily all the meetings but as I have already stated, under the Criminal Procedure Code, patwaris like other lambardars and land-owners are under obligation to report to the nearest magistrate or the nearest thana if there is anything happening in the village which is intended to disturb law and order.

Lala Deshbandhu Gupta : Does the honourable member know that there have been prosecutions based on the reports made by these patwaris, who really are incapable of giving correct reports?

Parliamentary Secretary : No, Sir. As a matter of fact no prosecution is made by the Government on the report of patwaris or land-owners.

Diwan Chaman Lall : May I ask the honourable member, if that is so, what is the use of asking patwaris to report those meetings?

Parliamentary Secretary : Just to give information to the magistrates concerned and it is for them to decide whether an investigation should be held on the report made by patwaris or not, and after holding an investigation, if they find that some action is necessary, they take that action.

Lala Bhim Sen Sachar : Do I take it that patwaris are expected to attend all political meetings in villages?

Parliamentary Secretary : It is not necessary for them to attend every political meeting.

Lala Deshbandhu Gupta : Do the Government think that patwaris are competent enough to decide whether a particular public meeting calculated to disturb the peace and harmony and report its proceedings?

Parliamentary Secretary : It depends upon the speeches which are made.

Diwan Chaman Lall : Does it also depend upon the knowledge and intelligence of the patwaris?

Parliamentary Secretary : As I have already said before, the patwaris give intimation to the nearest magistrates that there is likelihood of a certain crime being committed.

Diwan Chaman Lall : May I take it that the patwari is an agent of the Police department?

Parliamentary Secretary : No.

Diwan Chaman Lall : Why are his services utilised as such ?

Parliamentary Secretary : He does not report to the Police department at all.

Lala Bhim Sen Sachar : Is it a fact that patwaris are used as prosecution witnesses in political cases ?

Parliamentary Secretary : As a matter of fact anybody who witnesses a crime to be committed in his presence can be asked to give evidence in a court of law, whether he is a patwari or somebody else.

Diwan Chaman Lall : Has the honourable member's political speech been reported by patwaris ?

Parliamentary Secretary : I want notice for that question.

Pandit Shri Ram Sharma : Is it not a fact that in the Rohtak district a case against Master Prabhu Dayal under section 124-A and B was instituted on the report of a patwari ?

Parliamentary Secretary : If the honourable member gives notice of that particular question, certainly the Government will look into it.

Pandit Shri Ram Sharma : Then how could the honourable member say that no cases are instituted on the patwaris' reports ?

Parliamentary Secretary : No prosecution is launched merely on the report of the patwari.

GIRDAWARI INSPECTION MADE BY THE PRESENT COLLECTOR, LUDHIANA.

***2579. Chaudhri Muhammad Hassan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the date of assumption of office by the present Collector of Ludhiana in that district ;
- (b) the girdawari inspections made by the Collector during the last two years ;
- (c) the names of the villages inspected by him in each tahsil, with area under *rabi* and *kharif* crops inspected by him ;
- (d) whether it is a fact that on all the occasions of his inspection he was accompanied by the tahsildar ;
- (e) whether the present Collector has ever inspected the girdawari of any Beit villages ;
- (f) if so, the names of such villages and their approximate distance from the pacca road ;
- (g) whether the Collector during his girdawari inspections noted *kharaba* in any of the Beit villages ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : (a) 26th June, 1936.

(b) and (c). The preparation of these statistics would require an amount of time and labour out of all proportion to the results obtainable.

(d) No.

(e) Yes.

(f) 40 villages in the district including 14 villages in Beit Ilaga. Practically all the Beit villages are at a distance from the pucca roads.

(g) Appropriate notes on the conditions of the crops was made in the patwari's *roznamcha* as well as in the *Lal Kitab*.

Diwan Chaman Lall : May I ask the honourable member as to how long has he had notice of this question and what has been the reason for this delay ?

Parliamentary Secretary : The honourable member will see that this question requires detailed information for the whole province and it will take considerably long time to collect all the information.

Lala Bhim Sen Sachar : May I know if any attempt has been made to obtain this information ?

Parliamentary Secretary : The information is being collected.

HEAD CONSTABLES SENT TO THE PHILLAUR TRAINING SCHOOL FOR
UPPER CLASS EXAMINATION.

***2580. Chaudhri Muhammad Hassan :** Will the Honourable Premier be pleased to state—

- (a) the number of head constables sent to the Phillaur Training School for the upper class examination during the last six months by the present Superintendents of Police in the province ;
- (b) the names, the home districts, the length of service and the educational qualifications and the caste of each of them ;
- (c) the names, home districts, length of service, educational qualifications and the caste of each of those who were passed over on each occasion when making recommendations ?

The Honourable Major Sir Sikander Hyat-Khan : (a) The course which head constables undergo at Phillaur is the intermediate course. Thirty-six head constables underwent this course during the year 1937.

(b) The collection of this information would involve a great deal of labour and the honourable member will perhaps not press for it.

(c) In accordance with police rule 18.9 (1) the criterion for selection for the intermediate course is merit. Two hundred and fifty-six head constables senior to some of those who went on the course were not selected.

COMPLAINTS OF CORRUPTION AGAINST POLICE OFFICIALS RECEIVED BY
SUPERINTENDENT OF POLICE, LUDHIANA.

***2581. Chaudhri Muhammad Hassan :** Will the Honourable Premier be pleased to state—

- (a) the number of complaints of corruption against police officials received directly by the present Superintendent of Police,

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Ludhiana, and the number of complaints forwarded to him by the political organizations or their office bearers and other individuals ;

- (b) the action taken on each of them ;
- (c) the number of complaints still pending with him ;
- (d) by whom the preliminary inquiries were made in each of the complaints of corruption mentioned in (a) above ?

The Honourable Major Sir Sikander Hyat-Khan : (a), (b), (c) and (d) The present Superintendent of Police, Ludhiana, has received one complaint of the kind mentioned. This was a complaint against two constables of beating and extorting Rs. 19 from one Lehr Singh of Phillowal, while investigating a burglary case of Police Station, Dhilon. The complaint was investigated by the Deputy Superintendent of Police, and the two constables were dismissed from the force with effect from the 19th December, 1937.

ARRESTS IN GUJRAT DISTRICT IN CONNEXION WITH HAI SIYAT TAX.

***2582. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Public Works be pleased to state whether any arrests have recently been made in Gujrat district in connexion with the realization of haisiyat tax ; if so, whether any representations were made by those arrested and, if so, the action taken thereon ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : Yes, eleven persons of village Jhironwali, in district Gujrat, were arrested for non-payment of the haisiyat tax, but all of them have since paid up the tax and have been released. No representations were made by the persons arrested.

Dr. Gopi Chand Bhargava : May I know whether they refused to pay the tax or objected to the methods of taxation ?

Parliamentary Secretary : They objected to pay the tax.

Diwan Chaman Lall : May I know whether it is a fact that in one case a relative of a man who was liable for this payment was arrested instead of the man himself ?

Parliamentary Secretary : I cannot give that information off-hand. If the honourable member gives notice, I shall inquire.

Diwan Chaman Lall : May I know whether in each of these eleven cases only those were arrested who were liable for the payment of tax ?

Parliamentary Secretary : Presumably yes, unless my honourable friend has information to the contrary.

Dr. Gopi Chand Bhargava : Will he, please, state whether any attempt was made to realise the tax before these people were arrested ?

Parliamentary Secretary : Arrest is resorted to after every other attempt to realise the tax has been tried without success.

MAINTENANCE OF A REGISTER OF VOTERS FOR THE SPECIAL
UNIVERSITY ASSEMBLY SEAT.

***2583. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Education be pleased to state whether the University maintains a register for the voters entitled to vote for the special University Assembly seat; if not, why not?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : The University maintains a Register of graduates as required under clause (2) of section 7 of the Indian Universities Act. The Register for the voters entitled to vote for the special University Assembly seat is prepared by the University when it is asked by the Reforms Commissioner to do so and on the lines laid down by him.

Dr. Gopi Chand Bhargava : Will the honourable member please state whether it is a fact that those people who wanted their names to be registered were refused registration?

Parliamentary Secretary : This is a very vague question, but as I have already told the honourable member all the names of the voters that are on the University Register are entered in the list of voters prepared according to the lines laid down by the Reforms Commissioner.

Dr. Gopi Chand Bhargava : Is the preparation of the University Register also under the control of the Punjab Government?

Parliamentary Secretary : No, it is under the control of the University.

Dr. Gopi Chand Bhargava : Does not the Government consider it necessary to have control over the register for the voters?

Parliamentary Secretary : The University is a central subject and the power already given to the University which is an autonomous body, cannot be taken over by the Punjab Government.

Dr. Gopi Chand Bhargava : Do I take it that the preparation of the electoral roll is under the power of the University?

Parliamentary Secretary : It is under the control of the Reforms Commissioner, but the Register is under the control of the University.

Diwan Chaman Lall : If it is a fact that the electoral roll is under the Reforms Commissioner, why cannot the Reforms Commissioner demand a correct register from the University?

Parliamentary Secretary : The register is kept by the University and it is taken as a correct record. It is for the University to supply the names of the voters according to the rules laid down by the Reforms Commissioner.

Diwan Chaman Lall : Is there anything to prevent the Reforms Commissioner from keeping his own register in his own department according to the rules laid down by him?

Parliamentary Secretary : There is nothing to prevent him from doing so but the keeping of such a register is primarily the concern of the University.

Lala Bhim Sen Sachar : Did the Reforms Commissioner satisfy himself that the electoral roll was correctly prepared ?

Parliamentary Secretary : Yes. The Reforms Commissioner has to appoint a returning officer and it is his duty to see that everything is correctly prepared.

Dr. Gopi Chand Bhargava : Does he look into the complaints to the effect that the register is not correctly prepared and many voters are not included in the voters' register ?

Parliamentary Secretary : The Reforms Commissioner has to look into every complaint that is submitted to him.

Dr. Gopi Chand Bhargava : What is the purpose of keeping that register, whether it is for the preparation of voters' list for the Assembly seat or for the list for election to Fellowship ?

Parliamentary Secretary : As the honourable member knows it is kept for the election of Fellows.

Dr. Gopi Chand Bhargava : Is it a fact that a man must be on the University Register for two years before the electoral roll is prepared ? If so, does the University keep a register for such persons who want to be enrolled two years before the actual voters' list is prepared ?

Parliamentary Secretary : The University enrolls all these persons as members of the University, not with a view to their being registered as voters.

Dr. Gopi Chand Bhargava : How many years does it require to be on the electoral roll to qualify for the Fellowship ?

Parliamentary Secretary : There are different rules.

Dr. Gopi Chand Bhargava : Therefore a man of five years' standing cannot get himself registered if he wants to be a voter for the University ?

Mr. Speaker : That is an argument.

Diwan Chaman Lall : The point is this. Is it not a fact that a certain qualification is necessary for enrolment on the register for the purpose of Fellowship voting for the Senate, but the same qualification is not necessary for voting for the University seat ? Would that register not exclude a large number of graduates who would be entitled to vote merely because the register utilised by the Reforms Commissioner is the Register of the University ?

Parliamentary Secretary : That has been the trend of all the questions. If only those names are entered as voters to the Assembly that were registered for voting for Fellowship there is bound to be a difference, but the register of votes is prepared on the lines laid down by the Reforms Commissioner.

Premier : Separate register is kept specifically for the purpose of our Assembly elections.

Dr. Gopi Chand Bhargava : Is it a fact that the Registrar refused to register two men because he did not keep a register ?

Parliamentary Secretary : As I have already explained the electoral roll is prepared on the lines laid down by the Reforms Commissioner.

Dr. Gopi Chand Bhargava : Will the honourable member please state whether the matter has been referred to the Federal Court or not?

Parliamentary Secretary : There is no need to refer such matters to the Federal Court.

Mr. Speaker : The next question.

SHADOWING OF MR. TIKA RAM SUKHAN (CONGRESS SOCIALIST
WORKER) BY POLICE.

***2584. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether some time ago he had received a letter from Mr. Tika Ram Sukhan, a Congress Socialist Worker, stating therein that he is being shadowed by the police; if so, what action he proposes to take in the matter?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : *First part.* Yes.

Second part. As stated in answer to similar questions on previous occasions I regret I must decline to answer such questions.

Diwan Chaman Lall : Why is the honourable member not prepared to answer such questions?

Parliamentary Secretary : Public interest.

Diwan Chaman Lall : Is it the interest of Mr. Tika Ram Sukhan or the policeman who shadows him?

Parliamentary Secretary : Public interest.

***2585. Dr. Gopi Chand Bhargava :** Sir, I do not want to put question No.* 2585¹.

AMENDMENTS IN POLICE RULES REGULATING CALCULATIONS OF
POLICE POSTS' COSTS.

***2586. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state—

(a) whether police rules, regulating the calculations and recoveries of the costs of additional police posts located under section 15 of the Police Act, 5 of 1861, have been amended to avoid excess recoveries of the costs in future;

(b) if the answer to (a) above be in the affirmative, whether he will kindly place on the table of the House a copy of the amendments effected?

¹See pages 774-75 *infra*.

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) :
(a) The underlying idea in effecting the amendments was to clarify what had always been the intention of the rules.

(b) Does not arise but the honourable member is referred to the reply to question No. 206¹, asked by Dr. Sant Ram Seth.

OFFICE SUPERINTENDENTS IN THE HIGH COURT, LAHORE.

***2587. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Finance be pleased to lay on the table a statement showing the names of Office Superintendents in the High Court, Lahore, the length of their service, their qualifications with the names of those, if any, whom they have superseded at time of their promotion and the length of service and the qualifications of those superseded by them ?

The Honourable Mr. Manohar Lal : A statement showing the names of Office Superintendents in the High Court, Lahore, the length of their service and their respective qualifications is laid on the table. With regard to the latter part of the question, the honourable member is informed that the posts of Superintendents in the office of the High Court are in a selection grade and no question of supersession, therefore, arises in making appointments thereto.

Statement.

Name.	Length of service.	Qualifications.
1	2	3
1. Sardar Narwant Singh.	30 years, 1 month and 5 days.	Matriculate. Passed Subordinate Accounts Service Examination of the Government of India prescribed for appointments of Superintendents and Assistant Accounts Officers in the offices of the Accountants-General in India. His services were specially obtained for the post of Superintendent, Accounts Branch in the High Court in 1926 from the Accountant-General's Office, Punjab.
2. Mr. H. O. Taylor	12 years, 3 months and 15 days.	Passed Junior Cambridge Examination. For Senior Cambridge Examination see correspondence ending with Punjab Government letter No. 2222-Gaz., dated the 20th January, 1931. He has been accepted as eligible for appointment to the Judicial Branch of the P. C. S. upon passing the qualifying test. A reference to the correspondence ending with Punjab Government letter No. 105-H. G., dated 3rd January, 1927, will show that he was specially transferred to the High Court from the Punjab Civil Secretariat with the promise of accelerated promotion to the post of Superintendent and the Gazetted Ministerial posts.

Name.	Length of service.	Qualifications.
1	2	3
3. Lala Salig Ram..	33 years, 2 months and 13 days.	Matriculate.
4. Mr. Hari Chand Mahindroo.	9 years and 2 months	B.A. (Hons.), LL.B., F.R.E.S. (London) Barrister-at-Law. Recommended for nomination to the post of Extra Assistant Commissioner on Register A II.
5. Lala Sardari Lal	5 years and 8 months	B.A., LL.B.
6. M. Arif Ali ..	24 years, 1 month and 7 days.	Matriculate.
7. M. Hussain Bakhsh	30 years, 5 months and 14 days.	Matriculate.
8. Mr. D. F. R. Lemeur.	7 years and 17 days ..	University of Cambridge School Certificate Examination (Senior Cambridge), passed with honours in December, 1930 and standard of pass marks obtained accepted as equivalent to the London Matriculation Standard of the University of London. Recommended for nomination to the post of Extra Assistant Commissioner on Register A-II.
9. M. Mohammad Abdulla.	30 years, 4 months and 21 days.	B.A., LL.B.

ARREARS OF HOUSE-RENT DUE FROM DEPUTY REGISTRAR, HIGH COURT.

***2588. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Finance be pleased to state whether any house-rent arrears are due from Deputy Registrar, High Court; if so, how much and why?

The Honourable Mr. Manohar Lall : I regret that the answer to this question is not ready.

RULES *re* ACCELERATED PROMOTIONS IN MINISTERIAL STAFFS.

***2589. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to lay on the table of the House a copy of the rules, if any, according to which accelerated promotions are given to the Ministerial staff in various Government departments?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : There are no general rules governing accelerated promotions among ministerial Government servants in the various departments of Government. Rules have of course been issued by Government under the Civil Services (Classification, Control and Appeal) Rules in respect of the various subordinate ministerial services, which provide *inter alia* that appointment to any post

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in the service by the promotion of officials already in the service shall be made strictly by selection and no official shall have any claim to such appointment as of right.

Dr. Gopi Chand Bhargava : May I know whether the honourable member has received any representation from certain people that they have been debarred simply because they were not favourites of the heads of departments ?

Parliamentary Secretary : No.

PUNJABI AND NON-PUNJABI GIRLS IN MEDICAL SCHOOL FOR
WOMEN AT LUDHIANA.

***2590. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Education be pleased to state the number of Punjabi girls as also the number of non-Punjabi girls reading in the Medical School for Women at Ludhiana ?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : The number of girls reading in the Medical School for Women, Ludhiana, is :—

			<i>Punjabi Students.</i>	<i>Non-Punjabi Students.</i>
Licentiates	..	..	65	65
Compounders	..	..	11	5
Nurses ..	..	..	20	40
Midwives and Nurse <i>dais</i>	..	..	76	4
Indigenous <i>dais</i>	..	..	80	..

Dr. Gopi Chand Bhargava : May I know whether it is a fact that the Punjabi students have been refused admission on account of lack of accommodation ?

Parliamentary Secretary : Yes.

Dr. Gopi Chand Bhargava : Then why does the Government pay for the education of non-Punjabi students at the cost of the Punjabi students ?

Parliamentary Secretary : As the honourable member is aware, Dr. Brown who is in charge of the school is of exceptional fame and the Medical School at Ludhiana is supposed to be an All-India institution. In the interests of the province, an All-India institution of this type is really good to have. As has been shown by the figures that I have supplied, in almost every category of persons under training except in one, the Punjabi students are greater in number than the others.

Dr. Gopi Chand Bhargava : May I enquire whether the Government is not prepared to make arrangements for the education of Punjabi girls and yet pay the Ludhiana School for the education of non-Punjabi girls at the cost of the Punjabi students ?

Parliamentary Secretary : As the honourable member is aware there are a large number of Punjabi students there and the Government is only giving a grant-in-aid and does not wholly maintain that School.

Diwan Chaman Lall : May I know whether it is a fact that the grant-in-aid given to the Ludhiana Medical School is practically equal to the grant-in-aid given to the Amritsar School which is nearly a lakh of rupees a year ?

Parliamentary Secretary : As I have stated in reply to the Leader of the Opposition, to get the necessary training under a lady of Dr. Brown's experience is very valuable for the Punjabi girls.

Diwan Chaman Lall : Therefore, is it not more essential that Punjabi girls should have the chance of getting this training in preference to girls from other provinces ?

Parliamentary Secretary : Such preference is usually given and that is proved by the large number of Punjabi students that are getting the training there.

Diwan Chaman Lall : May I know whether it is not a fact that the two important courses are licentiates and nurses and as far as the licentiate course is concerned only half the number are Punjabi students and as far as the nurses are concerned 40 come from outside the Punjab and only 20 are taken from the Punjab ?

Parliamentary Secretary : As the honourable member is already aware, for a very long time it was very difficult to get the requisite number of Punjabi girls for medical institutions and it is only recently that Punjabi girls are coming forward in large numbers to qualify for the medical profession and we are trying to provide for them in several institutions. We have had talks with Dr. Brown to this effect.

Diwan Chaman Lall : Has the Government decided to make it clear to Dr. Brown that unless Punjabi girls are given preference in this institution, the grant-in-aid will cease ?

Mian Abdul Rab : Is the Parliamentary Secretary aware of the fact that with the grant-in-aid given to this institution Government can run its own medical school ?

Parliamentary Secretary : Yes, but the Government may not be able to secure the services of such a renowned lady who knows so much about the conditions in India.

Mian Abdul Rab : Supposing she dies to-morrow ?

Mr. Speaker : Hypothetical questions cannot be allowed. (*Laughter*).
The next question.

NUMBER OF NOMINATED AND ELECTED MEMBERS OF PUNJAB
STATE MEDICAL FACULTY.

***2591. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Education be pleased to state the number of members of Punjab State Medical Faculty, how many of them are nominated and how many of them are elected ?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : The members are elected by the Governing Body after examination.

[Parliamentary Secretary]

The honourable member perhaps refers to the Governing Body of the Faculty. This consists of a President and eleven members, all appointed by Government.

Dr. Gopi Chand Bhargava : Does the Government consider making it an elected body instead of a nominated body ?

Parliamentary Secretary : That is a request for action.

Dr. Gopi Chand Bhargava : Does Government propose to do it ?

Parliamentary Secretary : Government will be prepared to give it their full consideration.

Lala Bhim Sen Sachar : Does Government intend considering the desirability of so amending the Act ?

Parliamentary Secretary : I have already said that they are prepared to give full consideration to the question.

DAMAGE TO LANDS DUE TO WATERLOGGING IN KARNAL DISTRICT.

***2592. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Revenue be pleased to state whether any harm has been done to land due to waterlogging in Karnal district ; if so, to what extent and the steps that the Government proposes to take to remove this complaint of the people of Karnal district ?

The Honourable Dr. Sir Sundar Singh Majithia : Five thousand five hundred and seventy-seven acres of land have been damaged by *thur* and *sem* in the Karnal District where the waterlogged areas are mainly confined to depressions along the Western Jumna Canal. These depressions are gradually being silted up and reclaimed for cultivation by passing canal water through them.

NOMINATED AND ELECTED MEMBERS OF THE PUNJAB MEDICAL COUNCIL NOMINATED BY GOVERNMENT.

***2593. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Education be pleased to state the number of members of the Punjab Medical Council, how many of them are nominated and how many are elected ?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : The attention of the honourable member is invited to section 5 of the Punjab Medical Registration Act, 1916.

Dr. Gopi Chand Bhargava : May I know whether it is a fact that the president is a nominated man and a majority of the members are nominated either ?

Parliamentary Secretary : Yes.

Dr. Gopi Chand Bhargava : Does the Government propose to make it an elected body ?

Parliamentary Secretary : It is a request for action.

Dr. Gopi Chand Bhargava : Have they considered this question ?

Parliamentary Secretary : That is again a request for action.

Lala Bhim Sen Sachar : Have the Government ever considered the desirability of so amending the Act or rules as to eliminate the nominated element ?

Parliamentary Secretary : Government is always prepared to give and does give full consideration to all questions addressed to it and does its best in public interest.

Lala Bhim Sen Sachar : Will the Parliamentary Secretary please state whether the Government as a matter of fact have given consideration to this question ?

Parliamentary Secretary : Does this arise out of this question ? It is a request for action.

Dr. Gopi Chand Bhargava : May I know whether the Government has decided not to make it an elected body ?

Parliamentary Secretary : Government has not come to any decision.

Dr. Gopi Chand Bhargava : When can the Government be expected to come to any decision ?

Lala Bhim Sen Sachar : When was this question last taken into consideration ?

MEDICAL OFFICER IN CHARGE OF THE PUNJAB MENTAL HOSPITAL.

***2594. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Education be pleased to state—

(a) whether the Medical Officer in charge of the Punjab Mental Hospital has applied for leave ; if so, for how long a period ;

(b) who is proposed to officiate in his place ?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : (a) Yes, he is proceeding on six months' combined leave.

(b) Deputy Medical Superintendent of the hospital, who is a P.C.M.S. officer, will officiate in his place.

Dr. Gopi Chand Bhargava : Was any proposal ever made and considered by the Government to appoint an I.M.S. officer ?

Diwan Chaman Lall : Where did the Government get the inspiration to do the right thing ?

Parliamentary Secretary : The Government always does the right thing and if he were to study these files he will know that on the first opportunity which has occurred where we could do so, a P. C. M. S. officer has been appointed.

Diwan Chaman Lall : How many questions were addressed to the honourable member as a result of this agitation ?

Parliamentary Secretary : This question was decided long before these questions were addressed (*hear, hear*).

DEMAND AND FORFEITURE OF SECURITIES OF NEWSPAPERS AND
PRESSES IN THE PUNJAB.

***2595. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to lay on the table a statement showing the names of the newspapers and the presses in the Punjab—

(a) which were asked to deposit security with the amount of security deposited by them during the period from 1932 to 1937 ;

(b) whose security was forfeited with the amount thus forfeited during the said period ?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (b) : Statements giving the required information are laid on the table.

Lala Deshbandhu Gupta : Will the honourable member kindly state whether there have been any cases of newspapers which have filed declarations without security having been demanded from them ?

Premier : It does not arise out of this question.

Lala Deshbandhu Gupta : It does. I want to know whether he is aware of the fact that almost in every case security deposit is demanded by the Punjab Government on an application being made ?

Premier : Not necessarily. Not in every case.

Lala Deshbandhu Gupta : Have there been any exceptions ?

Premier : Several.

Lala Deshbandhu Gupta : Can the Honourable Premier point out one ?

Premier : Not without notice.

Dr. Gopi Chand Bhargava : What are the reasons for demanding security from the *Kundan*, a Gurmukhi paper, published weekly ?

Premier : I am afraid the honourable member will have to give me notice.

Lala Deshbandhu Gupta : Was the order passed by the Premier ?

Premier : I do not pass orders in all these cases. The District Magistrates are authorised under the law and the rules to demand security.

Lala Deshbandhu Gupta : Do such orders passed by the District Magistrates come to the notice of the Premier and does he revise these orders ?

Premier : I get regular statements.

Lala Deshbandhu Gupta : Has he ever interfered in these orders passed by the District Magistrates ?

Premier : If the honourable member has followed press reports he should know that I have interfered.

Lala Deshbandhu Gupta : Has he issued instructions to the District Magistrates to be more liberal in view of the fact that a so-called autonomous Government is now in power ?

Premier : That is not a question of an autonomous Government.

Lala Deshbandhu Gupta : Then is it the same old rule ?

Premier : No. It is not a question of an autonomous or a so-called autonomous Government as my honourable friend puts it, it is a question of law and its interpretation and the District Magistrates' discretion cannot be fettered.

Lala Deshbandhu Gupta : Is the honourable member aware of the strong resentment in the press that Press laws have been exercised stringently during the last year ?

Premier : Resentment on my side is even stronger, because they have been trying to inflame communal bitterness.

List of newspapers and printing presses whose securities were forfeited during the years 1932 to 1937.

Serial No.	Name of newspaper or printing press whose security was forfeited.	Amount forfeited.
1	2	3
		Rs.
1	Ahrar (Lahore)	500
2	Zamindar (Lahore)	1,000
3	Ditto	2,000
4	Mushkil Kusha (Qadian)	250
5	Nav Yug Press, Lahore	500
6	Dukhi Kisan (Jullundur)	1,000
7	Siyasat (Lahore)	3,000
8	Kirti (Gurmukhi) (Amritsar)	2,000
9	Workers Press, Amritsar	2,000
10	Milap (Lahore)	1,000
11	Dukhi Dunia Press, Amritsar	1,000
12	Nav Yug Press, Lahore	1,000
13	Siyasat Press, Lahore	1,000

[Premier]

List of newspapers and printing presses from which securities were required during the period from 1932 to 1937.

1	2	3	4
Serial No.	Names of newspapers or printing presses which were required to deposit security.	Amount deposited.	REMARKS.
	1932. <i>Newspapers.</i>	Rs.	
1	Punjab Kesari (Lahore) .. ..	..	Did not deposit security
2	Desh Sewak (Jullundur) .. ..	..	Ditto ditto.
3	Desh Sewak (Lahore) .. ..	..	Ditto ditto.
4	Akali (Amritsar) .. ..	..	Ditto ditto.
5	Akali-te-Pardesi (Amritsar) .. ..	..	Ditto ditto.
6	Vir Kesari (Lahore) .. ..	..	Ditto ditto.
7	Milap (Lahore)	3,000	
8	Vir Bharat (Lahore)	3,000	Security refunded later on.
9	Asli Qaumi Dard (Amritsar) .. ..	..	Did not deposit security.
10	Inqilab (Lahore)	500	Security refunded later on.
11	Vir Bharat (Sialkot) .. ..	..	Did not deposit security.
12	Pratap (Lahore)	3,000	Security refunded later on.
13	Sadaqat (Lahore) .. ..	..	Did not deposit security.
14	Daler (Okara) .. ..	..	Ditto ditto.
15	Sadhu Samachar (Amritsar) .. ..	..	Ditto ditto.
16	Desh Bandhu (Lahore) .. ..	..	Ditto ditto.
17	Zamindar (Lahore)	1,000	Amount deposited in January 1932.
		3,000	Amount deposited in April 1932.
18	Mutalaa (Ludhiana)	250	Security refunded later on.
19	Akali-te-Pardesi (Lahore)	500	Ditto ditto.

1	2	3	4
Serial No.	Names of newspapers or printing presses which were required to deposit security.	Amount deposited	REMARKS.
		Rs.	
	<i>Printing Presses.</i>		
20	Virjanand Press, Lahore	2,000	Security refunded later on.
21	Khalsa National Press, Jullundur .. ..	..	Did not deposit security.
22	Mercantile Press, Lahore	3,000	Security refunded later on.
23	Maqbul-i-Am Press, Lahore	1,500	Ditto ditto.
24	Sri Ganga Electric Press, Amritsar .. ..	..	Did not deposit security.
25	Onkar Press, Amritsar .. ..	..	Ditto ditto.
26	Iqbal Steam Press, Lahore .. ..	..	Ditto ditto.
27	Nizami Press, Lahore .. ..	..	Ditto ditto.
28	Desh Press, Lahore .. ..	..	Ditto ditto.
29	Khalsa Pardesi Malwa Press, Amritsar .. ..	..	Ditto ditto.
30	Public Press, Sialkot .. ..	..	Ditto ditto.
31	Mehtab Barqi Press, Amritsar .. ..	..	Ditto ditto.
32	Parkash Steam Press, Lahore .. ..	..	Ditto ditto.
33	Punjab Printing Press, Montgomery .. ..	..	Ditto ditto.
34	Kirti Press, Amritsar .. ..	..	Ditto ditto.
35	Harnam Press, Amritsar .. ..	..	Ditto ditto.
36	Educational Printing Works, Lahore	500	Security refunded later on.
37	Ahuja Printing Works, Lahore .. ..	..	Did not deposit security.
38	Akali Press, Lahore	500	Security refunded later on.
39	Public Printing Press, Montgomery	1,500	Ditto ditto.
40	Narindar Press, Rawalpindi	500	Ditto ditto.

[Premier]

1	2	3	4
Serial No.	Names of newspapers or printing presses which were required to deposit security.	Amount deposited.	REMARKS.
	1933. <i>Newspapers.</i>	Rs.	
1	Zamindar (Lahore)	4,000	Security refunded in May 1933.
		3,000	Security refunded in March 1934.
2	Akali Patrika (Lahore)	500	Security refunded in November 1935.
3	Nawan Yug (Lahore)	500	Security refunded in May 1934.
4	Mubahila (Amritsar) .. ..	..	Did not deposit security.
5	Nawan Yug (Lahore) .. ..	..	Ditto ditto.
6	Chandan (Lahore)	500	Security refunded later on.
7	Tiryaq (Lahore)	500	Ditto ditto.
8	Dawn (Lahore)	500	Ditto ditto.
9	Azad (Lahore)	200	Ditto ditto.
10	Kirti (Amritsar)	1,000	Ditto ditto.
	<i>Printing Presses.</i>		
11	Sudharak Press, Amritsar .. ..	..	Did not deposit security.
12	Varma Electric Press, Amritsar .. ..	..	Ditto ditto.
13	Akali Patrika Printing Press, Lahore ..	500	Security refunded later on.
14	Phulwari Press, Lahore	500	Ditto ditto.
15	Mubahila Press, Amritsar .. ..	..	Did not deposit security
16	Narain Press, Dera Ghazi Khan	500	....
17	Mansur Steam Press, Lahore	500	Security refunded in March 1934.
18	Paramount Electric Press, Lahore	500	Security refunded later on.
19	Madan Printing Press, Lahore .. ..	..	Did not deposit security.
20	Roshan Steam Press, Lahore .. ..	..	Ditto ditto.

1	2	3	4
Serial No.	Names of newspapers or printing presses which were required to deposit security.	Amount deposited.	REMARKS.
	1933—concluded. <i>Printing Presses.</i>		
21	Inqilab Steam Press, Lahore .. ..	..	Did not deposit security.
22	Lakshmi Art Steam Press, Rawalpindi ..	1,000	Security refunded later on.
23	Sahni Printing Press, Rawalpindi ..	500	Ditto ditto.
24	Edward Press, Rawalpindi	500	Ditto ditto.
25	Singer Press, Amritsar	1,000	Ditto ditto.
26	Gouldsbury Press, Jhelum	500	Ditto ditto.
	1934. <i>Newspapers.</i>		
1	Prabhat (Lahore) .. ..	..	Did not deposit security.
2	Azad (Lahore) .. ..	..	Ditto ditto.
3	Zamindar (Lahore)	3,000	Security refunded in August 1934.
4	Ihsan (Lahore)	500	....
5	Zamindar (Lahore)	3,000	Security refunded in December 1934.
6	Arya Gazette (Lahore)	1,000	..
7	Zamindar (Lahore)	3,000	Security refunded in December 1937.
8	Tiryaq (Lahore)	200	Security refunded later on.
9	Rahnuma (Rawalpindi)	100	Ditto ditto.
10	Nawan Dhandora (Ludhiana)	250	Ditto ditto.
11	Naujawan Sikh (Rawalpindi)	300	Ditto ditto.
12	Naujawan (Lahore)	500	Ditto ditto.
13	Young Punjab (Lahore)	200	Ditto ditto.
	<i>Printing Presses.</i>		
14	Ahmadiya Press, Amritsar .. ..	..	Did not deposit security.
15	Nami Press, Lahore.. ..	500	Security refunded later on.
16	Virjanand Press, Lahore	2,000	Ditto ditto.

[Premier.]

1	2	3	4
Serial No.	Names of newspapers or printing presses which were required to deposit security.	Amount deposited.	REMARKS.
	1934.		
	<i>Printing Presses—concl'd.</i>	Rs.	
17	Punjab National Steam Press, Lahore .. ..	..	Did not deposit security.
18	Sahely Press, Lahore .. ..	..	Ditto ditto.
19	Misri Electric Press, Lahore	500	
20	Kesari Printing Press, Lahore	500	Security refunded later on.
21	Iqbal Barqi Press, Sialkot .. ..	..	Did not deposit security.
22	Gilani Electric Press, Lahore	1,000	
23	Karimi Press, Lahore	1,000	Security refunded later on.
24	King Press, Rawalpindi	100	Ditto ditto.
25	Commercial Printing Press, Rawalpindi	100	Ditto ditto.
26	Northern Printing Press, Rawalpindi	100	Ditto ditto.
27	Master Printing Press, Rawalpindi	300	Ditto ditto.
28	Eastern Printing Press, Rawalpindi	300	Ditto ditto.
29	Mansur Steam Press, Lahore	1,000	Ditto ditto.
30	Ditto ditto .. ..	..	Did not deposit security.
	1935.		
	<i>Newspapers.</i>		
1	Alankar (Lahore) .. ..	..	Did not deposit security.
2	Balidan (Lahore) .. ..	..	Ditto ditto.
3	Jiwan (Multan) .. ..	..	Ditto ditto.
4	Mohsin (Multan) .. ..	..	Ditto ditto.
5	Pratap (Lahore)	3,000	Security refunded later on.
6	Matwala (Lahore)	200	Ditto ditto.
7	Mushkil Kusha (Qadian)	250	..
8	Bharat Mata (Lahore)	500	Security refunded later on.

1	2	3	4
Serial No.	Names of newspapers or printing presses which were required to deposit security.	Amount deposited.	REMARKS.
		Rs.	
	<i>Newspapers—conold.</i>		
9	Akali Patrika (Lahore)	500	Security refunded later on.
10	Kirti (Amritsar) (Gurmukhi)	1,000	Ditto ditto.
11	Masjid (Lahore)	500	Ditto ditto.
	<i>Printing Presses.</i>		
12	Co-operative Steam Press, Lahore	1,000	Security refunded later on.
13	Nav Yug Press, Lahore	1,000	Security deposited on 21st February, 1935.
		1,000	Security deposited on 18th April, 1935.
14	Multan Electric Press, Multan	2,000	
15	Iqbal Barqi Press, Multan .. ..	..	Did not deposit security.
16	Hindustan Press, Lahore .. ..	..	Ditto ditto.
17	Hodjazi Press, Lahore	500	Security refunded later on.
18	Workers Press, Amritsar	1,000	Ditto ditto.
19	Akali Patrika Press, Lahore	500	Ditto ditto.
	• 1936.		
	<i>Newspapers.</i>		
1	Sat Jug (Bhainiwalla)	500	..
2	Mujahid (Lahore) .. ..	..	Did not deposit security.
3	Kirti (Gurmukhi) (Amritsar)	2,000	..
4	Desh Dardi (Amritsar) .. ..	..	Did not deposit security.
5	Alamgir (Sargodha)	500	Security refunded later on.
6	Akali Patrika (Lahore)	500	..
7	Siyasat (Lahore)	3,000	..
8	Kirti (Urdu) (Amritsar) .. ..	..	Did not deposit security.

[Premier.]

1	2	3	4
Serial No.	Names of newspapers or printing presses which were required to deposit security.	Amount deposited.	REMARKS.
	<i>Newspapers—conold.</i>		
9	Kesari (Ludhiana)	250	Security refunded later on.
10	Kirti (Urdu) (Amritsar)	1,000	Ditto ditto.
11	Moin-ul-Atibba (Shahpur)	100	
12	Dukhi Kisan (Jullundur)	1,000	
13	Akali (Lahore)	500	Security refunded later on.
14	Jazabat (Lahore)	100	Ditto ditto.
15	Punjabi Awaz (Lahore)	300	Ditto ditto.
16	Students' Tribune (Lahore)	800	Security refunded later on.
17	Roti (Lahore)	200	Ditto ditto.
18	Rahbir-i-Gurdaspur (Gurdaspur)	500	..
19	Jhang Gazette (Jhang)	500	Security refunded later on.
20	Loyal Gazette (Sargodha)	50	..
21	Daily Beopar Samachar (Rawalpindi)	300	Security refunded later on.
	<i>Printing Presses.</i>		
22	Sat Guru Ram Hari Press, Bhainiwalla	500	..
23	Sanai Barqi Press, Amritsar	1,000	..
24	Nurani Electric Press, Lahore	1,000	Security refunded later on.
25	Worker's Press, Amritsar	2,000	..
26	Ashraf Barqi Press, Sialkot	500	..
27	Desh Dardi Press, Amritsar .. ..	..	Did not deposit security.
28	Popular Press, Jullundur .. ..	..	Ditto ditto.
29	Manohar Press, Sargodha	500	Security refunded later on.
30	Punjabi Printing Press, Lahore	1,000	..

1	2	3	4
Serial No.	Names of newspapers or printing presses which were required to deposit security.	Amount deposited.	REMARKS.
	<i>Printing Presses—conold.</i>	Rs.	
31	Akali Patrika Press, Lahore	500	..
32	Rai's Art Press, Ludhiana	1,000	..
33	Popular Printing Press, Gujar Khan	500	..
34	Plaza Art Press, Lahore	500	Security refunded later on.
35	Qureshi Printing Press, Lahore	500	Ditto ditto.
36	Vishnu Art Press, Lahore	500	Ditto ditto.
37	Bharti Printing Press, Lahore	500	Ditto ditto.
38	Arora Printing Press, Lahore	1,000	Ditto ditto.
39	Northern Army Press, Lahore Cantonment	300	Ditto ditto.
40	Kumar Art Press, Lahore	200	Ditto ditto.
41	Branch of the Co-operative Capital Press, Lahore. 1937.	1,000	..
	<i>Newspapers.</i>		
1	Ghan Chakkar (Multan) .. ..	..	Did not deposit security.
2	Akash Bani (Amritsar) .. ..	..	Ditto ditto.
3	Karam Vir (Lahore)	2,000	Security refunded later on.
4	Arya Musafir (Lahore)	1,000	..
5	Shan-i-Haq (Gujranwala) .. ..	..	Did not deposit security.
6	Vedic Magazine (Jullundur) .. ..	..	Ditto ditto.
7	Sadaqat (Gujrat) .. ..	..	Ditto ditto.
8	Shola (Perozepore) .. ..	..	Ditto ditto.
9	Biswi Sadi (Lahore)	500	Security refunded later on.
10	Paigham-i-Haq (Lahore)	500	Ditto ditto.
11	Bharat (Hoshiarpur)	500	Ditto ditto.
12	Qaumi Darshan (Amritsar)	500	Ditto ditto.

[Premier.]

1	2	3	4
Serial No.	Names of newspapers or printing presses which were required to deposit security.	Amount deposited.	REMARKS.
	<i>Newspapers—concl'd.</i>		
13	Hamdard (Shahpur)	100	..
14	Driver (Amritsar)	100	Security refunded later on.
15	Kirti Kisan (Lahore)	1,000	Ditto ditto.
16	Ranjit Bima (Amritsar)	250	..
17	Shilpi (Lahore)	100	..
18	Dukhi Dunia (Jullundur)	1,000	..
19	Dukhi Dunia (Amritsar)	1,000	Security refunded later on.
20	Milap (Lahore)	3,000	..
	<i>Printing Presses.</i>		
21	Electric Press, Multan	500	..
22	Akas Bani Press, Amritsar .. ..	..	Did not deposit security.
23	Diwan Printing Press, Lahore	2,000	..
24	Hindu Art Press, Lahore	1,000	..
25	Nami Press, Lahore	1,000	..
26	Ranvir Press, Lahore .. ..	..	Did not deposit security.
27	Jagjit Electric Press, Lahore	500	..
28	Aftab Barqi Press, Amritsar	500	..
29	Nazir Printing Press, Amritsar	500	Security refunded later on.
30	Lakshmi Art Steam Press, Rawalpindi	500	..
31	Sarwanand Press, Bhiwani .. ..	..	Did not deposit security.
32	Shri Ambika Press, Bhiwani .. ..	..	Did not deposit security.
33	Handa Electric Press, Jullundur	500	..
34	Mercantile Press, Rawalpindi .. ..	..	Did not deposit security. The new proprietor was, however, allowed to run the press without security.

1	2	3	4
Serial No.	Names of newspapers or printing presses which were required to deposit security.	Amount deposited.	REMARKS.
	<i>Printing Presses—concl.</i>		
35	Bharat Printing Press, Moga .. ..	..	Did not deposit security.
36	Crescent Press, Gujrat .. ..	..	Ditto ditto.
37	Hedjazi Press, Lahore	1,000	
38	Nurani Press, Lahore	1,000	
39	Alamgir Electric Press, Lahore ..	500	
40	Amar Printing Press, Batala .. ..	..	Did not deposit security.
41	Siyasat Press, Lahore	1,000	
42	Dukhi Dunia Press, Amritsar ..	1,000	
43	Arorban Press, Lahore	500	..
44	Aggarwal Printing Press, Mandi Dabwali, Hissar.	500	..
45	Punch Press, Amritsar	250	..

ARRANGEMENTS FOR TEACHING HINDI IN VILLAGE PRIMARY SCHOOLS.

***2596. Lala Deshbandhu Gupta :** Will the Honourable Minister of Education be pleased to state—

- whether it is a fact that some primary schools where co-education is given have been started in certain villages in the province recently and no provision is made for teaching Hindi in them ;
- whether no arrangement for teaching Hindi is made in the schools started in Ugrakheri village in tahsil Panipat ;
- whether he will lay on the table rules made in this behalf ?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : I regret that the answer to this question is not ready.

Lala Deshbandhu Gupta : Will the Parliamentary Secretary take steps to see that Hindu girls are not prevented from receiving co-education in Hindi in such schools ?

Parliamentary Secretary : I cannot give an answer to this question because it is a request for action.

BUS TRAFFIC ON PIND DADAN KHAN CHAKWAL ROAD.

***2597. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that one person has been allowed to hold monopoly for the bus traffic on Pind Dadan Khan Chakwal road ; if so, why ?

The Honourable Dr. Sir Sundar Singh Majithia : Monopoly for District Board Hill Road between Choha and Chakwal has been given to proprietors Ram Autar and Company. The same firm holds licence for Choha-Khewra Hilly Road, because the road between Khewra and Choha Saidan Shah is dangerous and it would not be safe to allow unrestricted traffic. There are no restrictions on road between Pind Dadan Khan and Khewra.

PRINTING PRESSES ON APPROVED LIST OF THE HIGH COURT.

***2598. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Finance be pleased to state the number and the names of the printing presses which were on the approved list of the High Court in years 1935, 1936 and 1937 ; if the number has since been reduced, when it was done and why ; and whether due notice was given to the presses before removing their names from the approved list ?

The Honourable Mr. Manohar Lal : A statement showing the names of the printing presses employed for printing civil appeals of the High Court in the year 1935, 1936 and 1937 is laid on the table. The number of presses on this list of this court was reduced to six in October, 1937. There was insufficient work to feed such a large number of presses, and difficulties had been experienced in accounting. Notice was given to the presses whose names it was proposed to omit on 6th August, 1937.

A.

Names of the Presses in the year 1935.

1. Albert Press.
2. Kanshi Ram Press.
3. Punjab Christian Press.
4. Popular Press.
5. Commercial Press.
6. Model Press.
7. Punjabi Press.
8. Caxton Press.
9. Modern Press.
10. Jijnasu Press.
11. Hardinge Press.
12. Educational Press.
13. Punjab Educational Press.
14. Silver Press.
15. Civil Press.
16. Indian Press.
17. New Union Press.
18. New Crescent Press.
19. Royal Press.
20. R. S. Panna Lal Press.
21. Lahore Art Press.
22. Amrit Press.
23. Medical and Military Press.
24. General Press.
25. Punjab Central Press.
26. Chopra Press.

B.

Names of the presses in the year 1936.

1. Albert Press.
2. Amrit Press.
3. Alexandria Press.
4. Caxton Press.
5. Civil Press.
6. Commercial Press.
7. Chopra Press.
8. Educational Press.
9. General Press.
10. Kanshi Ram Press.
11. Indian Press.
12. Jijnasu Press.
13. Lahore Art Press.
14. Medical and Military Press.
15. Model Press.
16. Modern Press.
17. New Union Press.
18. Punjabee Press.
19. Punjab Central Press.
20. Popular Press.
21. New Crescent Press.
22. Punjab Christian Press.
23. Punjab Educational Press.
24. R. S. Panna Lal Press.
25. Royal Press.
26. Silver Press.

C.

Names of the presses in the year 1937.

1. Albert Press.
2. Amrit Press.
3. Alexandria Press.
4. Caxton Press.
5. Civil Press.
6. Commercial Press.
7. Chopra Press.
8. Educational Press.
9. General Press.
10. Kanshi Ram Press.
11. Indian Press.
12. Jijnasu Press.
13. Lahore Art Press.
14. Medical and Military Press.
15. Model Press.
16. Modern Press.
17. New Union Press.
18. Punjabee Press.
19. Punjab Central Press.
20. Popular Press.
21. New Crescent Press.
22. Punjab Christian Press.
23. Punjab Educational Press.
24. R. S. Panna Lal Press.
25. Royal Press.
26. Silver Press.
27. Hardinge Press.

PRINTING PRESSES ON THE APPROVED LIST OF THE HIGH COURT.

***2599. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Finance be pleased to state—

- (a) the rules according to which printing presses are put on the approved list by the High Court and are removed from that list ;

[Dr. Gopi Chand Bhargava.]

(b) whether these rules were followed in year 1937 including the printing presses and removing them from that list?

The Honourable Mr. Manohar Lal : (a) There are no rules on the subject.

(b) Does not arise.

PRINTING PRESSES ON THE APPROVED LIST OF THE HIGH COURT.

***2600. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Finance be pleased to state whether the Government had some time ago received any representation from the proprietors of some other printing presses in Lahore, regarding the removal of their names from the approved list of the High Court; if so, what action does the Government propose to take in the matter?

The Honourable Mr. Manohar Lal : The reply to this question is in the negative.

GIRLS' HIGH SCHOOLS IN FEROZEPUR CITY.

***2601. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Education be pleased to state the number of existing girls' high schools in Ferozepur City?

The Honourable Mian Abdul Haye : The requisite information is contained in the list of secondary schools recognised by the Punjab Education Department, a copy of which has already been supplied to the honourable member.

LEASE OF NAZUL LAND ADJOINING NAULAKHA POLICE-STATION, TO ONE NUR MOHD.

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia) : Before the short notice question is asked, with your permission I would like to reply to question No. 2585 by Dr. Gopi Chand Bhargava which he did not put and which I think the House would be interested to hear.

Diwan Chaman Lall : Is it possible for the Honourable Minister for Revenue to answer a question when the question has not been put?

Mr. Speaker : Yes. If any member does not wish to put a question of which he has given notice and the Minister in charge desires to answer it, he can do so.

Lala Bhim Sen Sachar : Was it not for the Honourable Minister to answer it when the question was called?

Mr. Speaker : It would have been better, but he is not precluded even now?

Diwan Chaman Lall : The Honourable Minister must make a request to the Speaker on the ground of public interest and it is for the Minister to make out a case for public interest before he can be given permission by the Chair.

Mr. Speaker : In Parliament this privilege is exercised by a Minister as a matter of course. If a member does not rise on Speaker's call to ask a question, standing in his name, the Minister concerned may rise and make such statement on the question as the public interest demands.

***2585. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether the nazul land adjoining Naulakha police-station and Octroi post, Lahore, has been leased to one Mr. Nur Mohammad; if so, the rent he has agreed to pay;

(b) whether the land was leased by public auction or by tender; if not, why not?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes; for Rs. 1,000 for one year from 16th September, 1937 to 15th September, 1938.

(b) No. As several offers had been received, it was not considered necessary.

Dr. Gopi Chand Bhargava : May I know if the Honourable Minister thinks that he would not have got more money from the tenders if he had advertised?

10 A.M.

Minister : It was not necessary to call for tenders as there were so many offers.

Dr. Gopi Chand Bhargava : Why does he think that it would not have fetched more money?

Minister : Because there is not a very large number of people in the ilaqa and.....

Mian Abdul Aziz : One supplementary question on that very question. Is it a fact that he has spent more than Rs. 2,000 on the construction of these shops?

Premier : Very likely.

Mr. Speaker : I may rule that if a Minister wishes to answer a question which is not asked by an honourable member, who has given notice of it, he should rise immediately and make his statement. He cannot wait till the end of the question hour and then rise to answer a question not asked by the member in whose name it stands.

Minister : Thank you, Sir, I will do that in future.

SHORT NOTICE QUESTION AND ANSWER.

SLAUGHTER HOUSE AT CHHAPPER DAKLE CHOHA SAIDAN SHAH.

Malik Barkat Ali : Will the Honourable Premier be pleased to state whether it is a fact that the slaughter house opened at village Chhapper Dakle Choha Saidan Shah is at the foot of the hill, and is at a distance of four miles from Katas Raj ;

(ii) Will he further be pleased to state the distance of this slaughter house from the P. W. D. road that runs between Khewra and Katas ;

(iii) Will he also be pleased to state whether there is any Hindu inhabitant living in village Chhapper Dakhle Choha Saidan Shah.

The Honourable Major Sir Sikander Hyat-Khan : (i) There is no slaughter house at Chhapper. The slaughter of kine is being carried out in a spot partially screened by rocks.

If the honourable member refers to the beef shop, its distance from Katas Raj is about three miles.

(ii) The distance from the beef shop to the road from Khewara to Katas is about 1,880 feet.

(iii) The population of Chapper has been reported to be almost entirely Muslim.

Diwan Bahadur Raja Narendra Nath : Is it a fact that the Honourable Premier has received a notice from some of the Sadhus of Hardwar that they are coming in a body to protest against this slaughter house ?

Premier : I have received one or two telegrams from Hardwar.

Diwan Bahadur Raja Narendra Nath : What steps have you taken to prevent their coming so that—

Premier : I think that the press can help a great deal in that matter. I do not think that the Government can take any action because I do not know when they will start, but if the press will kindly help us and publish the real and true facts, it is quite possible to stop the trouble. Most probably those people are not aware of the real facts.

Dr. Sir Gokul Chand Narang : When was this slaughter house established there ?

Premier : There is no slaughter house there at all.

Dr. Sir Gokul Chand Narang : I mean the beef shop.

Premier : It was established only recently and that is responsible for all this trouble.

Malik Barkat Ali : Is it a fact that beef has been sold in Choha Saidan Shah ever since the advent of British rule ?

Premier : But that question does not arise out of this question. This beef shop was opened recently.

Malik Barkat Ali : Was the beef shop opened at Chhapper in order that beef may not be sold as it was sold before in Choha Saidan Shah ?

Premier : I am not aware of why this beef shop was opened. I wish it had not been opened. (*Hear hear*).

Rai Bahadur Mr. Mukand Lal Puri : Did the Deputy Commissioner of Jhelum refuse to grant a licence for a beef shop in—

Premier : No licence is necessary.

Rai Bahadur Mr. Mukand Lal Puri : Was an application put and refused ?

Premier : It was probably refused because it was not necessary to give a licence.

Lala Bhim Sen Sachar : In view of the Honourable Premier's opinion that it would have been better if this shop had not been opened, what steps, if any, have the Government taken to pacify the people of that *ilaga* ?

Premier : The policy of the Government with regard to these questions is that in the absence of any agreed settlement between the communities the *status quo* must be maintained.

Diwan Bahadur Raja Narendra Nath : Was any agreed settlement arrived at ?

Premier : It was reported on more than one occasion that agreed settlement had been arrived at but I do not think if it would have been an agreed settlement because things have not settled down.

Malik Barkat Ali : Is it a fact that as a result of this beef shop which has been opened at Chhapper the sale of beef in village Choha Saidan Shah, which used to be carried on before, has been stopped.

Premier : I believe that one of those agreed settlements referred to was made on the condition that beef would be sold only at that shop but I cannot vouch for the accuracy of this statement. It is merely the report that I have had. Officially, I have not received any agreement, properly signed, sealed and delivered.

Dr. Sir Gokul Chand Narang : In view of the reports that have been received by the Premier that beef is imported in Chhapper from Choha Saidan Shah, may I enquire if that is the real cause of the trouble ?

Premier : My honourable friend has put a very delicate question. My enquiries show that the real trouble is quite different from that.

Dr. Sir Gokul Chand Narang : Is beef imported from that shop or not ?

Premier : My information is that beef has been sold in Chhapper and Choha Saidan Shah but not in any regular shop. Cattle were killed occasionally by certain Mussallis in that part of the *ilaga* and meat thereof was sold. It is only because the shop has been opened that the attention of people has been diverted to it and the trouble has started.

Malik Barkat Ali : Is the Government prepared to stick to the policy of *status quo* ?

Premier : I say it is the policy of the Government and the Government will insist on maintenance of *status quo*.

Rai Bahadur Mr. Mukand Lal Puri : Is the Honourable Premier aware that practically all the adult male Hindu population of Choha Saidan Shah has been arrested in connection with the riot over this matter ?

Mr. Speaker : That question does not arise.

Pir Akbar Ali : Has any military force reached that place as is reported in the Partap ?

Premier : It must be in the knowledge of the Partap alone but not in my knowledge.

Pir Akbar Ali : Is this information given in the Partap false ?

Premier : I should not like to say it is falsely stated there. Very likely some false information was conveyed to the Partap.

Pir Akbar Ali : Is the Government prepared to take action against this paper ?

MOTION FOR ADJOURNMENT.

OFFICIAL INTERFERENCE IN THE BYE-ELECTION IN THE
AMRITSAR—SIALKOT, GENERAL, RURAL CONSTITUENCY.

Lala Duni Chand : I want to move an adjournment motion. The adjournment motion that I want to move is the following one.

Diwan Bahadur Raja Narendra Nath : I move—

That the House do adjourn.

The Honourable Lala Duni Chand's adjournment motion will not be needed if the House accepts my motion. My reason is that to-morrow we are having some very important un-official resolutions one of which relates to federation. We want to discuss that resolution in private and thus ascertain the views of all parties. Will you kindly adjourn the House to let us hold a private meeting so as to enable us to discuss that resolution ? (laughter). (Voices : No.)

Diwan Chaman Lall : May I, on a point of order, draw your attention to the fact that in no circumstances can preference be given to any request made by Diwan Bahadur Raja Narendra Nath since, before he made the request, Lala Duni Chand moved the adjournment motion and was in possession of the House at the time when he was interrupted by the honourable Raja Sahib. I cannot understand one thing. When an honourable member is in possession of the House and desires to move a motion for the adjournment of the House, how can another member at that very time be permitted to move a second adjournment motion ?

Lala Duni Chand : I beg to move for leave to make a motion for adjournment of the business of the House in order to discuss a definite matter of recent occurrence and urgent public importance namely the question of official propaganda and the exercise of official influence in support of Sardar Ganda Singh Oberoi and against Dr. Satya Pal in connection with the bye-election contest between them in the General Rural Constituency of Sialkot and Amritsar districts.

Mr. Speaker : In my opinion the adjournment motion of Lala Duni Chand is not in order. Therefore I have not read it to the House (hear, hear).

Lala Duni Chand : May I say a word with your permission ? In view of the rulings given by the Honourable Speaker more than once, a member who moves his adjournment motion, is given the right of explaining how it is in order.

Mr. Speaker : There is no such rule.

Lala Duni Chand : I think it is provided for in the Standing Orders.

Mr. Speaker : Please read out the Standing Orders.

Lala Duni Chand : Standing Order 21 says—

Leave to make a motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of urgent public importance must be asked for after questions and before the list of business for the day is entered upon.

Mr. Speaker : The honourable member has done that.

Lala Duni Chand : It clearly means that an opportunity is given to explain whether the motion is in order or not.

Mr. Speaker : No. It does not allow him to make a speech. I would ask the honourable member to read Standing Order 23.

Lala Duni Chand : Standing Order No. 23 reads thus—

If the Speaker is of opinion that the matter proposed to be discussed is in order, he shall read the statement to the Assembly and ask whether the member has the leave of the Assembly to move the adjournment.

I have no right but I think you will allow me to say a few words.

Mr. Speaker : That means that the motion is to be moved without any speech. The honourable member has no right, when he asks the leave of the House for moving his adjournment motion, to make a speech. He can only move the motion and if I consider it in order, I will read it to the Assembly and ask whether there is any objection to leave being given ; and if objection is taken, I shall request those members, who are in favour of leave being granted, to rise in their places and if 30 or more members rise, I will declare that the requisite leave is given. The honourable member has no right to make a speech at this stage. I consider it unnecessary to give reasons in support of my ruling that the motion is out of order. The honourable member, who is a lawyer of standing, will see that his motion is indefinite, vague and meaningless. Besides, the administrative responsibility of Government is not involved at all. Government has made rules that no Government servant should take part in elections ; and if anybody violates those rules he is liable to punishment.

Diwan Chaman Lall : May I with great respect draw your attention to the fact that the administrative responsibility of Government can only arise when Government can take action.

Mr. Speaker : What action ?

Diwan Chaman Lall : They should dismiss that particular official.

Mr. Speaker : Then move Government. Make a complaint.

Diwan Chaman Lall : You will permit me to add one word. There are two points ; one is the responsibility of the local officials and the other is that the censure of the Government is involved in this adjournment motion for its responsibility in allowing a situation like this to arise. It may be within their knowledge or it may not be within their knowledge. Whether it is within their knowledge I cannot say ; but the responsibility of the Government in a matter of this nature is apparent.

Mr. Speaker : Has the honourable member read the motion ? It does not disclose what rule they have broken ; it is vague and indefinite and is, therefore, out of order. I disallow it. (*Hear, hear.*)

ADJOURNMENT OF BUSINESS.

Diwan Bahadur Raja Narendra Nath : I move—

That the Assembly be now adjourned.

Mr. Speaker : Will the honourable member please write out his motion ?

Diwan Chaman Lall : May I draw your attention to the fact that this motion does not comply with any standing order or any rule which we might have on the subject, not having been presented to you in writing and therefore it should not be considered by you just as Lala Duni Chand's motion was not considered by you ? My submission is that in view of this, we may now proceed with the business on the agenda paper.

Mr. Speaker : What the honourable member means is that as no notice has been given, the motion should not be entertained. But motions of this kind are allowed to be moved without notice.

Diwan Chaman Lall : May I be permitted to say that since this motion has been moved verbally by my honourable friend, I would like to draw your attention, not only to the inadvisability of accepting a motion like this but—

Mr. Speaker : That is not a point of order.

Diwan Chaman Lall : I am drawing your attention, on a point of order, to the fact that it is more for the Speaker than for the House to decide whether a motion like this is acceptable or not, just as much as it was for the Speaker to decide whether Lala Duni Chand's adjournment motion was acceptable or not. It is equally for the Speaker to decide now whether this motion is admissible or not.

Mr. Speaker : I will.

Diwan Chaman Lall : That is the reason why I am now, on a point of order, drawing your attention to the relevant rules and standing orders. The only rules or standing orders, which refer to adjournment motions are to be found on page 15. If it is a motion for adjournment, as it purports to be, it must be a motion to discuss a definite matter of urgent recent public importance. Apart from that, I do not know of any rule or standing order that governs the procedure of this House and which permits an honourable member to stand up on his feet to ask you to adjourn the House on a vague allegation that some important business is likely to come on the next day and therefore, the honourable member, who has known about that important business for several days, suddenly wants time in order to discuss the purport of that particular important business. I do submit that if it is an abuse of the procedure of this House, you should not permit such a motion to be moved. I would also draw your specific attention to the fact that a motion for adjournment can only come up—(*Raja Ghazanfar Ali Khan :* On a point of order, Sir.) I refuse to permit the honourable member to interrupt me when I am on a point of order. In regard to this matter, I may place a more legal and constitutional point of view.

Mr. Speaker : Has the honourable member stated his point of order ?

Diwan Chaman Lall : No, Sir. I have not yet made my position at all clear.

Mr. Speaker : I would like to hear the honourable member's point of order.

Diwan Chaman Lall : My point of order is that there is no rule or standing order governing the procedure of this House, apart from standing order No. 21, which relates to the provision of an adjournment motion for the purpose of discussing an urgent public matter of recent occurrence. If a written notice has not been given for that purpose half an hour before the commencement of the sitting, the member cannot have the leave of the House.

My second point is this that apart from it, there is no rule or standing order governing it. If you desire or if my honourable friends desire to fall back upon the procedure in the House of Commons, then I submit that we should not, in view of the lack of any standing order or rule governing this procedure, fall back upon the same procedure which does not actually govern the state of affairs which my honourable friend wishes to raise on the floor of the House. In the House of Commons, it may be that the debate must be interrupted.

Mr. Speaker : I understand the honourable member's point of order and therefore I do not wish to hear any more.

Diwan Chaman Lall : I will try to be as brief as possible.

Mr. Speaker : I cannot allow any more speeches.

Diwan Chaman Lall : Mr. Speaker, I say that it is a novel procedure.

Mr. Speaker : I am going to quote the rule.

Diwan Chaman Lall : Governing this House ?

Mr. Speaker : Not this House, but the House of Commons.

Diwan Chaman Lall : That is the point that I want to raise that the House of Commons practice should not be followed.

Mr. Speaker : Where our rules are silent or the practice of the House of Commons is not inconsistent with them, we have been uniformly following for the last 14 years the practice of that House ? On that point, therefore, I am not going to listen to any one at this stage. When we have been following that practice in the past, I see no reason why I should depart from it to-day.

Now I would refer the honourable members to page 85 of *Campion* where it is said :—

"Motions for the adjournment of the House (when moved independently, and not upon a question already proposed), are to be placed in the same class as 'substantive' motions. There are several distinguishable varieties of this motion, which, before it developed into a recognised technical form, seems to have been moved with two quite separate purposes :—

(1) for the purpose of voicing grievances before a contemplated adjournment."

That is the adjournment which we generally move. And then :—

2. "for the purpose of consultation outside the House before debating some sudden emergency."

Now, the written version of the adjournment motion is as follows :—

"I move that the House do now adjourn to enable members who wish to discuss non-official resolutions coming up to-morrow to have an opportunity of doing so."

[Mr. Speaker.]

According to the quotation from *Campion*, there should be "some sudden emergency." The verbal motion did refer to a "sudden emergency;" but the written motion contains no such reference and therefore, appears to be out of order. (*Cheers from the Opposition benches*). But I would like to hear the other side as well.

Diwan Bahadur Raja Narendra Nath : Sir, in my speech I explained that it was specially with reference to the second resolution about Federation that I wanted time. I did not put it in writing for this reason that my verbal explanation was sufficient and it was immaterial whether it covered all the resolutions or any particular resolution. I can now change it.

Dr. Gopi Chand Bhargava : I want your ruling, Sir, whether a notice for such an adjournment motion should be given half an hour before the sitting or not.

Munshi Hari Lal : I want to know why the business is being suspended.

Diwan Chaman Lal : The first thing that I have to draw your attention to is this. You were pleased to rule this motion out of order. Then let us stick to the provisions of the order given by you and get on to the next business, but if there should be any doubt in regard to this matter being out of order, may I draw your attention to *Campion* page 111. At the top of the page it says—

"When it is proposed to adjourn beyond the next sitting day, a motion to that effect, of which notice is normally required, is moved at the commencement of public business."

The honourable members wish to move on to the next sitting day, but in any case notice would be required before entering upon public business. Secondly, you will be pleased to read from *Campion* the fact that it must be a sudden emergency which can help my honourable friend in the moving of an adjournment of this House. My honourable friend's sudden emergency resolves itself into this, that although notice was given of this day being fixed, that is the next day being fixed for the discussion of non-official resolutions and although the ballot had taken place and the public was seized of the fact that the resolution regarding Federation was fixed for tomorrow, yet my honourable friend can give no other reason than this that he desires to discuss the implication of that resolution, and therefore this House should not sit to-day because these two or three hours which are to be utilised for the transaction of business should be utilised by him and those who sit with him for the purpose of discussing the resolution on Federation. A more absurd and more meaningless suggestion coming from an experienced hand like the Raja Sahib—

Mr. Speaker : The honourable member cannot be allowed to make another speech.

Raja Ghazanfar Ali Khan : Sir, what I want to submit is this. The motion should not be treated as a formal motion of the adjournment of the House. I submit that every legislature has a paramount right of adjourning if an honourable member makes a motion to that effect, if the majority of

the members desire it and the Government have no objection to it. I submit that every legislature has a right of adjourning without deciding whether a formal adjournment motion can be moved or not. Therefore, I would request you kindly to look at it from that point of view. As a matter of fact it was only the day before yesterday when you were pleased to adjourn the House because you thought that it was so stuffy. Without any formal motion being moved you were pleased to adjourn it. Therefore if the majority of the House are inclined to adjourn the House for a certain definite purpose, they must state it and if you have no objection you can always adjourn the House. Therefore, I would request you kindly not to treat it as an adjournment motion but to treat it as an informal request.

Diwan Chaman Lall : Sir, with your permission I would like to say a few words. My honourable friend Raja Ghazanfar Ali wants the House to adjourn without assigning any reason. That is a most dangerous policy and a dangerous principle to adopt. Any majority in a House like this may refuse to conduct the normal business of the House. It is in order to put a check upon the arbitrary nature of the majority—(A voice. That right should not be abused.) That is exactly what we are doing, we do not want to allow my friends to abuse a procedure of this nature which they would be abusing if this procedure were adopted by this House. I do not know what the disclosed reasons of my friends are. We do know that the new Governor has arrived. We do think that an attempt is made on that account to adjourn the House.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : I want to submit a few words. I am very sorry that my honourable friend opposite has thought fit to bring the Governor into this discussion. I told you this morning that so far as we are concerned we have got important official business, state business, in connection with the departure of one Governor and the arrival of another. But that need not in any the least way interrupt the business of the House. We can do our business. We are only discussing the "rules of procedure" today, and that would not have in any way inconvenienced me as that work could be carried on during any short period that I may have to be absent from the House. The motion made by Raja Sahib which has been called 'absurd' by my honourable friend opposite (*Interruption*) is not so absurd as he thinks—(*Honourable members* : "So absurd"!) (*Laughter*). I agree with him that if he considers the federation motion absurd then Raja Sahib's motion also will be absurd. To my mind certainly my honourable friends opposite have given an indication of the small importance which they attach to the question of federation.

Diwan Chaman Lall : They have got the rest of the day and night to discuss it.

Premier : That is not the point. (*Interruption.*) Please do not disturb me.

Mr. Speaker : Please do not disturb the Honourable Premier. It is not fair.

Premier : My honourable friend said that he wanted to discuss about federation which is coming up before the House and he said that it was absurd on his part to make that motion. If my honourable friends opposite consider that the question of federation is absurd, that it is a light question, they are welcome to that view. I personally attach the greatest importance not only from the point of view of the province but from the point of view of the country as a whole.

Diwan Chaman Lall : What sophistry !

Premier : My honourable friend will remember that it is not a light or easy matter to come to a decision on a matter of such far-reaching importance.

Diwan Chaman Lall : You are turning the House into a joke.

Premier : In spite of my honourable friend's remarks, much greater brains than his and mine have been reflecting on this question and they have been able to reach no solution. It is, therefore, not absurd to concentrate our attention on a matter of this vital significance. My honourable friend loves to make a fun of everything, even an important constitutional question such as the federation. My friend, the Raja Sahib submitted that this is an important question and that it might be possible to confer with the different sections of the House and perhaps it might be possible to arrive at an agreed solution which would avoid the necessity of any protracted debate or any heated debate on an important matter on which I know every section of the House feels strongly, except of course my honourable friend who terms it absurd. And I shall be very glad if an opportunity is afforded for members to meet informally and come to some decision, so that if they can bring forward an agreed resolution, that would be a good thing and I am sure every part of the House will be too glad to accept a resolution agreed to by all parties. That is the reason why the Raja Sahib wanted to request you or the House informally to adjourn and he was within his rights and perfectly justified in making that motion and I suggest, Sir, that you put that motion to the House.

Diwan Chaman Lall : On a point of personal explanation. My honourable friend has charged me with not regarding the resolution regarding federation seriously but considering it absurd. Mr. Speaker, I never stated anything of the kind and it is an absolute and deliberate distortion on the part of my honourable friend. What I said was this, that the motion moved by my friend, Raja Sahib was absurd from the point of view of this that a discussion regarding that matter has been before the House, before the public for a long time and to imagine that these two or three hours of public business should be utilized by his friends for the purpose of coming to a decision is the height of absurdity.

Mr. Speaker : I cannot allow a speech.

Diwan Chaman Lall : May I request—

Mr. Speaker : Order, order.

(Diwan Chaman Lall being still on his feet).

Mr. Speaker : When I rise, every member should sit down.

Diwan Chaman Lall : I wish you would not rise so often.

Mr. Speaker : It is for me to decide when I should or should not use. It is my duty to see that the time of the House is not wasted. The honourable member has given his personal explanation. So, I cannot allow him to speak again.

Now Raja Sahib has handed over to me his motion. It is worded as it was moved originally. It reads as follows :—

I move that the House do now adjourn to enable the members to come to a decision about the second resolution regarding federation which is a very important one and on which most of the members have not been able to come to a definite opinion.

Diwan Chaman Lall : This is a substantive motion. Even according to parliamentary procedure such a motion must comply with all the rules.

Mr. Speaker : Such motions for adjournment of the House can be moved without notice ; and even if the rules require notice, they can be moved without notice with my permission.

Diwan Chaman Lall : May I draw your attention to the fact that—

A motion must not anticipate a matter already appointed for consideration by the Assembly whether it be a Bill or an adjourned debate upon a motion. In determining whether a motion is out of order, on the ground of anticipation, the Speaker must have regard to the probability of the matter anticipated being brought before the House within a reasonable time.

Again—

A member who wishes to move a motion (other than a motion for which a period is specially prescribed) shall give, in the case of a substantive motion, at least seven clear days' notice and in the case of an amendment at least two clear days' notice in writing of his intention to the Secretary.

So a period is necessary.

Mr. Speaker : Please read further.

Dr. Gopi Chand Bhargava : The rule which you quoted from page 86 of Campion's Parliamentary Practice, says the permission could be granted "for the purpose of consultation outside the House before debating some sudden emergency". This resolution was tabled long ago. It was balloted on the 1st April. It was circulated on the 2nd of April. We knew on the 2nd that the resolution was coming. Had this adjournment motion been moved on the 2nd, one could realise the importance of it. Now to move it on the 7th and say that they want to discuss this thing, shows that it has not got that sudden emergency. The resolution is from the Opposition side and on the Government side the Ministerial party did not approach the Opposition for consultation after the 2nd. It is only on the floor of the House to-day that this attempt is being made. Only a few days back one of the members of the Ministerial party came to me to take the books which I had taken from the library and I asked him, "I presume you are going to support this resolution". Even then they did not ask me or try to discuss this matter before this day and this hour. Therefore, it is not emergent and I submit that you should not adjourn the House.

Sardar Lal Singh : Within five minutes of giving your ruling on the first motion that it is out of order, the other motion on the same subject comes and the Raja Sahib has distinctly stated —

Mr. Speaker : I understand what the honourable member is driving at. The Raja Sahib moved a motion verbally and I asked him to send it to me

[Mr. Speaker]

in writing. The written version was different and, therefore, I did not admit it. Then he sent in writing exactly what he had originally moved verbally. I required it in writing not because I wanted a written notice, but because I meant to put it before the House in exactly the same words as he had used in moving it verbally. I could not recollect every word and it would have been unfair to the House if I did not put a motion exactly in the same words as were used by its mover.

Dr. Shaikh Muhammad Alam : You will kindly see even now that the amended motion, as it has been sent to you in writing, has not referred to emergency, but the wording is with reference to the importance of the resolution. You will kindly make a distinction between importance and emergency.

Mr. Speaker : Objection has been taken by Dr. Gopi Chand Bhargava, the Leader of the Opposition, that this motion should have been moved much earlier. I think not. If really this matter has to be discussed, it must be discussed immediately before its discussion in the House. There is no use giving notice of such a motion or moving it so many days beforehand. But can it be said that the resolution, which is to be discussed to-morrow, is a matter of "sudden emergency"? I am doubtful (*hear, hear*).

Premier : I have no hesitation in taking that section of the House into my confidence and telling them that we were discussing this matter yesterday, and we discussed it for several hours.

Diwan Chaman Lall : Is the Honourable Premier speaking to the point of order or is he merely giving an explanation of his own difficulty?

Mr. Speaker : The question is: what does the expression "sudden emergency" mean?

Premier : That is what I was going to speak about, if you would allow me, and if my honourable friend opposite would have patience. We discussed the matter at length yesterday but we could not come to any final decision. My point is that it would be in the interest of the province and of the country if we could come to some agreed solution on this matter with regard to the resolution, and if we could put forward an agreed resolution it would suit everybody concerned and it would benefit the country. We have not been able to come to any conclusion ourselves and therefore an emergency has arisen. If the resolution were not to be discussed to-morrow morning at 9 o'clock, there would be no emergency and we will still have time to discuss. The emergency has, therefore, arisen merely because we have before to-morrow morning to come to some conclusion and then, if necessary, to discuss it with my honourable friends opposite with a view to come to some agreement. This is where the emergency has arisen, otherwise it would not have been fair on the part of my honourable friend to have moved this motion for adjournment.

Malik Barkat Ali : You have been pleased to hold that there was no emergency.

Mr. Speaker : I have not held this as yet.

Malik Barkat Ali : My point is this. Is it the inherent right of this House to adjourn at any moment? If this is so and I respectfully submit, apart from the merits of the present controversy—I am only bringing this matter to your notice as a constitutional question—that it is the inherent right of this House to adjourn on any occasion. Whether the House would adjourn or not is a matter which would depend on the vote of the House but it is the inherent right of the House to adjourn at any moment, apart from the provisions to which you have been pleased to draw attention of the House from Campion. If this is so and if you uphold this point that I am placing before you, that it is the inherent right of any House to adjourn on any occasion, then I think the difficulty that is confronting us disappears ('hear, hear' from Ministerial benches).

Dr. Gopi Chand Bhargava : If the Honourable Premier says that he wants the House to adjourn to have a consultation amongst the members of his party, shall it be fair to adjourn the business of the House for allowing the party to discuss some matter amongst its members?

Premier : My honourable friend did not hear me well. What I said was that we wanted to discuss it ourselves and, if necessary, with my honourable friends opposite.

Diwan Chaman Lal : All that I have to say is this, that the sudden emergency my honourable friend has referred to happens to be this that his party has not been able to come to an understanding regarding this resolution on Federation. I submit that if one party of the House cannot manage its own business, that is no reason for interrupting the business of this House, it may be a reason for interrupting their own business, but it is no reason for interrupting the business of this House. My honourable friend says he wants a party consultation. After two hours at 1 o'clock the House will adjourn. Will the heavens fall or will the Unionist Party be disrupted if for two hours, honourable members sit here and do not discuss amongst themselves whether the Federation resolution should be supported or not? It is a most frivolous motion, a motion that should be rejected and a precedent like this should not be allowed to be created on the floor of this House.

Dr. Shaikh Muhammad Alam : I beg to draw your attention to the new point raised by Malik Barkat Ali as to the inherent right of the House to adjourn at any moment.

Mr. Speaker : Does the honourable member disagree with it?

Dr. Shaikh Muhammad Alam : I do.

Mr. Speaker : Any authority?

Dr. Shaikh Muhammad Alam : No authority has been quoted from the other side in favour of the proposition.

Mr. Speaker : It is no doubt the inherent right of every House, at least in England and we have been following their practice. Please refer to May, page 58. It reads—

“Adjournment is solely in the power of each House respectively.”

Had I not been aware of this I would not have allowed the motion to be moved, but because it is the inherent right of the House to adjourn

[Mr. Speaker]

itself, I allowed the motion to be moved. But while in certain cases a regular notice is required in other cases it is not required. Take the adjournment motion for discussing an urgent matter of public importance. Half an hour's notice is required. But in the case of adjournment of the business of the House no notice is required. In this case, the object of the motion having been stated, the only question is whether that object is sufficiently clear and strong to justify the proposed adjournment. The explanation given by the Honourable Premier is that they have discussed this matter in their own party, but they have not come to any conclusion and that the matter is so urgent and emergent that it has to be discussed to-morrow. *Prima facie* that explanation is plausible and I see no reason to differ from it.

Sardar Sohan Singh Josh : Only plausible.

Mr. Speaker : In any case I will put the motion before the House—

“That the House do now adjourn to enable the members to come to a decision on the resolution regarding Federation which is a very important matter.”

Lala Deshbandhu Gupta : Have you ruled that it is a matter of doubt?

Sardar Sampuran Singh : We are not here to give time to the Unionist Party to come to any decision.

11 A. M.

Mr. Speaker : Order please.

Diwan Chaman Lall : Is that the fault of this House? Because the Unionist Party could not come to a decision, why should our business be interrupted? It should not be interrupted simply because they cannot come to a decision. (*Uproar.*) It is not a House but it is a ‘*tamasha*’. We are quite ready to go out.

Mr. Speaker : I am not going to — (*Great Uproar.*)

Diwan Chaman Lall : This is a ‘*tamasha*.’

Mr. Speaker : Will the honourable member please restrain himself?

Diwan Chaman Lall : Yes, if honourable members opposite would restrain themselves.

Mr. Speaker : They have not made a single remark to-day.

Dr. Shaikh Muhammad Alam : It was not in their interest to make such a remark.

Lala Deshbandhu Gupta : I wish to ask, what will be your position if— (*Interruption.*)

Diwan Chaman Lall : May I, on a point of order, draw your attention to the fact that on two occasions you gave a ruling that you did not consider this motion to be in order and thereafter, on the special pleading of my honourable friend, the Premier, you considered that such an emergency has arisen because their party has not been able to come to a decision? I submit that in order to conduct business of this House in a manner which would create confidence, as you always do, it is necessary that your first ruling should be adhered to.

(Uproar). (Voices from Treasury benches : Order, order.)

Premier : The honourable member has no business to impute motives to the Chair.

Mr. Speaker : The honourable member is not right in attributing to me that on both occasions I gave a ruling. I gave a definite ruling on the first occasion when a written chit was handed over to me, but as regards the second occasion, when this chit was handed over to me—a chit saying exactly what Raja Sahib had said when he originally moved the motion verbally—I read it. At the same time I read out the rule from *Campion* and said that it appeared to be in order but that I was doubtful about the meaning of the expression “ sudden emergency”.

Lala Bhim-Sen Sachar : It is a repetition of the motion by Raja Sahib.

Mr. Speaker : No. When he originally stood up and moved verbally a motion, I asked him to give me his motion in writing. Upon this he sent me a written motion but it was different from that he had moved verbally. So, I held it to be out of order. Then he sent me a second chit and that chit contained exactly what he had originally said.

Dr. Shaikh Muhammad Alam : Our grievance is that on a point on which you are doubtful, you should have given more opportunity to the House. (Great Uproar.)

Mr. Speaker : Order, order. Owing to the great uproar and grave disorder, I adjourn the House till 9 A.M. to-morrow.

The Assembly accordingly adjourned till 9 A.M., on Friday, 8th April, 1938.

1911

1911年1月1日 星期日
1911年1月2日 星期一
1911年1月3日 星期二

1911年1月4日 星期三

1911年1月5日 星期四

1911年1月6日 星期五



1911年1月7日 星期六

1911年1月8日 星期日

1911

PUNJAB LEGISLATIVE ASSEMBLY.

2ND SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Friday, 8th April, 1938.

The Assembly met at the Council Chamber at 9 a.m. of the clock. Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS.

DERA ISMAIL KHAN STUDENTS AND MATRICULATION EXAMINATION.

***2602. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Education be pleased to state—

(a) whether any boys of Dera Ismail Khan have been refused permission to appear in Matriculation Examination of the Punjab University this year ; if so, the reasons for refusing this permission ;

(b) whether or not boys of any other school in the Punjab have been refused permission for the same reasons ?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : (a) No.

(b) Does not arise.

Pandit Shri Ram Sharma : May I know who were those boys ?

Parliamentary Secretary : I think the honourable member has not listened to my reply. I have said : (a) No. (b) Does not arise.

Pandit Shri Ram Sharma : May I know whether it is a fact that the boys of Khalsa High School have been refused permission to appear in the Matriculation Examination ?

Parliamentary Secretary : No such information has been received.

REPRESENTATION FOR CONSTRUCTION OF A BRIDGE OVER THE CANAL
RUNNING NEAR VILLAGE KACHHA, DISTRICT LAHORE.

***2603. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Revenue be pleased to state whether he has recently received any representation from residents of village Kachha, district Lahore, regarding a bridge over the canal running by their village ; if so, what action does he propose to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : Reply to the first part is in the affirmative. For the second part the honourable member is referred to reply to part (c) of question No. *2527.¹

¹Pages 679-80 ante.

MR. COLDSTREAM, CHIEF MINISTER, KAPURTHALA STATE.

***2604. Sardar Harjab Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that about 9th March, the Games Inspector, Jullundur, caught the Chief Minister, Kapurthala, hunting in the district of Jullundur without licence ;
- (b) whether it is a fact that the said Chief Minister made an entry in the note-book of the Games Inspector that he had no licence ;
- (c) the action proposed to be taken in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes. The Chief Minister, Kapurthala, who crossed the State boundary into Jullundur district had not in his possession a licence for shooting game.

(b) Yes.

(c) As the Chief Minister was under a *bona fide* misapprehension that he was still in State territory at the time, no action is proposed to be taken.

REPRESENTATION MADE BY HIRA LAL, ETC., AGAINST THE HANSI POLICE.

***2605. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state whether a representation against the Hansi Police, district Hissar was recently sent to the district authorities by Hira Lal, Jugraj and others of village Bhatol Jatan, through me ; if so, the action taken so far or proposed to be taken ?

Parliamentary Secretary (Sardar Sahib Sadar Ujjal Singh) : Yes. The allegations were enquired into by the Superintendent of Police, Hissar, who found them to be incorrect.

Pandit Shri Ram Sharma : May I know whether it is the same Superintendent of Police against whom so many complaints are being made by the public ?

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

REMOVAL OF AHIRIS OF HISSAR DISTRICT FROM THE LIST OF CRIMINAL TRIBES.

***2606. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Finance be pleased to state as to whether it is a fact that some time ago he received a representation about the removal of Ahiris of Hissar district from the list of Criminal Tribes ; if so, what action does he propose to take in the matter ?

The Honourable Mr. Manohar Lal : Yes. With the exception of seventy-five Ahiris, who were either convicted or suspected of criminal offences other than absence under section 22 of the Criminal Tribes Act, the Ahiris of the Hissar district have been exempted from the restrictions imposed on them as criminal tribesmen.

Lala Duni Chand : Is it true that the Ahirs of the Hissar district are a respectable agricultural community ?

Minister for Development : Ahirs are an entirely different class from Ahiris.

LORRY ACCIDENTS IN MONTGOMERY DISTRICT.

***2607. Mian Sultan Mahmud Hotiana :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that the number of lorry accidents which took place during the last six months in the Montgomery district is very large ; if so, the reasons therefor and the action that Government propose to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : No, 11 accidents were reported to the police in the Montgomery district during the half year ending 31st December, 1937. This number represents 2.88 per cent. of the total number of accidents reported in the Punjab during this period.

REPRESENTATION OF THE INHABITANTS OF VILLAGE TAKHAN WADH
IN FEROZEPURE DISTRICT REGARDING MALBA.

***2608. Sardar Rur Singh :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that the inhabitants of village Takhan Wadh, thana Mahna, tahsil Moga, district Ferozepore, have recently submitted representations to the Honourable Premier and the Deputy Commissioner, Ferozepore, regarding collection of malba from them ; if so, whether the Government has taken or intends to take any action in the matter ; if not, reasons for the same ?

The Honourable Dr. Sir Sundar Singh Majithia : Yes. Enquiries are being made.

COMPLAINTS AGAINST POLICE SUB-INSPECTOR, SABATHU, DISTRICT
SIMLA.

***2609. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state—

- (a) whether the present sub-inspector of police Sabathu (district Simla) brought a case under section 107, Criminal Procedure Code this month against about a dozen of Hindus and Muhammadans including some very respectable citizens ;
- (b) whether it is a fact that all the accused were represented by one and the same counsel ;
- (c) whether the prosecution witnesses themselves admitted that there was no apprehension of any breach of peace and that relations between the two communities were cordial ;
- (d) whether the trying magistrate has acquitted all the accused without even calling on them to produce any defence evidence ;
- (e) whether Government are aware that great resentment prevails in the town against the sub-inspector and several respectable citizens have made serious allegations against him in a representation made to the Deputy Commissioner of the district ; if so, the action the Government proposes to take in the matter ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Two cases under section 107, Criminal Procedure Code, were instituted by the Assistant Sub-Inspector of Police, Sabathu, during March, 1938, against 4 Hindus and 3 Muhammdans respectively.

(b) Yes.

(c) Only one of the two prosecution witnesses in each case stated this.

(d) The accused were acquitted after they had produced defence evidence.

(e) A representation against the Assistant Sub-Inspector has been received by the Deputy Commissioner, and is under enquiry.

EMPLOYMENT OF POLICE LINE GARDENERS BY OFFICERS WITHOUT REMUNERATION.

***2610. Chaudhri Muhammad Hassan :** Will the Honourable Premier be pleased to state—

(a) whether the Government have received any information that public servants of higher grades, employ gardeners (malis) of the Police Lines, at their private residence, without paying any remuneration for the work done by them ;

(b) if the reply to the above be in the affirmative, whether Government have taken any action in the matter ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : (a) No.

(b) Does not arise.

Chaudhri Muhammad Hassan : Through what source did he obtain the information in order to base his reply ?

Parliamentary Secretary : Local officials.

Chaudhri Muhammad Hassan : Which particular official ?

Parliamentary Secretary : If the honourable member will give notice, I will make enquiries about the particular officer who was deputed.

COMPENSATION FOR DAMAGE DONE BY FLOOD IN RAVI.

***2611. Khan Sahib Rai Shahadat Khan :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether he is aware of the damage done by the flood in the river Ravi in January-February this year ;

(b) the extent of the damage done in Sheikhpura, Lyallpur and Montgomery districts by this flood ;

(c) whether any compensation has been granted or is proposed to be granted for this damage, if not, why not ?

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

(b) Four hundred acres of land were damaged in the Montgomery district. There was no damage in the Sheikhupura district and only slight damage in the Lyallpur district.

(c) Relief is being given in the form of remission of land revenue.

DISPENSARIES OPENED IN HASSOKE, DISTRICT LYALLPUR.

***2612. Khan Sahib Rai Shahadat Khan :** Will the Honourable Minister of Education be pleased to state—

- (a) whether Government has opened any dispensary in Hassoke, district Lyallpur lately ;
- (b) the conditions and purpose of opening such dispensaries ;
- (c) the number of such dispensaries opened in Lyallpur district ;
- (d) whether it is a fact that part of the pay of the Doctor in charge of the dispensary mentioned in (a) is to be met by the sale of medicines ?

The Honourable Mian Abdul Haye : (a) No. The District Board, Lyallpur, opened a subsidised dispensary at Hassoke in 1934, for which Government gives to the District Board a subsidy of Rs. 1,100 per annum.

(b) This dispensary has been opened in pursuance of the scheme inaugurated by Government as an experimental measure to encourage private medical practitioners to settle in rural areas. Under this scheme the medical practitioner in charge of a subsidised dispensary is paid a subsidy of Rs. 50 per mensem. He makes his own arrangement for a dispenser, hospital menial servants and any miscellaneous expenditure connected with the dispensary. He is not liable to be transferred to another dispensary without his consent, but in all other respects is subject to the same conditions of service as the whole time medical officers in charge of rural dispensaries. A grant of Rs. 500 per annum is given for drugs and instruments. The practitioner is entitled to charge for medicines supplied to patients, except the very poor, and the maximum amount that can be charged is prescribed in respect of the various medicines supplied from the stock maintained at the dispensary.

(c) Two.

(d) No, but he is entitled to charge for medicines as already stated.

TOURING OF OFFICERS IN RURAL AREAS FOR ENCOURAGEMENT OF COTTAGE INDUSTRY IN LUDHIANA DISTRICT.

***2613. Chaudhri Muhammad Hassan :** Will the Honourable Minister of Development be pleased to state—

- (a) whether any of the officers of the Department of Industries is posted in the Ludhiana district for the purposes of touring in the district and particularly the Beit ilaqa, with the object of acquainting the rural population with the intention of the Government to encourage cottage industry ;
- (b) if the answer to the above be in the affirmative the number of his visits to villages in general and particularly Beit villages ?

The Honourable Chaudhri Sir Chhotu Ram : (a) Yes. A Superintendent of Industries of the Department of Industries is posted at Ludhiana. He tours the district in connection with the collection of information on industrial matters and advising industrialists and others regarding small scale industries. Besides the Ludhiana district, 6 other districts are included in the circle of this officer, viz., Ambala, Rohtak, Hissar, Gurgaon, Karnal and Simla. In view of the large number of special enquiries received from the general public and Government departments on industrial, commercial and technical subjects concerning these districts, it has not been possible for him to visit the Bait ilaqa.

(b) Does not arise.

Chaudhri Muhammad Hassan : What arrangement does the Minister intend to make in order that these officers should make tour in the Bait ilaqa ?

Minister : Next year I propose to arrange to have more staff.

LOCATION OF A PUNITIVE POLICE POST IN SANGHI, DISTRICT ROHTAK.

***2614. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that a punitive police post has been ordered to be located in village Sanghi, district Rohtak ; if so, the reasons for ordering the location of the post in the village ;
- (b) the names and the number of those who were killed and wounded in the communal clash over the question of a mosque in the said village ;
- (c) which communities and castes are to be made to bear the burden of the cost of the post and on what proportion ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : (a) I would refer the honourable member to *Punjab Government Gazette* notification No. 1758-B., dated the 1st March, 1938, by which additional police have been ordered to be quartered in the village in question for a period of a year owing to the misconduct of the inhabitants.

(b) Those killed were Bhartu, son of Sheo Karn, and Jhandu, son of Jag Ram. Those injured were Shib Lal, Kidara, Maidiya, Chandu, son of Sharaf Ali, and Barkat, son of Shamsu.

(c) Under section 15 of the Police Act, sub-section (5), Government have not exempted any class or section of the inhabitants from liability for the cost of the additional police. The District Magistrate under sub-section (4) of section 15 will accordingly apportion the cost amongst all the inhabitants.

Pandit Shri Ram Sharma : May I know whether the Government tried to find out as to which community or part of the population in the village was responsible for this communal clash ?

Parliamentary Secretary : Both communities were responsible for the trouble.

Pandit Shri Ram Sharma : I wanted to know whether the Government, while locating the additional Police there, tried to find out as to which part of the population was responsible for this riot ?

Khan Sahib Chaudhri Sahib Dad Khan : On a point of order, Sir. This case is pending in the court of the Sessions Judge, who will hold which party was responsible for this trouble.

Mr. Speaker : Is it so ?

Khan Sahib Chaudhri Sahib Dad Khan : Yes, Sir.

Lala Duni Chand : On what basis has the Government apportioned the liability ?

Parliamentary Secretary : All the inhabitants of the village will have to bear the cost.

Lala Duni Chand : My question was what principle was adopted in apportioning the liability ?

Parliamentary Secretary : All classes and sections of the inhabitants were responsible for this trouble and therefore they will have to bear the cost.

Dr. Gopi Chand Bhargava : Are any exemptions going to be made ?

Parliamentary Secretary : No. Not to my knowledge.

PUNJABI PRISONERS IN OOTY BANK CASE.

***2614-A. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether the Punjab Government was recently consulted by Madras Government about the release of three Punjabi prisoners convicted in Ooty Bank Case ; if so, what reply did they give ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : I regret I must decline to give information on a matter primarily concerning another Government.

Dr. Gopi Chand Bhargava : May I know as to how this matter concerns the other Government ?

Mr. Speaker : This question should not be asked. It is not for the Parliamentary Secretary to answer it.

Dr. Gopi Chand Bhargava : My question is quite different.

Mr. Speaker : I cannot allow a speech. A supplementary question as to how this matter concerns the other Government should not be asked.

Dr. Gopi Chand Bhargava : May I know whether the Punjab Government has sent any reply to the Madras Government regarding these prisoners ?

Parliamentary Secretary : I have already stated that I must decline to answer a question of this nature.

Diwan Chaman Lall : May I ask the honourable member whether it is a fact that the colleagues of these prisoners have been released by all other Governments ?

Mr. Speaker : That is a good argument but not a supplementary question.

Dr. Gopi Chand Bhargava : What I want to know is whether the honourable member is aware of this fact or not ?

Diwan Chaman Lall : Does the continued incarceration of these three men concern this Government or not ?

Parliamentary Secretary : It may concern this Government, but it is not advisable for me to answer this question when it relates to another Government.

Sardar Sohan Singh Josh : Has this Government made any representation to the Madras Government in regard to this matter ?

Parliamentary Secretary : I am not prepared to answer that question.

**MUSLIMS IN THE INSPECTION LINE OF THE EDUCATION DEPARTMENT
IN AMBALA DIVISION.**

***2615. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister of Education be pleased to state—

- (a) the number of members of Muslim Deputy Inspectors, District Inspectors, Assistant District Inspectors of Schools and Head Masters of Government High Schools in the Ambala division in 1927 and on 28th February, 1938, respectively ;
- (b) whether it is a fact that the number of Muslims in the above-mentioned branches has now decreased ;
- (c) if the reply to (b) is in the affirmative, what steps does the Honourable Minister of Education intend to take to redress the grievances of Muslims of Ambala division in this respect ?

The Honourable Mian Abdul Haye : The honourable member is referred to the answer given to question *2143.¹

**GRADE PROMOTIONS TO MUSLIMS IN SUBORDINATE EDUCATIONAL
SERVICE.**

***2616. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister of Education be pleased to state—

- (a) the number of grade promotions and appointments grade-wise in the Subordinate Educational Service from 1st April, 1937 to 15th March, 1938 and the proportion of various communities in these promotions ;
- (b) whether it is or it is not a fact that the Muslims have not been given their due share in these promotions ?

The Honourable Mian Abdul Haye : The honourable member is referred to the answer given to question No. *2143.¹

PROPORTION OF MUSLIMS IN THE EXECUTIVE COMMITTEE OF THE PUBLIC
LIBRARY, LAHORE.

***2617. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister of Education be pleased to state—

- (a) the number of members of the Executive Committee of Public Library, Lahore ;
- (b) what is the proportion of Muslims on this committee ?

The Honourable Mian Abdul Haye : The honourable member referred to the answer to question No. *2143¹.

REPRESENTATION OF MUSLIMS IN THE ADVISORY COMMITTEE ON
TEXT BOOKS.

***2618. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister of Education be pleased to state—

- (a) the total number of members of the Punjab Advisory Committee on Text Books, the number separately of Muslim, Muslim statutory agriculturists as also of non-Muslim statutory agriculturists and non-agriculturists among them ;
- (b) whether it is a fact that the Muslim representation is much below 50 per cent. in that committee ; if so, what steps does the Government propose to give to the Muslims their due share ?

The Honourable Mian Abdul Haye : The honourable member is referred to the reply to the question No. *2143.¹

CATTLE TAX IN KANGRA DISTRICT.

***2619. Pandit Bhagat Ram Sharma :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that cattle tax is levied in Kangra district on cattle kept by agriculturists ;
- (b) whether any distinction is made in levying the tax between cattle kept for commercial purposes and cattle kept for domestic purposes ;
- (c) if the answer to part (b) above be in the negative, the action the Government intends to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes. The tax is levied on the sheep and goats kept by zamindars in the district, except Kulu sub-division.

(b) No.

(c) No action is contemplated during the currency of the present land revenue settlement.

Pandit Bhagat Ram Sharma : Is this attitude of the Government not affecting the agriculturists of the district ?

Minister : It is a matter of opinion.

Pandit Bhagat Ram Sharma : Is there any distinction made in levying this tax between cattle which graze on *milkiat* land and cattle which graze on Government forest ?

Minister : I will request the honourable member to refer to the Middleton report and also the report of the Committee on Forest.

Pandit Bhagat Ram Sharma : May I know whether the tax is also levied on cattle which are tethered to their places in cattle sheds ? What is the idea underlying this tax ?

Minister : The idea underlying this thing is that jungles should not be denuded. The salient points are that unlimited grazing by sheep and goats will accelerate erosion and ultimately destroy the province. It is ultimately the principle of law that no man should use his own property in such a way as to destroy that of his neighbour.

Pandit Bhagat Ram Sharma : I wanted to know whether the Government also levy tax on cattle which are tethered to their places ?

Minister : How does the Government know that cattle are tethered to their places and will not graze on the Government forest ?

Pandit Bhagat Ram Sharma : I wanted to know whether any distinction is made in levying this tax between the cattle which graze on private lands and cattle which graze on Government lands ?

Minister : No, Sir.

ADVERSE CONFIDENTIAL REPORTS AGAINST TEACHERS IN AMBALA
AND LAHORE DIVISIONS.

*2620. **Khan Bahadur Chaudhri Riasat Ali :** Will the Honourable Minister of Education be pleased to state—

- (a) the number and names of teachers in Ambala and Lahore divisions against whom adverse confidential reports have been made during the years 1934-35, 1935-36, 1936-37, without giving them adequate warning or due chance of explaining their position in accordance with the instructions contained in paragraphs 1 and 4 of the Director of Public Instruction's C. M. No. 647-E., dated the 11th January, 1934 ;
- (b) the action that has been taken in each case ;
- (c) the number of such reports that are awaiting decision ; and
- (d) the manner in which it is intended to safeguard the rights of teachers in accordance with the provisions of paragraphs 1 and 4 of the Director of Public Instruction's C. M. No. 647-E., dated the 11th January, 1934 ?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : (a) None.

(b) and (c) Does not arise.

(d) The rights of teachers are already being safeguarded.

SCHEMES FOR SUPPLY OF DRINKING WATER IN THE PROVINCE.

***2621. Chaudhri Muhammad Yasin Khan :** Will the Honourable Minister of Education be pleased to lay on the table a list of—

- (a) villages or towns in each district in the Punjab where water for drinking purposes is not available along with the Government's proposals regarding the supply of drinking water to them and approximate expenditure for supplying drinking water to each such village or town ;
- (b) places (in each district) where arrangements for water supply have been made by Government so far, and the approximate time limit for the completion of other water supply schemes in the province.

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

IRRIGATION PERCENTAGE OF RAJBABA MEHTAB GARH.

***2622. Mahant Girdhari Das :** Will the Honourable Minister for Revenue be pleased to state—

- (a) the maximum area commanded by Rajbaba Mehtab Garh (Dipalpur Canal—Lower Sohag Branch) ;
- (b) the area actually irrigated during each of the last 5 years ;
- (c) whether it is a fact that the actual irrigation, percentage of the above minor is far short of the maximum laid down ; if so, the reasons for this shortage ;
- (d) the number of waterings fixed for this area and the number of waterings actually given ;
- (e) the steps the Government intends to take to bring up the irrigation percentage of the said canal to haq ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) 9,276 acre

	Acres.			
(b) 1933-34	1,964
1934-35	1,472
1935-36	2,251
1936-37	3,018
1937-38	3,547

(c) The irrigation in the year 1937-38 is only 4 per cent. short of the forecast of irrigation given on page 11 of the Sutlej Valley Project Completion Report. Reason for shortage is that irrigation on the channel has not yet been fully developed.

(d) The number of waterings is not fixed and the number actually given is not recorded.

(e) No special measures are called for as irrigation is still developing.

DEATHS OF PERSONS WHILE UNDER POLICE CUSTODY.

***2623. Diwan Bahadur Raja Narendra Nath :** Will the Honourable Premier be pleased to state—

- (a) how many persons within the last three years have died whilst they were under Police custody and under Police investigation ;
- (b) in how many cases it was found that the death was not due to natural causes, and whether inquiries were held in these cases ; if so, with what result ?

The Honourable Major Sir Sikander Hyat-Khan : I regret that the answer to this question is not ready.

REPRESENTATION BY SOME PERSONS OF SHAHDARA TAHSIL TO THE
MINISTER, REGISTRAR, &C., AGAINST OFFENCES OF
INSPECTOR OF CO-OPERATIVE SOCIETIES, SHAHDARA.

***2624. Chaudhri Kartar Singh :** Will the Honourable Minister of Development be pleased to state—

- (a) whether it is a fact that a number of respectable persons of Shahdara tahsil have recently submitted a representation to the Honourable Minister of Development, the Registrar Co-operative Societies, and the Deputy Registrar, Co-operative Societies, Lahore, on the subject of some grave offences of the Inspector, Co-operative Societies, Shahdara ;
- (b) if the answer to part (a) above be in the affirmative, the exact contents of the representation ;
- (c) whether an inquiry has been instituted in the matter ; if so, with what result ?

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

(b) The allegations were of fictitious entries in diaries, favouritism and undue influence.

(c) Yes. The report on the inquiry is under consideration.

DAMAGE TO LANDS BY THE FLOW OF A STREAM IN VILLAGE BAHLAN
KHANPUR IN AMBALA DISTRICT.

***2625. Sufi Abdul Hamid Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether the Government is aware of the fact that in rainy season a stream flows in the area of village Bahlan Khanpur in Kharar tahsil, district Ambala ;
- (b) whether it is a fact that a considerable area of the village has been rendered unculturable by the flow of this stream ;
- (c) whether it is also a fact that all the wells in the village except one have been filled up by mud due to the flow of the said stream ;

- (d) whether it is also a fact that many houses have been demolished by the change in the course of that stream ;
- (e) if the answer from (a) to (d) be in the affirmative, what steps does the Government intend to take in the matter to save the abadi from demolition and to reclaim the land fit for cultivation ?

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

(b) No.

(c) No.

(d) No, except in 1987 when 5 kacha houses were demolished.

(e) Does not arise.

INQUIRY IN BENAMI TRANSACTIONS IN TAHSIL JAGADHRI.

***2626. Sufi Abdul Hamid Khan :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that there have been a number of benami transactions in Jagadhri tahsil of the Ambala district, if so, when inquiry through the special officer appointed by the Government for this purpose will be commenced in this tahsil in this matter ?

The Honourable Dr. Sir Sundar Singh Majithia : Government has no information. A Tahsildar has been appointed on special duty for the investigation of *benami* transactions in the Ambala division for one year in the first instance. He is at present working in the Gurgaon district. If his term is extended, Jagadhri tahsil will be taken up by him in due course.

LALA HIMMAT RAM OF THE PHULLARWAN MUNICIPAL COMMITTEE.

***2627. Sardar Hari Singh :** Will the Honourable Minister of Public Works be pleased to state—

- (a) reasons why the election of Lala Himmat Ram as president of the Phullarwan Municipal Committee, district Shahpur, for the remaining life of the said committee was not gazetted by the Commissioner, Rawalpindi division ;
- (b) whether under section 16 of the Municipal Act a notice was issued to the vico-president of the said committee, if so, with what result ;
- (c) whether it is a fact that the Commissioner, Rawalpindi division, issued a warning to Lala Himmat Ram that he should refrain from seeking election to the said Municipal Committee and that in case of his re-election his name will not be gazetted ; if so, the reasons and the authority for the issue of the said warning ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) The Commissioner, Rawalpindi division, in exercise of the powers conferred by section 20 (1) of the Punjab Municipal Act, 1911, declined to approve the re-election of Lala Himmat Ram as President of the Municipal Committee of Phullarwan for the following reasons :—

- (i) that he had tempered with the municipal records by interpolating two notes purporting to have been written on a date earlier than that on which they were actually written ; and

[Shaikh Faiz Muhammad.]

(ii) that he drew an excessive amount of travelling allowance by charging for a journey by rail for a class higher than that in which he had actually travelled.

(b) No. A notice under section 16 was issued to the President and his reply was received. The conclusion was reached that he had committed the faults mentioned above. In view of the fact that fresh elections were shortly to be held it was decided not to remove him under section 16.

(c) Yes. To be fair to Lala Himmat Ram a warning was conveyed him by the Commissioner, Rawalpindi division beforehand for the reasons given in part (a) above, so that he might avoid the expenses of election. The Commissioner acted in consultation with Government.

ELECTRIFICATION OF KAMALIA.

***2628. Khan Sahib Khan Muhammad Saadat Ali Khan:** Will the Honourable Minister of Public Works be pleased to state—

(a) the date on which the licence for the electrification of Kamalia was granted ;

(b) the date on which compulsory works to be executed by the licensee were decided upon ;

(c) the progress, if any, that the licensee has made in order to put the licence into effect ;

(d) whether the Government is aware of the dissatisfaction prevailing among the residents of the area of supply over the slow progress made by the licensee in the execution of the works ; if so, the action proposed to be taken in the matter ?

Parliamentary Secretary (Shaikh Faiz Muhammad): (a) On 10th May, 1937.

(b) On 16th August 1937 ; notified on 31st August 1937.

(c) In the first six monthly progress report received in November 1937, the Company stated that they had deposited the security with the Director of Industries, Punjab, that they were negotiating for the acquisition of land, that they had sold shares to the value of more than Rs. 1 lakh and that their scheme for the electrification was nearly complete. The second report is not due yet but the company stated in another connection that they intended to start erection work in April of this year.

(d) No ; does not arise. The company has to finish its compulsory works only by May, 1939.

RECRUITMENT OF SUB-INSPECTORS AND ASSISTANT SUB-INSPECTORS OF POLICE FROM AMONG THE NOTIFIED AGRICULTURAL TRIBES OF MUZAFFARGARH DISTRICT.

***2629. Mian Fazal Karim Bakhsh:** Will the Honourable Premier be pleased to state the number of sub-inspectors and assistant sub-inspectors of police recruited direct from among the notified agricultural tribes of the Muzaffargarh district during the last five years ?

The Honourable Major Sir Sikander Hyat-Khan : No member of a notified agricultural tribe of the Muzaffargarh district has been recruited directly as a sub-inspector or assistant sub-inspector of police during the last five years.

GRADE PROMOTIONS IN THE SUBORDINATE EDUCATIONAL SERVICE.

***2630. Sardar Hari Singh :** Will the Honourable Minister of Education be pleased to state—

- (a) the general practice with regard to the grade promotions in the Subordinate Educational Service ;
- (b) whether the promotions ordered are published regularly in the Punjab Educational Journal ;
- (c) whether a list of the cadre of the Subordinate Educational Service is printed annually, and if so, whether it is open to the public to purchase copies thereof on payment ;
- (d) whether he will be pleased to lay a copy of such a list on the table of the House ?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : (a) In deciding promotions to the several grades of the Subordinate Educational Service due consideration is paid to seniority, record, and to improved qualifications. A certain number of direct appointments of candidates, possessing high academic qualifications is also made in the higher grades of the Subordinate Educational Service to introduce fresh blood and improve efficiency.

(b) Yes.

(c) Answer to the first part of the question is in the affirmative and to the latter part in the negative.

(d) A copy of the Register of the Subordinate Educational Service is already placed in the Assembly Library.

DR. B. L. BHATIA.

***2631. Sardar Hari Singh :** With reference to the answers to supplementary questions put by Diwan Bahadur Raja Narendra Nath, following the starred question No. 1224 asked on 20th January, 1988, will the Honourable Minister of Education be pleased to state—

- (a) the dates of the two previous occasions on which Dr. B. L. Bhatia is stated to have worked at Rohtak not satisfactorily ;
- (b) whether as a result of his work being not satisfactory any adverse remarks were made by the Director of Public Instruction against the professor and whether the same were communicated to Dr. B. L. Bhatia as required under the rules and Government orders ;
- (c) whether or not his lien was transferred to Rohtak after he had taken leave at Hoshiarpur ?

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : I regret that the answer to the question is not ready.

DR. B. L. BHATIA.

***2632. Sardar Hari Singh :** Will the Honourable Minister for Education be pleased to state —

(i) whether the attention of the Government has been drawn to a leading article in the *Tribune*, dated the 2nd February, entitled "A Glaring Case of Injustice," and whether the following facts are correctly stated therein—

- (a) Dr. B. L. Bhatia took eight months' leave from Hoshiarpur in December, 1936 ;
- (b) his lien was transferred to Rohtak where he had to rejoin on the 8rd August ;
- (c) he was permitted to take over charge at Rohtak during the college vacation on the 26th July, 1937 ;
- (d) order for his transfer to Pasrur was issued early in September when the college had not yet re-opened ;

(ii) if the facts are as stated above and if it is a fact that Dr. B. L. Bhatia never worked at Rohtak on any previous occasion, how he reconciles his statement made in answer to the supplementaries arising out of question No. 1224 (starred) asked on 20th January, 1938, that Dr. Bhatia worked on previous occasions at Rohtak ?

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

DR. B. L. BHATIA.

***2633. Sardar Hari Singh :** Will the Honourable Minister of Education be pleased to state whether it is or it is not a fact that during the entire service of Dr. B. L. Bhatia extending over 31 years, no adverse remark was ever communicated to him ?

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

DR. B. L. BHATIA.

***2634. Sardar Hari Singh :** With reference to the answers given to the starred questions asked on 20th January, 1938, will the Honourable Minister of Education be pleased to state the names of officers in the Education Department who are at present carrying on research work but not privately, and the manner in which their work is of use to their students ?

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

RECOGNITION OF DEV SAMAJ GIRLS' SCHOOL, LAHORE.

***2635. Pandit Muni Lal Kalia :** Will the Honourable Minister of Education be pleased to state—

- (a) whether it is a fact that the Dev Samaj Girls' School located in its own buildings behind the Punjab Secretariat on the Langley

Road, Lahore, and being the only school for the education of young girls of the various new abadies and nagars that extend to the river Ravi from Lower Mall right from district courts to Rivaz Gardens, has not so far been granted recognition even after a number of representations by the management and by the residents of these localities and different other societies requesting for the grant of recognition to the said school; if so, the reasons;

- (b) whether he will lay a copy of the correspondence that has passed between the management and the Inspectress of Schools, Lahore, on this subject?

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

RECOGNITION OF AND GRANT-IN-AID TO THE NEWLY OPENED GIRLS' SCHOOL IN LAHORE.

***2636. Pandit Muni Lal Kalia :** Will the Honourable Minister of Education be pleased to state—

- (a) the number of schools for girls that have been accorded recognition and granted aid by the present Inspectress of Schools, Lahore, since she has assumed charge of this office;
- (b) the name of each of these schools and the number of students in each of them at the time of its recognition;
- (c) whether any new schools for girls have been opened by the Education Department after July, 1935, in Lahore proper; if so, the number and names of such schools and the localities in which these have been opened?

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

ASSESSMENT OF LAND REVENUE IN AMRITSAR DISTRICT.

***2637. Sardar Partab Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) how many times since the advent of the British rule in the Punjab, the assessment of the land revenue in the Amritsar district has been made with the year when each such assessment was made;
- (b) the amount of land revenue assessed after each settlement of the said district?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) and (b) The district is now being resettled for the sixth time. A statement giving the required information in respect of previous settlements is laid on the table.

[Raja Ghazanfar Ali Khan.]

Statement showing the amount of land revenue assessed at each settlement of the Amritsar district.

Serial No.	Name of settlement.	TOTAL CULTIVATED AREA AT SETTLEMENT.					Land revenue assessed.
		Year.	Nahri.	Chahi.	Un-irrigated.	Total.	
			Acres.	Acres.	Acres.	Acres.	Rs.
1	Summary settlement.	1849-50	..	..	..	*	*
2	Regular settlement.	1852-54	..	*	*	603,532	9,82,393
3	1st revised settlement.	1865	†89,500	169,250	433,863	692,613	9,50,232
4	2nd revised settlement.	1888-93	149,831	237,964	382,313	770,108	12,56,215
5	3rd revised settlement.	1910-14	255,283	219,130	275,910	750,323	15,97,931

*Figures are not available.

†Canal irrigation started in 1850.

REPRESENTATION OF MUSLIMS IN INDIAN FOREST SERVICE AND PROVINCIAL FOREST SERVICE.

***2638. Malik Barkat Ali :** Will the Honourable Minister of Revenue kindly state whether it is a fact—

- that out of 24 officers of the Indian Forest Service only 5 are Muhammadans as against 10 Europeans and 9 Hindus and Sikhs ; and
- out of 21 officers of the Provincial Forest Service only 3 are Muhammadans as against 11 Hindus and 7 Sikhs ;
- whether he intends taking any action for the purpose of ensuring the adequate representation of the Muslim community in the Indian Forest Service and the Provincial Forest Service, if so, what ?

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

COMMUNAL REPRESENTATION IN THE RECRUITMENT OF CANDIDATES
FOR FOREST COLLEGE AT DEHRA DUN.

*2639. **Malik Barkat Ali** : Will the Honourable Minister of Revenue kindly state if any candidates are going to be selected this year for the Forest College at Dehra Dun for the courses of classes A and B ; if so, the proportion in which it is intended to recruit the candidates communitywise ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : None. The latter part of the question does not arise.

CONTRACT OF MOTOR TRANSPORT FOR POLICE IN PUNJAB.

*2640. **Sardar Sohan Singh Josh** : Will the Honourable Premier be pleased to state --

- (a) whether it is a fact that a European firm is holding contract of motor transport for police in the Punjab ;
- (b) if the answer to part (a) is in the affirmative, for what districts, at what subsidies and for what periods these contracts have been given to this firm ;
- (c) whether it is a fact that the contracts for motor transport to this European Firm have been given without calling for tenders in some districts ;
- (d) whether it is a fact that recently tenders for this work were invited for Ferozepore district police alone ;
- (e) whether it is also a fact that the tender forms supplied to Indian firms at Rs. 5 each, contained no information regarding the mileage to be covered and conditions of agreement as notified in the notice calling for tenders ;
- (f) whether it is a fact that for want of information large number of Indian firms, who purchased tenders, could not submit their rates ;
- (g) whether it is not a fact that the two Indian firms, who submitted tenders in addition to the European firm mentioned above, were given an idea of mileage at the last moment but the other firms were deprived of even this information ;
- (h) whether the tenders submitted were opened on a date other than the one notified in the notice ;
- (i) whether it is a fact that this unequal treatment resulted in the continuance of the contract with the European firm ;
- (j) what steps the Government propose to take to ensure that full information is supplied to all Indian firms in order to enable them to compete ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : (a) Yes.

(b) The contract is for the transportation of under-trial prisoners and convicts at Lahore, Multan, Ferozepore, Amritsar, Ludhiana, Ambala, Jullundur and Hissar for a period of 5 years at Rs. 68,880 per annum.

[Parliamentary Secretary.]

(c) Yes. It has, however been decided that tenders will be called for at the expiry of the present contract in 1939.

(d) No. The work for which tenders were recently invited in Ferozepore was the transportation of additional police in that district.

(e) The same form of tender was supplied to all firms at Rs. 5. It was not possible to give an estimate of the mileage to be covered as the lorries were not required for regular service for fixed periods or for travelling fixed distances daily. Subject to the above all possible information was, however, shown in the form of tender.

(f) Out of 6 firms which purchased forms 3 submitted tenders. It is not known why the others did not submit tenders.

(g) Two firms which applied for certain further information were given it. Further information would also have been given to the other firms had they enquired.

(h) When tenders were called for it was stated that they should be submitted on or before the 10th March, and would be opened on the 14th March, in the presence of those tenderers who desired to be present. The 3 firms which submitted tenders did so on the 10th March, when on the request of the representative of one of the firms that the tenders should be opened on the 10th, this was done in the presence of all the 3 tenderers.

(i) No.

(j) The forms of tender issued in these cases give such information as it is possible to give. Firms or individuals thinking of submitting tenders can of course apply at any time for further information on doubtful points.

Malik Barkat Ali : May I know the name of the officer who gave this contract to the European firm ?

Parliamentary Secretary : The Inspector-General of Police.

Diwan Chaman Lall : May I ask the date of this contract ?

Parliamentary Secretary : I have already stated that tenders were opened on the 10th March 1938 and the tender of this firm was accepted and contract given to it soon after.

Diwan Chaman Lall : May I know as to what was the necessity of opening the tenders before the due date announced ?

Parliamentary Secretary : It was on the request of the tenderers that the tenders were opened. All the three tenderers were present and they did not like to wait till the 14th.

Diwan Chaman Lall : Was the contract given to the lowest tenderer ?

Parliamentary Secretary : Yes, I believe it was given to the lowest tenderer.

Diwan Chaman Lall : Is he sure that it was given to the lowest tenderer or does he merely believe so ?

Parliamentary Secretary : I am certain that it was given to the lowest tenderer.

**CONVEYANCE DEED REGARDING SALE OF CERTAIN LAND IN KHANEWAL
TO SETH BHOJA RAM.**

***2641. Khan Haibat Khan Daba :** Will the Honourable Minister of Revenue be pleased to lay on the table of the House a copy of the conveyance deed whereby a certain piece of land in Khanewal Mandi was recently sold to Seth Bhoja Ram for the construction of a public Serai?

The Honourable Dr. Sir Sundar Singh Majithia : A copy¹ is placed on the table.

ARYA MEGH UDDHAR SABHA, SIALKOT.

***2642. Bhagat Hans Raj :** Will the Honourable Minister of Revenue be pleased to state whether the Arya Megh Uddhar Sabha, Sialkot, has implemented the terms of the contract between them and the Government regarding the grant of lands included in the Arya Nagar on the Lower Bari Doab Canal in Multan district; if not, the action the Government intends to take in the matter as also the steps they propose to take to safeguard the interests of the tenants residing in the said Arya Nagar?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): *First part.* No.

Second part. The matter is under consideration.

UNSTARRED QUESTIONS AND ANSWERS.

**REDUCTION OF GRANT-IN-AID TO GIRLS SCHOOL BY DISTRICT BOARD,
FEROZEPORE.**

409. Pandit Muni Lal Kalia : Will the Honourable Minister of Education be pleased to state—

(a) whether it is a fact that the District Board of Ferozepore has reduced the grant-in-aid to the girls' primary schools in that district by about forty per cent. of the original grant sanctioned by the Education Department;

(b) if so, the reasons for this reduction?

The Honourable Mian Abdul Haye : (a) Yes.

(b) The reduction was due to shortage of funds.

**PREMATURE RETIREMENT OF EXTRA ASSISTANT CONSERVATOR OF
FORESTS.**

410. Dr. Gopi Chand Bhargava : Will the Honourable Minister of Revenue be pleased to state—

(a) whether any Extra Assistant Conservator of Forests were made to retire prematurely in 1931-32; if so, why;

¹Kept in the library.

[Dr. Gopi Chand Bhargava.]

- (b) whether previous sanction of Governor-General in Council was obtained before pensioning them off;
- (c) whether they were given any compensation for premature retirement; if not, why not?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, seven officers were retired in pursuance of the general policy of retrenchment.

(b) Sanction was obtained.

(c) Two officers were retired on a retiring pension under Article 465-A (2) and five on a compensation pension under Article 426 of the Civil Service Regulations. They were not entitled to any other compensation under the rules.

**HOSTEL ACCOMMODATION FOR GIRL STUDENTS OF MEDICAL SCHOOL,
 AMRITSAR, AND KING EDWARD MEDICAL COLLEGE,
 LAHORE.**

411. Chaudhri Faqir Husain Khan : Will the Honourable Minister of Education be pleased to state—

- (a) the total number of girl students studying in the Medical School at Amritsar;
- (b) the arrangements, if any, made for the hostel accommodation of girl students mentioned in (a) above;
- (c) the total number of girl students studying in the King Edward Medical College, Lahore;
- (d) the hostel arrangements, if any, made for the students mentioned in (c) above;
- (e) whether it is a fact that admission of girl students to the King Edward Medical College, Lahore, is subject to the condition that the girl students must live in Lahore either with their parents or their near relatives;
- (f) whether it is a fact that a considerable number of girl students of the said college are staying in private hostels and lodges;
- (g) whether the authorities of the King Edward Medical College, Lahore, have ever represented to the Government the need of opening a hostel for their girl students; if so, the action taken in the matter?

The Honourable Mian Abdul Haye : (a) 61;

(b) A hostel for women students consisting of three hired buildings is being run by the school authorities privately under the supervision of a European Lady Superintendent;

(c) 48;

(d) None;

(e) Yes. This is required by the University Rules;

(f) Yes—about 20 of them;

(g) Yes. The proposal is being examined by the Inspector-General of Civil Hospitals.

REPRESENTATION OF MUSLIMS OF RURAL AREAS AMONG EXTRA ASSISTANT COMMISSIONERS.

412. Mian Abdul Rab : Will the Honourable Premier be pleased to state—

- (a) the number of Muslim Extra Assistant Commissioners nominated during the last ten years from each district ;
- (b) the number of such posts which were offered to the members of the notified agricultural tribes of the Muslim community residing in rural areas, district-wise, during this period ;
- (c) whether it is a fact that the Muslim rural population of the Jullundur district is most inadequately represented in the above-mentioned service ; if so, what steps the Government has taken or intends to take in order to secure a proper representation for them in this service ?

The Honourable Major Sir Sikander Hyat-Khan : I must decline with regret to answer questions which savour of communalism on the floor of the House. I am sorry to have to adopt this attitude, but I consider it necessary in the public interest to establish a convention in connection with such questions. My colleagues and I will, however, always be prepared to examine any particular instance of disproportionate representation which honourable members may bring to our notice in a more informal way.

REPRESENTATION OF MUSLIMS OF RURAL AREAS OF JULLUNDUR DISTRICT AMONG DEPUTY SUPERINTENDENTS OF POLICE.

413. Mian Abdul Rab : Will the Honourable Premier be pleased to state—

- (a) the number of Deputy Superintendents of Police nominated from the Muslim community, district-wise, during the last ten years ;
- (b) the number of such posts which were offered to the members of the notified agricultural tribes of the Muslim community residing in rural areas, district-wise, during this period ;
- (c) whether it is a fact that the Muslim rural population of the Jullundur district is most inadequately represented in the above-mentioned service ; if so, what steps the Government has taken or intends to take in order to secure a proper representation for them in these posts ?

The Honourable Major Sir Sikander Hyat-Khan : I think it better not to answer this. The honourable member has no doubt heard the replies given to other questions of a communal character. The consolidated statement shows the proportionate representation of various communities as sub-divided into notified agricultural tribes and others. A

[Premier.]

copy of this statement for the year 1938 has been supplied to all the honourable members. The recruitment to the Provincial Police Service (Deputy Superintendents of Police) cannot be made on a district basis.

REPRESENTATION OF MUSLIMS OF RURAL AREAS OF JULLUNDUR
DISTRICT AMONG TAHSILDARS AND NAIB-TAHSILDARS.

414. Mian Abdul Rab : Will the Honourable Minister of Revenue be pleased to state—

- (a) the number of tahsildars and naib-tahsildars nominated during the last ten years, district-wise, from the Muslim community ;
- (b) the number of such posts which were offered to the members of the notified agricultural tribes of the Muslim community residing in rural areas, district-wise, during this period ;
- (c) whether it is a fact that the Muslim rural population of the Jullundur district is most inadequately represented in the above-mentioned services ; if so, what steps has the Government taken or intends to take in order to secure a proper representation for them in these posts ?

The Honourable Dr. Sir Sundar Singh Majithia : I must decline with regret to answer questions which savour of communalism. I am sorry to have to adopt this attitude but Government consider it necessary in the public interest to establish a convention in connection with such questions. I shall, however, always be prepared to examine any particular instance of disproportionate representation which honourable members may bring to my notice in a more informal way.

REPRESENTATION OF MUSLIMS IN AN ESTABLISHMENT OF DEPUTY
COMMISSIONER'S OFFICE, JULLUNDUR.

415. Mian Abdul Rab : Will the Honourable Minister of 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, Jullundur district ;
- (b) the number of Muslims among the staff ;
- (c) whether the Muslims are adequately represented in the office of the Deputy Commissioner, Jullundur, if not, the action that Government proposes to take to make up their deficiency ?

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

MOTION FOR ADJOURNMENT.

PROHIBITION OF PUBLIC MEETINGS IN AJNALA TAHSIL.

Lala Duni Chand : Sir, I beg to ask for leave—

Mr. Speaker : The honourable member's motion for adjournment¹ is out of order.

Lala Duni Chand : On what grounds?

Mr. Speaker : The honourable member may refer to my previous rulings. Whatever has been done by the Deputy Commissioner under section 144 is according to the law in force. Consequently no administrative responsibility of the Government is involved in this matter and for the sake of one election the administration of the whole district cannot be called in question.

Lala Duni Chand : What I intended was—

Mr. Speaker : No further speech please. The motion is out of order.

Lala Duni Chand : Sir—

Mr. Speaker : No more discussion please.

Lala Duni Chand : But—

Mr. Speaker : I have given my ruling and the matter ends there.

Lala Duni Chand : I merely—

Mr. Speaker : If the honourable member disobeys the Chair, he shall have to be asked to leave the chamber.

RESOLUTIONS.

WATCH AND WARD CESS IN URBAN AREAS.

Mr. Speaker : The resolution under discussion when the House adjourned on the last occasion was :

That this Assembly recommends to the Government that a watch and ward cess be levied in all urban areas where the levy of a chaukidara cess has not been enforced.

Dr. Sir Gokul Chand Narang : I took a preliminary objection to the resolution and you have not given a ruling.

Mr. Speaker : The present resolution is only a recommendation. The objection raised by the honourable member can be raised if and when legislation is actually undertaken. There can be no objection to a mere recommendation. Besides, the House may not accept the recommendation ; so the point raised by the honourable member need not be decided at this stage.

Dr. Sir Gokul Chand Narang : I am afraid I have been misunderstood. My submission was that the resolution as it stands is a recommendation to the Government that it should impose a cess and that as the Government has no authority to do that, this resolution is out of order. No

¹To discuss a definite matter of urgent public importance, namely, the situation that has arisen in Ajnala tahsil of Amritsar district by reason of a prohibitory order under section 144, Criminal Procedure Code, having been issued against holding of public meetings in so far as it affects the election campaign of Dr. Satya Pal a Congress candidate in the bye-election of Sialkot-Amritsar constituency, General, Rural.

[Dr. Sir Gokal Chand Narang.]

member of this House can ask the Government to do what under the existing law it is unable to do, it is not empowered to do. It is not that when it undertakes a legislation this objection may be taken. I am not clear whether an objection would then be valid. It is possible that the local Government under the new constitution may be authorised to pass laws authorizing itself to impose a cess or it may not. That is a different question which will arise when the Government actually undertakes legislation. But my present objection is that the resolution as it stands is out of order because it asks the Government to do what the Government, under the existing law, cannot do.

Mr. Speaker : The honourable member is quite right in saying that the resolution as worded is open to these two constructions. It requests Government to levy a chaukidara tax in urban areas. This may mean that if, under the law in force the Government can do so, it may ; otherwise, it may pass a law and then levy the tax. As the Resolution may mean both things, it may be said to be ambiguous ; but I am not inclined to rule it out of order on that ground.

Dr. Sir Gokul Chand Narang : It was open to them to have it amended by now. They could have moved an amendment.

Mr. Speaker : Yes.

(Chaudhri Ram Sarup got up to speak.)

Mr. Speaker : Order, order. The honourable member's resolution was moved. It was proposed from the chair and discussed. Does the honourable member now wish to give a reply ?

Dr. Sir Gokul Chand Narang (West Lahore Division, *General, Rural) : There have been no speeches on the resolution. In any case I would like to speak on the resolution on its merits. I want just to say a few words, not make a lengthy speech. For, if I make a long speech, the object of some people will be gained and the object of some other people will be defeated. (Laughter). (Interruption). I am imputing no motives to anybody but I am merely stating the facts as they appear to me. Now that this resolution has been allowed I would not reiterate my objection. But I must say that the resolution is the outcome of a spirit of anti-urbanism which has been disgracing the political activities of this province for the last few years. There has been such a strong animus against the urban people that no opportunity is lost to strike at them in season and out of season. This resolution is only another attempt to annoy, trouble, injure and damage the people who have the misfortune of living in towns. You will agree that sometimes very inconsistent positions are taken by these opponents. When it suits one set of politicians in this province, they emphasise the distinction between urban and rural people. When we talk of non-agriculturists living in rural areas, a further distinction is made between statutory agriculturists and non-agriculturists. They are not satisfied even with the distinction between agriculturists as such and non-agriculturists as such. Another distinction is trotted out and that is the distinction between statutory agriculturists and ordinary agriculturists and non-agriculturists, landowners on one side, non-landowners on the other side. Here are, for

instance, my friend and several other friends, who are very big land-owners but there is a ban on them so far as certain rights and privileges are concerned.

They are outside the pale of those people who are privileged to acquire land and when question of employment arises then also the question is raised of statutory agriculturists and non-agriculturists. Questions are put even where zamindars are allowed certain privileges and further distinction is sought to be made as is done in the case of sub-judges that only statutory agriculturists should be considered as agriculturists and not agriculturists as defined in a certain resolution of the Punjab Government, I forget now whether it is one of 1919 or 1921, but there is a resolution which was passed by the Government some 18 or 19 years ago defining land-owners or agriculturists, and further definitions are sought to be established replacing the ordinary agriculturists by statutory agriculturists. My submission, therefore, is that his resolution will not achieve anything. It will simply create further bitterness. I say it will achieve nothing, because it is already open to the municipalities to utilize the money received by them under the existing taxation for this purpose or for any other purpose. They can employ any number of chaukidars they may like or they may consider necessary for the protection of any municipal area out of the income which is already accruing to them from the taxation which they have already levied in the area under the Municipal Act. The resolution is absolutely unnecessary, infructuous and simply calculated to engender further bitterness. I would therefore oppose it even if nobody else does it.

Khawaja Ghulam Samad (Southern Towns, Muhammadan, Urban). (Urdu): Sir, the resolution moved by my honourable friend Chaudhri Ram Sarup will affect mostly the inhabitants of towns and urban areas. My honourable friend has not taken into consideration the fact that many zamindars do also live in towns. If a watch and ward cess is levied in all urban areas where the levy of a chaukidara cess has not already been enforced, I may submit that would unnecessarily burden the zamindars and non-zamindars living there. By moving this resolution my honourable friend has only made a show of his sympathy with the zamindars. In my opinion this is not justified. Unfortunately many communal parleys have cropped up in our country, viz., Hindus *versus* Muhammadans, agriculturists *versus* non-agriculturists, Muhammadans *versus* Sikhs, etc., etc. I may also submit that further distinction has been made among the zamindars, viz., statutory agriculturists and non-statutory agriculturists. Another new section has been created by my honourable friend, namely, urban people and rural people. The resolution now before the House will, in my opinion, create further divisions between people living in urban and rural areas, which might lead to hatred and animus.

Besides, I may submit that my honourable friend has not taken into consideration the fact that if the urban people do not pay chaukidara cess, they have undoubtedly to pay many other taxes.

Minister for Development : To their own advantage.

Many Honourable Members : Question.

Khawaja Ghulam Samad : The urban people have to pay house tax, terminal tax, water tax, professional tax, income-tax and many other similar taxes. (An honourable member : Motor tax).

Mr. Speaker : No interruptions please.

Khawaja Ghulam Samad : I may submit that the people living in urban areas are comprised of zamindars, craftsmen, labourers and merchants. All of them have to pay different kinds of taxes. It is often said that zamindars are the backbone of the country, but I may point out that the citizens form the marrow of the backbone which is useless without a marrow.

Syed Amjad Ali Shah : What a brainy remark indeed ! (*Laughter*).

Mr. Speaker : No remarks please.

Khawaja Ghulam Samad : The honourable member is brainless to-day. He could not understand my remarks. (*Laughter*). If the taxes which they have to pay are calculated and taken into consideration, it would be clear that urban people have to pay much more than what the rural people pay. In my opinion this watch and ward cess would overburden the urban people. This resolution, if passed, will not at all help the rural people. If the resolution would benefit the rural people I would support it wholeheartedly. What the honourable member should have done is to have moved a resolution for the abolition of the watch and ward cess in rural areas. In that case he would have had the support of every member of the House. I, therefore, request the Government that this resolution should not be accepted because it is likely to create further differences between the urban and rural people. With these words I oppose the resolution now before the House.

Dr. Gopi Chand Bhargava (Lahore City General, Urban) : I heard the speech made by my honourable friend the mover of this resolution and I have tried to understand the resolution itself by reading it over and over again. I am reminded of a story which I read when I was a student in the school. There was a woman with a hunch. Somebody asked her whether she wanted to be relieved of her hunch or she wanted the other people to be like her. She said she did not want her own hunch to be removed, but she wanted to see other people with a hunch so that she may have the delight of seeing other people suffering from the same deformity as she had been suffering from. In the same way the mover of this resolution has brought forward this resolution so that the urban people may suffer from the same disability as the villagers are doing. Time after time we have been raising our voice whenever an opportunity has arisen that the chaukidara tax is not a justifiable tax (*hear, hear*) and that it is the duty of the Government to protect the lives and property of the people; when it imposes and collects other taxes from the people they should engage such police and chaukidars as are necessary to protect life and property. We feel that we should have brought a resolution that the chaukidara tax be abolished, but what do we find ? My honourable friend thinks that if the villagers suffer, the towns people should also suffer from it. I can only understand one argument and that is this that people in the towns should be taxed so that the income of the Government may increase to pay for the police or the chaukidars that are necessary. I am one of those who would support any such taxation provided the poor people are relieved of the heavy taxation which they are suffering from at the present moment, and provided the money which the Government gets is spent properly

(*hear, hear*). They tell us that they want chaukidars for the towns or that they want to empower the Government to levy a taxation for the protection of life and property in towns. Does it mean that the Government should not protect the life and property because no cess or special taxation is levied on the towns people? If we were to pass this resolution, it will be implied that we support the chaukidara tax in the villages which we are not prepared to do (*"hear, hear" from the Ministerial benches*). I am not one of those who are afraid of increasing the taxation if it is necessary, but I want that the purpose for which a tax is levied should be a justifiable and a just one and it is the duty of the municipal committees to protect life and property of the people. And when it is the duty of the municipality, the municipality should employ chowkidars. There is one other method of protection of life and property. If the Government fails to do its duty, then it is the duty of the people themselves to employ chaukidars and protect themselves. We read the other day a proposal propounded by Mahatma Gandhi that even when these communal riots take place, when the life and property of no one is safe, it is for the people to organise a voluntary corps and protect themselves. The Government cannot do it. When this resolution comes from the ministerial party, we can very well understand that the Government is not prepared to protect the life and property of those who live in cities because they have not got sufficient money and they want special cess to be levied. The city people should now realise that when the Government does not want to do it, it is their duty to protect themselves and they should organise a voluntary corps. Why should the Government want special taxes from us when they are not prepared to spend money, for the protection of those who live in cities, out of funds which they have already got at their disposal. Therefore, my submission is that this resolution is only a justification for that lack of duty which the Government has been showing and, therefore, we cannot support this resolution. (*Hear, hear*).

Diwan Bahadur Raja Narendra Nath (East Punjab Landholders): This resolution indeed puts forward a very difficult proposition. I must point out the mistakes which this resolution leads to. It seems to me that the honourable mover of the resolution is labouring under a misapprehension as to the interpretation of section 39-A (j) of the Punjab Laws Act (*Interruption*).

Mr. Speaker: Order, order. There should be no conversation.

Diwan Bahadur Raja Narendra Nath: That section is a lengthy one and I need not waste the time of the House by reading the whole of it, but the part which pertains to taxation is embodied in clause (j) and as I interpret it the power of taxation which that clause gives is confined only to villages and not to towns. I will just read clause (j) of section 39-A of the Punjab Laws Act. It is as follows:—

The determination of the rate at which, and the mode in which, watchmen shall be paid, and, in the case of village watchmen, of the mode in which their pay, the expenses of their equipment, and other charges connected with the village-watchmen-system shall be provided for, whether out of cesses or funds already leviable or available in the villages comprised in the beat, or by a special tax in money or kind to be imposed on any class of persons residing or owning property in, or resorting to, such villages, or partly in one of these ways and partly in the other.

[D. B. Raja Narendra Nath.]

That restricts the power of taxation only to villages. I have heard my honourable friend the Leader of the Opposition and I understood that if there is any justification it is this that the village community controls the *chaukidars*. It controls all matters connected with the protection of property, etc., in the villages. If my honourable friend means that fresh taxation should be resorted to, I think the suggestion is liable to several objections. In the first place, what do you mean by conferring autonomy in certain areas, and introducing local self-government if the provincial government takes upon itself the duty of imposing taxation? What is the object of your local self-government and the autonomy which is given to small towns, notified areas and municipalities if you do their work of imposing taxation yourself? That duty should be done by the local bodies themselves. So far as the municipalities are concerned, section 87 of the Punjab Municipal Act is clear. It empowers the municipalities to organise police and to supervise the work of the police and to have a body of municipal police. Section 88 authorises the local government to relieve the municipalities of this duty. I think it was in 1910 that the municipalities were relieved of the duty of maintaining municipal police and we have to study and carefully observe as to what were the reasons which compelled the Government to take away this power from the municipalities. If you allow the municipalities to organise municipal police, if you allow these small towns and notified areas to organise their arrangements about watchmen, etc., then we have to give the whole power in their hands of controlling the funds and the police. You cannot do one thing and not do the other thing. In that case—I do not know what my honourable friend the Premier intends to do or contemplates—that course will not be free from difficulty. We have been discussing the question of drainage and sullage schemes for the Municipality of Lahore and such like other schemes. I have been insisting, and I have been saying on the floor of this House too, that we must reconstitute the committee and supersede the supersession. Doubts have been entertained as to whether that revived committee constituted on the basis of election will be able to carry out the drainage and sullage schemes. If there is any reason to entertain that doubt, I say that you hesitate to give power of control over filth or dirt to the municipalities, then will you allow municipalities to control bodies which protect our life and property? I think that even this resolution contains some suggestions that the provincial Assembly should undertake legislation in order to impose taxation. I think the course is open to objection and I ask the honourable mover to withdraw the resolution.

Khan Bahadur Nawab Chaudhri Fazl Ali (Gujrat East, Muhammadan, Rural) (*Urdu*): Sir, I had no mind to participate in the discussion on the resolution now before the House, but the allegation made by two honourable members to the effect that the rural classes are divided on this question, has prompted me to say a few words in this connection. I see no objection to the villagers forming parties among themselves. As a matter of fact parties exist everywhere. Are there no parties in this House, or for the matter of that in the Punjab and India as a whole? If it is asserted in favour of other parties that they exist in order to safeguard their particular interests and press their claims, I would submit that the villagers are likewise

within their rights to form parties to sponsor their own cause. In these circumstances it would be highly improper to raise the question of conflict between the urban and the rural classes. We should keep the fundamental principle in view. The agriculturists have natural right to strive for their welfare and seek relief from the unjustifiable taxation imposed upon them in the interest of other classes. If some honourable members dub this honest effort on our part as partisanship, I would like to inform them that we are proud of it. Besides, none can dispute our natural right to defend ourselves in the struggle for existence and further our cause in every way that may be possible for us to adopt. In this connection I am reminded of a couplet of Ghalib which runs as follows :—

روئینے ہم ہزار بار کوئی ہمیں ستائے کیوں

But it is a thousand pities that we are not permitted even to cry. (*Interruptions*).

Mr. Speaker : I request the honourable members not to interrupt the speaker.

Chaudhri Krishna Gopal Dutt : But the other gentleman gives way.

Mr. Speaker : Is a personal explanation to be offered ?

Khan Bahadur Nawab Chaudhri Fazl Ali : Sir, it has been asserted by my honourable friend, that the dwellers of the towns are subjected to various forms of taxation but, in my opinion, these taxes ultimately affect the villagers. Again I may be permitted to say that whereas it is true that those persons whose income exceeds two thousand rupees a year are required to pay income-tax, it is not true that all such persons live in cities. However if their number is larger in the cities than in the villages, there is no harm if these rich people pay income-tax on incomes which exceed two thousands rupees. Besides, I would like to make it plain that a lion's share of the revenues of the municipal committees are collected from the poor villagers. Take for instance the case of any municipal committee. Here two kinds of taxes are imposed, that is, the terminal tax and the octroi tax. Who pays these taxes ? It is generally the villagers who pay these taxes. If carts full of wheat or gram are brought within the municipal limits of a town the municipal committee charges terminal tax on them. It is clear, therefore, that the hard earned money of the villagers passes into the hands of the citizens. Besides, the roads which the agriculturists use are maintained by the district boards but the municipal committees charge tax for the use of these roads. The agriculturists pay local rate as well as terminal tax. In short the cultivators are groaning under the heavy burden of taxation. In this connection it is disappointing to note the example of a hunchback (*kubra*) which Dr. Sir Gokul Chand Narang has cited.

Dr. Sir Gokul Chand Narang : I said *kubri* and not *kubra*.

Khan Bahadur Nawab Chaudhri Fazl Ali : If my honourable friend prefers a female to a male I do not mind. But the fact remains that the cultivators are over burdened with heavy taxes. My submission is that if these taxes are justifiable, the dwellers of the cities and the non-agriculturists should also pay these taxes. If on the other hand these

[K. B. Nawab Ch. Fazl Ali.]

taxes are not equitable then their burden should be removed from the shoulders of all classes. In this connection the Congress proposes that all the chaukidara cesses that the zamindars pay should be stopped and the Government should bear the expenses of watch and ward staff in the villages. But I would suggest that before accepting this strange proposal, arrangements should also be made to make a hole into the heavens from which money should flow down into the treasury of the Government in order to enable them to meet all the necessary expenditure of the watch and ward staff both in the villages as well as in the towns of the province. If this provision can be made I for one will have absolutely no objection to the removal of the various taxes.

Again, the zamindars pay for the police as well as for the chaukidars. But over against this it is strange that whereas police is appointed to protect the people of cities at night from attack on their property by thieves and robbers, the poor agriculturists are left to help themselves with the result that they have to keep a paid chaukidar. The dwellers of cities pay no watch and ward cess while the poor villagers have to pay it. Our only submission is that this iniquity may be removed forthwith. However, if the citizens need no watch and ward staff we do not mind. Let them not have it. But if they do require the services of police in this connection they should come forward to pay for it. Besides, the villagers have to pay land revenue even though their income from the land is too meagre to support them, but the well-to-do people of the towns are not required to pay any income-tax unless their income exceeds Rs. 2,000. The demand of the cultivators is quite simple. They want that a cultivator whose income does not exceed Rs. 550 should also be exempt from the payment of any land revenue. In other words, they require that the land revenue system may be based on the income-tax principle. In that case the zamindars will be able to effect some saving from their profession of agriculture. Far from helping the zamindars our Government taxes the cultivators and spends on the citizens. I may be permitted to ask, why do the Government throw the burden of the watch and ward staff of the citizens on the shoulders of the poor villagers? Is it the duty of the villagers to pay for the protection of the riches of the traders, merchants, sahu-kars and other capitalists living in the cities? We have no quarrel with anybody. Our only aim is to safeguard the interests of the agriculturists.

In the end I may suggest that the various communities inhabiting the province had better adopt the formula "Live and let others live". Applied to the distribution of taxes, the said formula would mean that every class should bear its own share of the public taxation. But it pains one to observe that the poor peasantry of the Punjab is compelled to bear the burden of other classes as well. Is it fair that Government should compel the villagers to pay the cost of additional police which is posted in those parts of the cities where riots break out and various other disputes take place?

Diwan Chaman Lall : On a point of order Sir? Is not the honourable member indulging in irrelevancies?

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

Khan Bahadur Nawab Chaudhri Fazl Ali : Well Sir, I have already explained all the important points with regard to the problem now before the House and I need not add anything more.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : Sir, I am glad the resolution which my honourable friend Chaudhri Ram Sarup has moved, has been responsible for exposing my friends opposite to-day. (*Hear, hear*). Those stalwart champions of rural interests who day in and day out when they go and preach to the zamindars that they are the friends of the zamindars, have been exposed naked to the bone (*hear, hear*). (*A voice : How ?*) My honourable friend asks, how. The Leader of the Opposition tried to hoodwink the rural members of this House by relating the story of an old woman with a hunchback. I can assure him that he cannot possibly throw dust in the eyes of rural members. My honourable friend said, why do you not do away with this chaukidara tax ? (*A voice : Yes*). Yes, wait and hear. He said, why do you not do away with the chaukidara tax ? It is the duty of the Government to protect the life and property of the people. So it is and the Government is executing that duty in the urban areas. My honourable friend said if Government withdraws the police from urban areas we will do so by creating a force of volunteers. My honourable friend knows perfectly well that these volunteers which he will recruit for that purpose will have the confidence of nobody. If he recruits volunteers, this side of the House will not have confidence in them, and if I recruit volunteers he will get up and say that we are going to do so to strengthen 'unionism'; and yet he had the hardihood to say that we could run law and order in the province by raising volunteers. Now, Sir, let us analyse his suggestion that we should do away with chaukidara tax and that the Government should impose watch and ward duties in villages. My honourable friend is clever but I know that he is not so clever as my urban friends opposite. (*A voice : That is why they are following you*). Yes, that is why they are following me because they know that I am not going to let them down. (*Hear, hear*). Now, my honourable friend put forward a very simple proposition and what was that proposition ? He said, 'Do away with 60 lakhs of the chaukidara tax which the villagers are paying and let the Government bear that burden.' He knows perfectly well that if we have to pay this amount out of the provincial revenues, then who will pay the piper ? Fifteen annas in the rupee will be paid by the rural people. (*A voice : They are paying 16 annas to-day*). They are not paying 16 annas at the present moment. The chaukidara tax is paid by everybody in the village, including shahukars, non-agriculturists and other people. By his proposition the zamindar would be paying 15 annas in the rupee. That is his proposition. If my honourable friend tries to calculate it, he will find that I am correct. That is how he wanted to relieve poor agriculturists in rural areas by imposing 15 annas tax on them, instead of 12 annas which they are paying at the present moment.

Now, Sir, let us examine the resolution itself. Whether the wording of the resolution is clear, or is misleading or whether there is any technical defect in it, let us see the spirit of the resolution. I believe, what my

[Premier.]

honourable friend wants is that, where the rural people are paying about 60 lakhs a year for keeping up these chaukidars, this tax should be done away with and watch and ward cess should not be levied in those villages. He says, 'Either take away that burden from us or else ask those rich people in urban areas also, who have wealth and property, to bear a similar burden.' Is that my honourable friend's contention? (*A voice*: That is not the resolution). Yes, that is not the resolution but that is what he wants. (*A voice*: Why does he not move a resolution conveying what he means?) My honourable friend says, 'Why does he not move a resolution conveying what he means?' The honourable mover of the resolution also said that the chaukidara tax was imposed on poor agriculturists in rural areas, and for whose benefit? The agriculturists, as we all know, have got no ornaments or jewellery for protection. It is for the protection of the richer class in the villages that they are paying that tax. (*A voice*: Impose a tax on them). My honourable friend says, 'Impose a tax on them.' I can very well say to my honourable friend, Lala Bhim Sen Sachar, that he knows he cannot escape from the conclusion that this resolution is fair, just and equitable and that the class who can afford to pay is not paying what it should pay at the present moment. (*Dr. Gopi Chand Bhargava*: Tax yourself). If my honourable friends are anxious to relieve poor agriculturists, why are they interrupting me at every word? That shows what their real intention is.

Now, Sir, let us take the resolution on its merits. My honourable friend says, 'We are paying 60 lakhs of rupees for protection of rich people in villages. Why do you not ask rich people also to pay for the protection of their own property and life in urban areas as well?' I personally think that it is a very reasonable demand on the part of rural areas that they should be treated equally with urban areas. They do not want anything more than just treatment. My honourable friend has not asked for remission of 60 lakhs with regard to the chaukidara tax, because he knows that we want money for beneficent activities in the province for ameliorating the conditions of rural people as well as urban people. He knows also—and my honourable friends should also know—that there is a committee sitting at the moment for looking into fresh sources of income and for getting more income and reducing expenditure, so that we can have more money available. My honourable friends in every session come forward with all kinds of measures which would cost crores and crores of rupees to the province. Now he says, give up that taxation also. Is that just or fair? As I have said, if we give it up, it would cost the rural people much more than it is costing them now. That is what my honourable friend wants.

So far as the resolution itself is concerned, technically there may be defects in it. I personally do not think that my honourable friend the mover of the resolution wants that it should be passed in its present form. (*Hear, hear, from the Opposition benches*). My honourable friends say, "hear, hear." Wait and listen. My honourable friend would be perfectly willing, I am sure, if he is assured that the principle which he has in mind, that is to say, an equitable distribution of this burden amongst rural and urban areas, is accepted by the Government. (*Dr. Gopi Chand Bhargava*: Why not make an amendment?) I am sure, my honourable friend the Leader of the

Opposition is feeling most uncomfortable. I think he has never been so restive and full of interruption as he is to-day. So far as the Government is concerned, let me assure the honourable mover of the resolution that the Government accepts the principle completely (*Hear, hear*) and it is also the policy of the Government equitably to distribute the burden of people, so that urban and rural areas should bear more or less equal burden of taxes and the burden which is now imposed on rural areas and which is oppressive, should be relieved to some extent. Now, Sir, what would be the method, so far as this particular object is concerned of achieving that object. As you are aware, in this particular province, all the urban areas, municipalities, small towns and notified areas were either keeping a police of their own or contributing to the provincial Government the cost of the police of those towns and notified areas. Until 1911 it has been a regular feature in the province. After 1911 the Government of India, which was more or less, controlling the finances of the province, and giving doles for various things, came to the conclusion that some incentive should be given to civic activities in urban areas with a view to ameliorate sanitation and other conditions in cities and towns. Now, how could they do so? They could do so either by giving a grant to the municipalities or asking the municipalities to impose fresh taxation.

At that time they did not consider it necessary to force these urban local bodies to impose fresh taxation and the Government of India decided on a policy that these bodies should be relieved of the cost of police within urban areas at the earliest possible moment, and that policy has continued ever since. We have not relieved all the local bodies even at the present moment but most of the important local bodies were relieved somewhere about 1921 to 1926, and Government took over the policing and the cost of the police in those areas. If we accept the principle which my honourable friend has put forward in his resolution, we will have either to impose a tax as he suggests which I think may be technically difficult, or impossible, or else we bring forward any fresh legislation and consequently it might not be proper, as my honourable friend Raja Sahib suggested, to impose taxation in local areas and local bodies. That is a very cogent argument, but how are we to get over the difficulty? I think we can get over the difficulty either by reverting to the old system and asking those bodies to contribute to the cost of police and the police arrangements in the local bodies, or else we will have to impose fresh taxation. I hope my friend will accept my view that it is unnecessary to go into these details at the moment. Government accepts the principle which he has enunciated in his resolution and it will be for Government to see and devise means for giving effect to the principle of equitable distribution of taxation in urban and rural areas. I can assure him that I will take the earliest possible opportunity of examining the question whether we should re-impose that contribution on the local areas for the cost of the police, and if that is not possible if we can find a simpler method of doing so whether we should adopt that. In view of that assurance it would not be necessary for my honourable friend to press his resolution, because I can assure him that the principle enunciated by him is accepted by Government and we will take the earliest possible opportunity of adjusting the burden between the two and I think he is perfectly justified in asking that either the rural areas should be relieved of this burden or the urban areas should also pay for the cost of the police.

Chaudhri Ram Sarup (Rohtak Central, General, Rural) (Urdu) : Sir, I was much grieved when I heard this resolution being opposed by the honourable members sitting on the opposite benches because they have always been saying that they are sympathetic to the poor zamindars. Let me give reasons in support of my resolution, though I may withdraw it later. I was submitting that the Opposition has so far been claiming themselves to be sympathetic to the zamindars but I fail to understand that whenever a question for the betterment of the zamindars is actually put forward they cease to extend any sympathy to the zamindars. I am sorry to say that the Congress party has opposed this resolution. In this connection I would like to point out the remark given by Mahatma Gandhi regarding communal riots. He said that no help should be given to the Government as far as communal riots are concerned and further he stated that the Congress do not require the help of the Government police, but they should try to dispense with this department of the Government altogether. I may be excused if I say that in the Congress there is no difference between a leader and a follower. Mahatma Gandhi is also a follower. (Interruption). Diwan Chaman Lall has opposed this resolution. How strange it is ! I understand he speaks on behalf of his party. He has given us assurance—

Mr. Speaker : Order, order. Was the assurance, to which the honourable member is referring, given on the floor of this House or outside it ? Again, was it given in writing or verbally ?

Chaudhri Ram Sarup : Sir, Diwan Chaman Lall said that the Opposition would support this resolution if a cess would be levied on the landowners and landlords living in urban areas. Let me reply to him by saying that he happens to be very inconsistent. He says one thing at one time and contradicts it at another time.

However, I want to submit that the present Government have assured us that they would levy watch and ward and chaukidara cess on equal basis and the extra cess would be lightened in the near future in rural areas, I would like to remind the Government that they held out promises to remit chahi cess but nothing has so far been done in this regard. I am sorry to submit that the Government make promises but do not act.

I am ready to withdraw my resolution provided the Government promise to take serious action in this matter. If the Honourable Premier would be pleased to agree with me, I would not hesitate to withdraw the resolution.

Premier : My honourable friend has cited a resolution which was passed in the previous Council.

Diwan Chaman Lall : Is the Honourable the Premier entitled to make a speech. ?

Mr. Speaker : He is entitled to make a personal explanation. A direct attack has been made on him by the honourable mover of the resolution. Further, when the honourable mover has given a reply the Government Member is entitled to speak again.

Premier : The honourable mover cited a resolution which was passed under the old constitution. Under the present constitution we are bound to give effect to a resolution if passed. Either a resolution should be withdrawn at the request of Government, but if the resolution is passed it must

the given effect to. My honourable friends know that we have passed a resolution about excise and Government will give effect to that resolution. Similarly the Government accepts the principle underlying the resolution, though technically the resolution is not correct, and there are technical difficulties underlying the resolution. I have given an undertaking that we will examine the question with a view to giving effect to the principle underlying the resolution. How best it can be done, he should leave it to Government.

Chaudhri Ram Sarup : In view of the assurance I beg for leave to withdraw the resolution.

The resolution was by leave withdrawn.

FEDERATION.

Seth Sudarshan (Eastern Towns, General, Urban) (*Urdu*) : Sir, I beg leave to move—

This Assembly recommends to the Government to intimate to the Central Government its firm resolve to be no party to the inauguration of the proposed Federation. This Assembly further recommends that no money be spent out of provincial revenues and no further arrangements be made by the provincial Government in connection with the inauguration of the Federal Scheme, whether in the matter of holding elections to the Federal legislatures or in any other matter connected with it.

Sir, before saying anything in support of this resolution, I would like to draw the attention of honourable members sitting on the opposite benches to the fact that this resolution is based upon the verdict given by the electorate during the last elections ; it embodies the aspirations of the millions of India who are now anxiously waiting for the decision of this House in this regard. (*Cheers*).

The resolution as it stands, purports, to recommend two things to the Government—first, that the Punjab Government should intimate to the Central Government its resolve to be no party to the inauguration of the proposed federation. Secondly, that no money be spent out of provincial revenues ; and no further arrangements be made by the provincial Government in connection with the inauguration of the federal scheme.

As a humble representative of the Indian National Congress I would like to submit at the very outset, with regard to the first part of the resolution, that we are not against the principle of federation itself ; but what we really oppose is the present form of federation that is being proposed to be imposed on us against our will. The construction of the proposed federal structure makes a very painful reading. I am constrained to remark that it reflects the inimitable skill of the British statesmen's jugglery. In fact this scheme is more retrograde, and reactionary than the constitution that was embodied in the Act of 1919. This scheme militates against the principles of democracy ; and what is worse, it is a direct challenge to our national self-respect.

Under the new constitution the federal legislature shall consist of two chambers, to be known respectively, as Council of State and the Federal Assembly. There shall be 975 members of the Federal Assembly, out of which 250 members shall be representatives of British India and 125 shall be nominees of the Indian Princes. The British Indian representatives

[Seth Sudarshan.]

of the Federal Assembly shall be chosen by indirect election, i.e., by the members of provincial legislatures on communal basis. The Council of State shall consist of 260 members, out of which 156 members shall be representatives of British India and 104 members shall be nominated by the Indian Princes. The representatives of British India shall be directly elected by constituencies, based on very restricted property franchise. Only those people will be entitled to vote in the elections to the Council of State who are big land-lords, just as our Honourable Ministers sitting on the opposite benches. I may submit that the primary principle of popular Government is that the members of the Lower House should be elected directly by the masses of the people whom they are meant to represent ; while the upper House which represents vested interests may or may not be elected directly. But in the proposed federal structure, surprisingly enough, an anomalous procedure has been adopted. The members of the Lower House will be elected by indirect election on communal basis while the members of the Upper House will be elected directly on the basis of very restricted property franchise. From this it is quite obvious that the enfranchisement has been restricted with a view to depriving the representatives of the biggest anti-imperialist party of the country of any control over the Federal legislature and keeping it beyond their influence.

Again, Sir, the Indian Princes, who are autocratic, and who are unable to understand, much less appreciate and possess no experience of democratic institutions, are placed in a dominant position of statutory authority over the provinces in the sphere of legislation and administration. The representatives of the Indian States will have the right to frame enactments and to take part in all proceedings of both the Houses which concern our provinces, but the Federal Assembly or the Council of State will not have the right to make laws for the Indian States, except on specified subjects with regard to which the Rulers of Indian States might have given their previous consent. What is still more anomalous is the fact that the execution of such federal laws in the States shall be through State agencies and not through the agents of the Federal Government. The result would naturally be that the Indian Princes shall be able to thwart all democratic and progressive measures of the federal legislatures, and at the same time, perpetuate autocratic rule in the States. I also wish to point out that the existence of an Upper House, such as the Council of State representing the wealthy aristocracy, and enjoying equal powers with the Lower House is against the very spirit of democracy. Thus you see that the federal legislature will be far from being a progressive body, representing the will of the people. It will be dominated by the time-worn relics of the feudal order of India, and communal elements who will form a big pro-imperialist block ; and thus enable the Governor-General to exercise to the full his unlimited dictatorial powers against the people. Even so, Sir, the federal legislature will be an utterly powerless body. It will have no say in such vital matters as defence and foreign relations of the country.

Besides, a Bill will not be introduced in either of the two Houses without the sanction of the Governor-General. Even if a Bill passes through all the stages it shall not become law unless the Governor General gives his assent thereto. The Governor-General has the power to withhold his assent and

can thus reject any of the Bills, and override the decision of the legislature by exercising his power of veto.

As regards financial matters the power of the federal legislature has been reduced to a mockery. Eighty per cent. of the federal expenditure will not be submitted to the vote of the legislature. Only 20 per cent. of the expenditure shall be submitted in the form of demands for grants to the Federal Assembly and thereafter to the Council of State and either chamber will have the power to assent or to refuse to assent to any demand. But their assent or refusal means nothing, for the Governor-General has the right to authorise any expenditure which the legislature might have reduced or refused to grant.

Sir, there is yet another very important issue which I wish to bring to the notice of the honourable members of this House. The dead-weight of the public debt on the revenues of India will remain untouched under the proposed federal scheme. The poverty stricken zamindars and taxpayers of India shall continue to groan under the heavy burden of taxes to the benefit of the British Imperialists and capitalists. I may add that these loans were not raised for the sake of benefitting the Indians, but on the other hand the object of raising of such loans was to strengthen the hold of Britain over India and promote the British Imperial interests in the East. In 1934 the amount of public debt was 1,212 crores. Of this 512 crores was raised in Great Britain. In spite of this fact that these loans have not been raised for our benefit by a strange irony, their burden is shifted on to our shoulders and a statutory limitation is provided by which we may never be able to shake off this undesirable and highly unjust and painful burden under the proposed federal scheme.

Now I come to the control which the federal legislature, as provided in the Government of India Act, 1935, has over the Railways and the Reserve Bank of India. I may submit that the federal legislature has almost no say in these matters. It will not be out of place to mention that no country can develop its industrial and agricultural resources without having full control over its railways and the Reserve Bank. Again we find in the Act that the Governor-General shall, in his discretion, appoint or remove from office the Governor and the Deputy Governors of the Reserve Bank of India. He has the power to take any action necessary for the supersession of the central board and the liquidation of the bank. As regards the railways, they will be controlled and managed by a special statutory body called the Railway Authority. The Governor-General shall appoint at least three out of seven members of this body and the powers of the Governor-General in exercise of his special responsibilities shall apply to the Railway Authority also.

Now I would like to make a few observations about the provisions in regard to the discriminations, etc., which have been provided in the proposed federal scheme. I will cite only a few sections of the Government of India Act, 1935, to show that the federal scheme is a sham :—

Section 12 (f).—Under this section the Indian legislature shall have no control over its tariff policy and consequently it cannot enact any law which may aim at giving protection to Indian industries.

[Seth Sudarshan.]

Section 111.—According to this section the Indian Legislature will not be able to touch the privileged position which the British occupy in the economic life of the country.

Section 112.—It is provided in this section that British and Indian Companies shall be treated alike in matters of taxation.

Section 113.—Under this provision the British companies trading in India will be completely independent of the control of the Indian legislature which cannot compel any company incorporated under the laws of the United Kingdom, to conform to the provisions of the Indian Company Law or impose any restrictions on it.

Section 115.—It provides that no ships registered in the United Kingdom shall be subjected by or under any federal or provincial law to any act, which is discriminatory in favour of ships registered in British India.

Section 116.—This section is the last straw on the camel's back. It provides that British companies trading in India, shall be eligible for grants, bounties and subsidies paid by the Government to the same extent as the Indian companies.

Besides, I may be permitted to place a number of relevant facts before the honourable members of the House. It is estimated that the total British Capital invested in India amounts to 1,800 crores. In 1931-32 as many as 911 British Companies with a paid up capital of 1,008 crores of rupees conducted business in India, and it is estimated that no less than 161 crores of rupees are transferred annually from India to England as interest on the British capital and profits of the British companies. Most of the sea-borne trade of India is carried on by the British shipping companies. The share of the Indian shipping companies is hardly 2 per cent. in oceanic trade and 8 per cent. in the coastal trade. In Assam 85 per cent. of the tea plantation industry is in the hands of the British capitalists. Out of nearly 90 jute mills only 5 are under the Indian management. On the top of it, only recently our benign Government of the Punjab leased out Khewra mines territory to a British firm, I mean the Imperial Chemical Company for a period of fifty years.

Minister for Development : The previous Government made that agreement and not the present one.

Seth Sudarshan : Then why do you not get it revoked ? Sir, I was going to submit that none can gainsay the fact that today the British commercial and industrial interests dominate and control the economic resources of the country. They are openly engaging themselves in cut throat competition with the Indian firms and companies. If we wish that our trade and industry should thrive, we must adopt measures to afford protection to them against the powerful rivals. But as I have stated already it is impossible to do so under the proposed federal scheme. The hands of the federal legislature are fettered in that respect.

Again, we find that the rights and interests of the members of the public services shall be safeguarded by the Governor-General in order to keep intact the steel frame of the I. C. S. It has been admitted by all that

this service is one of the most expensive civil services of the world. It possesses bureaucratic mentality and is very unsympathetic towards the people of the country. It is a thousand pities that the rights and privileges of the servants employed by the nation should be protected by an alien authority against its wishes. I would regard this state of affairs as an insult to the self-respect of the nation. I am constrained to remark that this federal scheme is being foisted upon us against our will. Under it we shall be bound to the chariot of British Imperialism to be trampled under it. I may submit that things are manipulated and engineered in a way that make it increasingly difficult to liberate ourselves from the shackle of a foreign yoke unless and until we bring about a revolution in the country. But I may add that no self-respecting Indian can be a party to such a retrograde measure as the proposed federal scheme is. I make bold to say that those who support it are either blind or want to grind their own axe. I declare on behalf of the Congress on the floor of this House, that it would oppose the proposed federal scheme tooth and nail and sacrifice its all to get it scrapped.

Minister for Development : This exactly was the attitude of the Congress towards provincial autonomy.

Seth Sudarshan : I may point out that if this scheme is unwisely thrust upon us, all the forces in the country would unite to thwart it. We would put every ounce of energy to establish a government of the free people of India fully sovereign and capable of taking its place in the great comity of free and independent nations of the world. With these words I commend this resolution to the House for acceptance.

Mr. Speaker : The resolution proposed is—

This Assembly recommends to the Government to intimate to the Central Government its firm resolve to be no party to the inauguration of the proposed Federation. This Assembly further recommends that no money be spent out of provincial revenues and no further arrangements be made by the provincial Government in connection with the inauguration of the Federal Scheme, whether in the matter of holding elections to the federal legislatures or in any other matter connected with it.

I have received five amendments and as each of them proposes that it should take the place of the original resolution, all of them can be discussed together.

Raja Ghazanfar Ali Khan : With a view to facilitate discussion on this resolution, may I request you to kindly ask all those gentlemen who have given notice of amendments to formally move the amendments so that a simultaneous discussion may proceed on the amendments?

Mr. Speaker : The honourable member is requested to presume that the Chair knows its duties. There shall be only one resolution and its one amendment before the House. The remaining amendments will be under discussion, but shall be moved and voted upon separately, if necessary.

Lala Duni Chand : Though I claim perfection for my amendment in the sense that if I had moved it it would not have been possible for any section of the House to oppose it, I regret that I cannot move it.

Sardar Hari Singh : Nor do I wish to move mine.²

Rai Bahadur Mr. Mukand Lal Puri : I have given notice of the following amendment :—

That for the resolution the following be substituted :—

That this House while declaring in unequivocal terms that the proposed scheme of Federal Government in the Centre for India is unsatisfactory as it fails to satisfy the legitimate Indian aspirations, is of opinion that Part III of Government of India Act should be worked with a view to get the best benefit out of it for the country. It further calls upon His Majesty's Government to take early steps to so improve that part of the Act as to bring it in consonance with Indian public opinion.

But I understand that a similar amendment, though in different terms, stands in the name of the Honourable Premier. Therefore, it is hardly necessary for me to move it.

Diwan Chaman Lall : No. It is different. This amendment of Rai Bahadur Mr. Mukand Lal Puri is an entirely different amendment from that of the Honourable Premier (*Uproar*).

Mr. Speaker : The honourable member should not have got up and discussed any point or made any remarks without the leave of the Chair.

Diwan Chaman Lall : I am not discussing anything. When an incorrect statement is made, I want to draw your attention to it.

Mr. Speaker : Does the Honourable Premier wish to move his amendment?

Premier : Since Rai Bahadur Mr. Mukand Lal Puri does not move his amendment, I beg to move—

That for the original resolution the following be substituted :—

This Assembly considers that the Federal Scheme formulated in the Government of India Act, 1935, is unsatisfactory, and in view of the urgency of the problem recommends to the Government that the earliest possible steps should be taken radically to revise the scheme in full consultation with all sections of the people concerned. (*Hear, hear.*)

(*Voices : No speech ?*)

¹**By Lala Duni Chand :** That for the resolution the following be substituted :—

Whereas the Federal Scheme as embodied in the Government of India Act has been condemned unequivocally and declared unacceptable by all sections of the people of India, this Assembly, therefore, recommends through the Government of India to the British Government in England that the same be not imposed upon India contrary to her will and that all possible avenues be explored to prepare a Federal Scheme with the concurrence of all concerned that may be acceptable to India.

²**By Sardar Hari Singh :** That for the words after the words "Central Government" in line 2 the following be substituted :—

"and through it to His Majesty's Government in Great Britain that the Federal constitution as embodied in the Government of India Act, 1935, is unacceptable to this House, and should be replaced by one vesting full sovereign powers of control over all subjects including Defence, Foreign Relations and Finance in the elected representatives of the people and conferring on India the status of an independent Sovereign State."

By Sardar Hari Singh : That for the words after the words "Central Government" in line 2 the following be substituted :—

"and through it to His Majesty's Government in Great Britain that the Federal Constitution, as embodied in the Government of India Act, 1935, is unacceptable to this House, and should be replaced by one vesting full sovereign powers of control in the elected representatives of the people."

Premier : Not at this stage.

Mr. Speaker : The original resolution was proposed from the Chair. Then all gentlemen, who had given notices of amendments, were called one by one to move their respective amendments. The first four amendments, which were meant to take the place of the original resolution, were not moved but the fifth was moved. An honourable mover of an amendment, when he moves it, has a right to speak not only on his amendment but also on the original motion.

Premier : I think I had better make my contribution to the debate now.

Pandit Muni Lal Kalra : On a point of order. I find that the amendment as moved by the Honourable Premier is beyond the scope of the original resolution. You will kindly see what the original resolution is and what the amendment is. It is opposed to the original resolution. The original resolution says :—

This Assembly further recommends that no money be spent out of provincial revenues and no further arrangements be made by the provincial Government in connection with the inauguration of the Federal Scheme.

In this resolution it is taken for granted that the scheme as adumbrated in the Government of India Act should be rejected, while on the other side in the amendment it is proposed that some alterations may be made in the federal scheme that is given in the Government of India Act.

Mr. Speaker : It is not beyond the scope of the resolution.

Pandit Muni Lal Kalra : As a matter of fact it is a separate and independent resolution.

Mr. Speaker : That is not my opinion.

Sardar Sahib Sardar Gurbachan Singh : Has not the Leader of the House got another opportunity to speak as Leader of the House and not as a mover of the amendment ?

Mr. Speaker : A Government member, as such, may have a right of reply but not as a mover of an amendment.

Raja Ghazanfar Ali Khan : I think I did not make myself clear when I raised the point of procedure.

Mr. Speaker : Does the honourable member wish to raise a point of order ?

Raja Ghazanfar Ali Khan : It is a point of order.

Mr. Speaker : I am not going to allow a speech.

Raja Ghazanfar Ali Khan : I have no intention of making a speech. What I submitted was that the procedure is that on such important questions the movers of amendments are allowed to formally read their amendments and they are not called upon to make a speech but they can be called upon at any stage to take part in the discussion. This procedure, I may submit, was adopted on a resolution of this very nature, i.e., federation, both in the Central Assembly and in the Council of State.

Mr. Speaker : I have already ruled according the parliamentary practice. If the honourable member is relying on the Central Assembly procedure, then I am not aware of it. One thing is certain. When the original motion is moved, and an amendment to it is moved, then amendments to the amendment may be moved. If there are a number of amendments, each of which is proposed to take the place of the original motion, only one of them is moved but all are discussed, and at the end if the honourable members, in whose names the remaining amendments stand, wish their amendments to be put to the vote of the House, each one of them is put separately. Notwithstanding the provisions of Standing Order 65, more than one amendment to a resolution have not been allowed to be moved simultaneously, as that would cause confusion. The parliamentary practice on this point is as follows :—

When the question is proposed on an amendment, debate should, strictly, be relevant to that amendment and not refer to other amendments, but the Chairman sometimes, for the convenience and with the assent of the Committee, allows debate to range over several amendments, which raise different aspects of the question raised by the amendment actually under consideration, on the understanding usually that, when these later amendments are called, they may be divided of, if desired,..... (*Campion, page 191*).

That is exactly what I ruled.

Diwan Chaman Lal : That is exactly what you ruled.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : Sir I had no intention to intervene in the debate at this stage, but since you have ruled that I should make my observations at this stage and that I would be entitled at a later stage to speak on the main resolution, I beg to submit a few words with regard to my amendment.

11 A.M.

You are aware, Sir, that there has been much criticism in the country against the Government of India Act, 1935, and particularly vehement and adverse criticism against that part of the Act which deals with federation. There seems almost a unanimity of opinion in the country that the Act falls short of the expectations of the people and that the federal portion of the scheme taken together as adumbrated in the Act is most unsatisfactory. That I believe is the general consensus of opinion on this important question, and I would state at the very outset that I strongly share that view (*hear, hear*). Let it, however, be recognised that the opposition to, or the adverse criticism of, the federal scheme by the various political schools of thought in the country, is not based on identical grounds.

The Congress, which is one of the most important political bodies in the country at the moment (*Voices from the Opposition benches* : The most) has said that it is not going to work the federal portion of the scheme. I sympathise with that point of view. But, Sir, their similar previous declarations with regard to provincial autonomy changed first into hesitant co-operation and eventually into active co-operation. That is what happened in the sphere of provincial autonomy and I congratulate the Congress on the courage and farsight of retrieving to their original position. It was considered by the Congress that provincial autonomy was a thing which should not be touched with a pair of tongs, that it gave no power whatever to the country, and that provincial autonomy would be a source of great

danger to the political advancement of the country, and yet we find that eventually after a few weeks they veered round, and I am very glad, and the whole country is glad, that the Congress veered round and finally decided to accept office to work the provincial autonomy. I am sure that every well-wisher of India and every patriotic Indian has welcomed this announcement of the Congress with a sigh of relief, because if the Congress had adhered to its original position, the political progress of the country would have been seriously retarded. Now, Sir, whatever may be the ultimate decision of the Congress on this particular matter, i.e., the working of the federal scheme, there is a large section of *bona fide* opinion in the country which suspects that after using this opposition or criticism as a lever for getting certain concessions from the British Government the Congress may again agree to work the federal portion of this scheme. Whatever may be the ultimate decision I think that no one in this country and much less in this province would gainsay the fact that the scheme as at present formulated does not come up to the expectation of the people of this country (*hear, hear*) It is, therefore, essential that we should make every possible effort to get the scheme modified in accordance with the aspirations of the people of this country and in consultation with the various sections of the people concerned. But, Sir, so far as the principle of federation is concerned, I do not think there is any difference of opinion on the point that some sort of federal government at the centre is necessary in order to secure the solidarity and cohesion of the country as a whole, in other words it is necessary that there should be a co-ordinating body at the centre to bring all the units together with regard to that sphere of their activities which is common to all and in which joint action is necessary in the interests of the country as a whole. There is no difference of opinion on that point. So far as the principle of federation is concerned everyone, I am sure, in this House is agreed that we must have some sort of centrally constituted body to look after the interests and administration of certain specified federal subjects. The difference arises with regard to details. There was a school of thought in the country, and I hope it no longer exists which at one time strongly pressed that there should be only a unitary form of government in this country, that there should be no provincial autonomy, that there should be only a strong central government, with provinces, as in the past or in the early period of British regime, merely as administrative agents, who should have no real effective say in the administration of the country or in the constitutional advancement of the people as a whole. That school of thought put forward several reasons which may be cogent or otherwise but which appear to me to be mostly fatuous. Their main argument was that India had hitherto been governed under a system which could aptly be described as a unitary form of government. They said that during the Moghal period it was a unitary form of government and subsequently under the British regime India had a unitary form of government. Provinces were merely administrative units—units devised for administrative convenience. But what does history tell us? It shows that the unitary form of government was a source of greatest weakness to the country as a whole. It was responsible for disintegration of this country into small principalities and big principalities and into small states and big states which was a source of weakness to the country as a whole, with the result that those small and big

[Premier.]

principalities started fighting among themselves and the governance of India passed out of Indian hands and peace had to be established by the East India Company. They again started a unitary form of Government, but experience has shown that in a country as vast as India, the cultural and administrative progress of the units cannot proceed effectively and according to special needs and peculiarities of the units with a unitary system of government. The existence of Indian States also emphasises the unsuitability of a unitary form of government as the future policy of India. The Government of India Act replaces the unitary form of government by a federal system. I do not think that any patriotic citizen to-day will welcome any proposal which is likely to impair the power of the units and autonomy of the units as constituted under the Government of India Act. Then, there is a difference of opinion whether the federation should consist of a combination of various provinces in British India only or whether it should be a federation of the provinces with the Indian States, and there has been a great deal of heated controversy over this question. The advocates of a purely British Indian federation say that by joining with the States we have to level down our standard of administration to that of the other federating units. The progress in the British provinces, they say, is far ahead of the States and we want to go still further at an accelerated pace, while the Indian States are still hesitating even to constitute legislative assemblies. There are very few States which have constituted legislative bodies of the type we have in this province and the few existing assemblies in the States at the moment do not have the same power as we have in the provincial sphere here. On the other hand, we have also to consider that if we leave Indian India, as it is called, alone and do not bring it within the fold of an all-India federal scheme, it would mean that we would be dividing India permanently into two watertight compartments. Would that on a long view be in the best interests of the national progress or the political progress or the economic progress of this country? I beg to submit definitely and emphatically that in order to secure necessary solidarity and cohesion at the centre and to have progressive advance in matters political as well as economic, it is necessary that we should not allow Indian States to be constituted into a separate watertight compartment, which may be a source of embarrassment to the federation itself and a drag on the progress of this country.

Then, Sir, another criticism against the present scheme is that it does not give sufficient power to the federation to administer various central subjects. It is perfectly obvious that some of the most important subjects, such as defence, and external affairs, have been excluded from the purview of the centre. I think that, from a purely national point of view, the criticism about the exclusion of these subjects from the purview of the centre is most unsatisfactory. But practically all constructive public men in India have expressed their willingness to some sort of a differential treatment with regard to these subjects provided it is on a specified transitional basis with possibility of growth from precedent to precedent.

Another objection which the honourable mover of the resolution took and which is also taken by several other honourable members is with regard to the method of election, to the Federal Assembly. Here again, there are

different points of view. The point of view which I propose to place before the House is my personal point of view. Let me assure my honourable friend that it is not the point of view of my party (*A voice* : Is that not the view of your party ?) If my honourable friend thinks that it is also my party's point of view, he is at liberty to take it as such. But I am merely putting forward my own individual personal point of view and that is this that the federation, which I visualize in the best interests of the country as a whole, is a federation which would be truly representative of the various federating units, so that the units or representatives of the units in the centre may not only be able to safeguard the interests of their own particular units, but also be able to co-operate with other units for the effective functioning of the federation. (*A voice* : Including the people of the States.) Yes, including the people of the States. Sir, I was submitting my own view that we should have representatives of the various federating units with a view to bring about solidarity and cohesion. Unity of voluntary co-operation should not be superimposed by anybody. If you superimpose any conditions then you may be sure that instead of bringing about that cohesion and solidarity, which we all desire, it would engender conflict and unfavourable conditions, which unfortunately are even now perceptible. What we want to avoid is a domineering central government, a central government which is likely to interfere with the provinces so as to put the provinces in a position where they may eventually find it difficult to take any big action because of the conflict with the centre. This is a thing on which every patriotic citizen and everybody who has considered this question carefully, will agree with me. That is the position which I take. I visualize the federation in which the representatives of the various units will constitute the central government with a view to see that provincial autonomy is not, in any way, trenched upon by the central body ; and with the safeguarding of the interests of their respective units or provinces, they may also serve the common interests of the country as a whole in the federal sphere. If we accept the proposition that that is the type of federation we want, then it is essential that we must bring the representatives of the Indian States as well as of the provinces into the federation. How we should bring them in is again a matter on which there is a difference of opinion. There is a view point that there should be direct election to the Federal Assembly. But if you accept the proposition which I have just enunciated that we must have a centre which is not domineering but which is voluntarily combined for the common interest of the country as a whole, then the representatives at the centre should be the representatives of the units. If you have direct election, what would happen ? You will be sending in representatives chosen by an electorate with higher franchise than at the moment. Unless you get down to the level of adult franchise, you will be sending an independent body of men who are likely to think differently from your provincial legislature. What would happen in that case? Nothing but a tug of war between the two and a break. Take a very simple example. Supposing the units desire that under section 140 of the Government of India Act, the salt duties or excise duties should be paid to the province for the beneficent activities within the province instead of being utilised for some expenditure at the centre—which appears to the units as unnecessary—or instead of being deposited in the reserves of the Central Government. But your representatives who go directly to the centre will think otherwise

[Premier.]

and hold a different view. They will not be representing the province, because we are elected here on a much lower franchise than what is proposed for the central legislature, and then if we have a lower direct franchise for the Federal Assembly you will have unwieldy constituencies with no proper contact between the member and the electorate—apart from difficulties of organising elections on that basis. I am only pointing out the administrative and other difficulties. The federal representatives must be real representatives and they should also be responsible to the representatives here in this House. That is why I support the indirect election. So far as the Upper House is concerned it is a body of elders and is meant to provide checks and brakes. Upper House is a necessary adjunct of all federations.

Let it, however, be recognised that while members of the various parties have criticised the present scheme, no alternative scheme has yet been put forward about which we could say, here is a better scheme, why press the Government of India scheme which is not generally acceptable? (*A voice* : Constituent Assembly.) My friend says, Constituent Assembly. That is a proposal put forward by the Congress, but it has not been accepted by any other party in the country. If it had been accepted by the country as a whole it would have been a very good method of settling the various points. But so far as I am aware and so far as I am in touch with the various political parties in the country, I am almost certain that that particular method of settling this dispute is not likely to prove satisfactory. We will have to devise some plan whereby all interests have more or less equal chance of putting their opinions before that body which is going to revise this constitution. My friend wants a constituent assembly on adult franchise. For one thing it would be mechanically not possible to put it into action. If you want to have a constituent assembly on the universal adult franchise, it would mean an enormous cost to the country. My honourable friend talks as if he was going to decide this question. We must not forget that there are interested and influential parties in this country which would see to it that your constituent assembly or my proposal does not go any further than what they desire. (*A voice* : That is why we must fight the other party.) As if my gallant friend is going to fight with them to-morrow. (*A voice* : We have been doing it for fifty years.) My honourable friend is not prepared to face facts. He wants to live in the clouds of ideology and dreams. He can do so, but as practical men we want to get the scheme altered and as practical men we must look at practical methods not at those methods which he desires. We must try to take the country with us and unless we do so you might have to wait till Doomsday to get a revision of this scheme.

As I have said there are different points of view with regard to the details of the scheme. As you are aware I consulted not only my party but several other prominent persons in the province with regard to this subject because after all there is always room for constructive criticism and sound advice from people outside. With your permission, I would like to read a letter which I received from one of my honourable friends and this

is what he says. This is just one point of view and there are several others who feel like him. I might read out that letter :—

Making of constitution is not an easy task. I have some experience of it, and I am aware of the difficulties which arise. The Nehru Report formulated a constitution which was an ideal one in some respects, but which was not accepted by all classes and communities. The British Government then convened a Round Table Conference for which many of us went to England and devoted ourselves to work. Though there was no agreement amongst us on the communal question, the rest of the constitution including the federal part of it was framed with the consultation of many eminent Indian political leaders. The Congress intends to convene a constituent assembly based on adult franchise. There are many practical difficulties in the way of convening such an assembly, not to speak of evolving a constitution with the consent of the majority. The communal problem is still in the melting pot, and its solution is not forthcoming immediately. I do not know how many years it will take to evolve a constitution and to revise the present federal scheme 'in full consultation with all sections of the people concerned.' In the meantime should we sit with folded hands in the expectation of a better federal scheme?

Under the wise guidance of Mahatma Gandhi the country has outgrown the mentality of boycott and non-co-operation. I do not think it is possible to combine the non-co-operative and boycott mentality in the federal sphere with that of co-operation in the provincial. I am, therefore, of opinion that whilst earliest steps should be taken to revise the federal scheme, we should work the federation to the best advantage of the country, and try to improve the constitution both federal and provincial.

(Hear, hear from Ministerial benches.)

Diwan Chaman Lall : Do you agree with that view? Is it the view of the Hindu Mahasabha which is dead?

Premier : This is the view of my friend Raja Narendra Nath *(Ironical cheers from the Opposition benches)*.

Diwan Chaman Lall : Does the Honourable Premier agree with this view?

Premier : I am pointing out that this is one view.

Diwan Chaman Lall : Not your view?

Premier : Not my view. But in view of the fact that an important national body, an all-India body, like the Hindu Mahasabha, has passed a resolution that they would be prepared to work the scheme, we have to take their view also into consideration. They agree with me in this respect that they also consider the scheme to be unsatisfactory and they would be prepared to join hands with me and my friends opposite to get the scheme revised with a view to improve it.

Diwan Chaman Lall : Very bad company to keep for you.

Premier : My honourable friend does not realise that he may like to run and I may also like to run along with him. But my honourable friend Raja Sahib may be left behind in the race. *(Laughter)*.

Dr. Shaikh Muhammad Alam : Old people.

Premier : When there is a battle, my honourable friend will leave the old people, women and children behind to be murdered. *(Cheers)*.

Dr. Shaikh Muhammad Alam : I will protect those who are left behind.

Premier : That is the regard which he has for old people. But I as an Indian, with Indian sentiment, have great regard for them. But as I said, my friend opposite wants to run and I also would probably take his hand and try to run as fast as I can or I may not be able to keep pace with him because he is a much lighter person than I am. (*Laughter*). But there are others who are not prepared to run at the moment and who still want to walk. Therefore, we have to carry them with us. Let us hold them and take them with us and not leave them behind as otherwise they may be a drag on the country. Let us drag them with us so that we reach our goal together. (*Cheers*). (*Interruption*). I would much rather take them with me than let them go back in the opposite direction and retard my progress. Now there is an important section of people in this country who subscribe to the point of view which the Raja Sahib has put forward. Having regard to that point of view and having regard to the attitude of that important political body in the country, I mean the Congress, on the question of provincial autonomy, people have been dubious, are still dubious, about the eventual action or steps which the Congress may take. Having regard to these circumstances, would this House like me to commit this province to an irrevocable decision one way or the other at this moment? I am almost certain that I am voicing not only the opinion of this House or the majority of this House but the province as a whole or the majority of the province as a whole, when I say that we should not irrevocably commit ourselves to any action at this stage which we might have to eat back later on. The Congress did it last time; they take back their decision. We do not want to take that position. I am prepared to work for the earliest possible revision of the present scheme, which nobody seems to like in its entirety and which I do not like either in all its bearings but as I have said, there are differences of opinion, differences in detail and it may take time to get that revision. I think that in the meantime my amendment makes the position of the province quite clear and I think that in this I am reflecting the opinion of the province as a whole. We do not like the scheme, we should like it to be revised as soon as possible in consultation with all sections of the people and we want it to be changed radically (*Hear, hear*). (*An honourable member : How?*) With regard to the alternative scheme, when we come to that stage, I will be prepared to put forward my scheme and I hope that if it is considered calmly it should be acceptable not only to our friends of the Congress but also to the Princes. That is only by the way. This however, is not the time to put forward that scheme. I will put forward that scheme when I am asked to do so either by the parties concerned or by a representative and authoritative consultative body, which may take up the revision of the scheme. I will be prepared to give an outline of that scheme at a later stage in the debate if necessary. But for the moment I would content myself by saying that I cannot possibly associate myself and my party knowing the views of the various sections of the people in the province to an absurd position, or commit them to any step which might either lead them into wilderness of destructive criticism or barren and arid deserts of non-co-operation. We are not prepared, at any rate, the Punjab is not prepared to take that attitude at the moment. But at the same time I am not going to commit this province that we will work the federal position of the constitution whether it is revised or not. (*An honourable member : Neither one way nor the other?*) Yes, for the

simple reason that I should like to be quite clear in my mind what kind of revision the various schools of thought want. If that revision suits me and my province, we will support wholeheartedly that body which puts forward that revision. If the revision proposed is something different from what I think will suit our province, then we will have to oppose it and support an alternative scheme. (*Hear, hear*). In view of all these circumstances, I cannot at this moment, as I said, commit the province or this House to any irrevocable decision. (*Prolonged Cheers*).

Lala Deshbandhu Gupta (South Eastern Towns, General. Urban) Sir, I have listened to the milk and water speech of the Honourable Premier (*hear, hear*), with rapt attention and I must say that I have been sorely disappointed. The Honourable Premier was obviously at a great disadvantage, as at every moment he was uttering a sentence in favour of or against federation, he seemed to have the picture of two sets of masters before him, the masters who sit in the Government House or the Britishers and the wide electorate which has returned him and his party to the legislature and is watching them. He had that difficulty and I have every sympathy with him. This seems to have been the difficulty which stood in his way of coming before the Assembly with a resolution on this important subject. It was somewhat strange that yesterday he was accusing the Opposition, of treating the matter lightly, although it is an open secret that during the last 12 months every effort was made by the Unionist Government to avoid all discussion on this important topic.

Premier : Not a bit of it.

Lala Deshbandhu Gupta : Eight out of 11 provinces have passed resolutions condemning downright the monstrous constitution, the constitution which has no redeeming feature at all. But the Punjab which boasts of giving lead in every matter has kept mum over this matter of such great national importance.

Sir, if fortune had not favoured my honourable friend Seth Sudarshan and the resolution had not been ballotted I wonder if this matter would have come before this House even at this stage. I understand the Unionist Party took a very long time to deliberate on this question but with what result? They have produced a mouse after digging a mountain. The only criticism of the constitution made by the Premier is that the constitution is unsatisfactory. The Honourable Premier who waxed eloquence while emphasising that he was not prepared to commit this House to any policy in regard to federation had not the courage even to say that he would resist the constitution if it was imposed on us. (*Hear, hear*). There is a straight question and I want a straight answer from the Honourable Premier and his colleagues. The question is a very simple one. There was hardly any necessity for him to go into the various details of the federal scheme. What was needed and is needed is a straight answer to the question as to whether if the Britishers imposed the federation on our country against the united will of the nation, we are or we are not going to resist it with all our might. That is the simple question and if he has any lead to give, he should answer that boldly in one word and say that he is as keen to resist that constitution as any body else. But we have been listening to him in vain to have any such manly declaration from the

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Premier. Let him even now give a straight reply if he had forgotten that, whether the Unionist Party is prepared to fight that constitution, if the Britishers decide to thrust it on us. If so, what is the method of resistance that he would propose to achieve the desired object? This is what I had expected the Honourable Premier to give a lead about if he could. It is most disappointing that even to-day after 12 months of taking the office the Premier has given no lead; all that he has said is that he wishes that the federal scheme be reconsidered, but he has suggested no definite plan to resist the scheme of federation in case the British Government try to impose the same on the country. Not a word to that effect. You will be pleased to observe that the text of the resolution tabled by my friend Seth Sudarshan was deliberately chosen to be the same, as the text of the resolution which was moved by Mr. Mushir Hussain Kidwai in the United Provinces Legislative Assembly and that resolution, I have his authority to say, was in accordance with the policy of the Muslim League in regard to federation which my honourable friend the Premier also attended in January last. (*Hear, hear*). I want to have a categorical no or yes from him as to whether he is prepared to go even to the extent to which his leader, Mr. Jinnah and a moderate body like the Muslim League is prepared to go in this matter. Let him say, yes or no. One can see that my honourable friend Raja Ghazanfar Ali a staunch Muslim Leaguer is feeling very inconvenient in his seat. (*Hear, hear*). That is but natural under the circumstances and I have every sympathy for him. Let me now tell you, Sir, what the leader of the Muslim League who is also, I think, the leader of the Honourable Premier, said in the Central Assembly on one occasion when this matter came before that body. Mr. Jinnah characterised it as wholly rotten, totally unacceptable and absolutely unworkable. (*Hear, hear*). Mark the words unacceptable, rotten, and last but not the least totally unworkable. Is there any difference of views between Mr. Jinnah and the Unionist Party on a vital matter like this? Let me also remind them, Sir, of what the Muslim League said only three months back in their resolution on federation which was adopted at the Lucknow Session in which a big contingent of the so-called Muslim Leaguers of the Punjab headed by the Honourable Premier and Raja Ghazanfar Ali Khan were also present and had thrown their whole weight in its favour. The resolution of the Muslim League reads like this:—

The All-India Muslim League records its emphatic disapproval of the scheme of the all India Federation as embodied in the Government of India Act, 1935, and is opposed to its introduction and urges the British Government to refrain from its enforcement, as it considers the scheme to be detrimental to the interests of the people of India, generally and of those of Muslims particularly.

I want to know whether my honourable friend Raja Ghazanfar Ali sees any difference between the amendment tabled by the Honourable Premier in his own name and in the name of the Unionist Party and the resolution of the Muslim League.

Raja Ghazanfar Ali Khan : No difference in substance. .

Lala Deshbandhu Gupta : Why not then adopt that very resolution? Why did not the Unionist Party even after two or three days deliberations adopt this resolution? It is an open secret that my friend Raja Ghazanfar

Ali Khan had himself proposed a different resolution which was much stronger than the one which is proposed by the Honourable Premier. I submit one cannot deceive the whole country for all time to come. Let us be perfectly frank about it, as to whether we mean to oppose the federal scheme or not. Mr. Jinnah went further in his speech at Lucknow. He said that the proposed federation was worse than even the present central constitution. This is what Mr. Muhammad Ali Jinnah said—

Instead of ploughing the sands, let the Congress at least concentrate and see that the All-India Federation Scheme embodied in the Government of India Act, 1933, which is more reactionary than even the present central constitution is not brought into being as now it is so emphatically and confidently asserted by those who speak with authority on behalf of the British Government, that it is soon going to be inaugurated.

These are the words of the leader of the All-India Muslim League. His opposition to the federal scheme is so strong that he has gone to the extent of expressing some doubt as to the sincerity of the opposition of the Congress to the federal constitution. These are the sentiments of the Leader of the League; yet the Premier is not prepared to go further than calling it unsatisfactory. The Honourable Premier for obvious reasons has avoided all reference to the resolution of the Muslim League and to the views expressed by his leader Mr. Muhammad Ali Jinnah. I can see his difficulty, and embarrassment in which I have every sympathy with him. But what we are interested to know is, on a matter of great national importance, are we or are we not united in our opposition? Everybody is agreed, as the Premier has also admitted, that the scheme of Federation does not represent the legitimate aspirations or the united will of the people of this country and is being thrust on us against our will. Are they or are they not then prepared to resist? Are they going to work a constitution which Mr. Jinnah has declared to be unworkable, and totally unacceptable, or are they going to fight that constitution? I might remind my honourable friend Mir Maqbool Mahmood, that at one time he also said that they would stoutly resist or oppose the inauguration of that constitution. Why then are they feeling shy even of saying things which they ought to be prepared to do? Why are they feeling shy of taking the only logical attitude of declaring their opposition to the federal constitution so far as this question is concerned? The main difference between the resolution that has been proposed by Lala Sudarshan and the Premier's amendment is that it goes one step further and says that we should not spend any money on the working of the federation or furthering the working of that constitution. The resolution that was proposed by a prominent Muslim Leaguer in the United Provinces Assembly was identically the same; when that was the attitude of the Muslim League, why has an amendment like that been proposed—an amendment which does not go beyond expressing pious hopes and pious wishes—an amendment behind which there is no determination and no will to fight the federation. If there is any real disagreement on the point let the Premier, the Leader of the Unionist Party, have the courage to say that they are out to work the constitution, they are out to give their co-operation to the federation in spite of the united opposition of the country. Let him say so and I at least will have less quarrel with him and will congratulate him on his frankness as he will at least be honest if he made a declaration to that effect. To-day the plain

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fact is that he is neither prepared to fight the constitution nor is he prepared to say that the constitution is acceptable to him. He is between the devil and the deep sea. I would rather be plunged into the deep sea than go with the devil. I do not want to take the time of the House in criticising the details of that constitution which stands universally condemned. The Indian National Congress has more than once voiced the feelings of the country against that constitution. Resolution No. 9 passed at the 49th session of the Indian National Congress was to this effect :—

Whereas the Government of India Act, 1935, which is based on the White Paper and the Joint Parliamentary Report and which is in many places even worse than the proposals contained in them, in no way represents the will of the nation, is designed to facilitate and perpetuate domination and exploitation of the people of India and is imposed on the country to the accompaniment of widespread repression and the suppression of civil liberties, the Congress reiterates its rejection of the New Constitution in its entirety.

The objections are many more but at this late stage when there has been a widespread agitation all over the country against the scheme, I do not think there is any necessity of going into the details of the various defects of the various provisions of the federal scheme. I only wish to impress upon the members who form the Government to-day, that on a matter like this, if they really feel like patriotic Indians, if they also think that the best interests of the country would be sacrificed if that constitution is enforced on the country, if they also hold the same opinion as the Congress and Mahatma Gandhi and all other leaders of public opinion in the country do and think that the federation is another design to continue the exploitation of the poor masses of the country, then I would urge them, to stand up like men and not behave like spineless creatures who have no courage and no determination to fight for their convictions. Let them present a united front and come in line with the eight provinces which have already declared that they will not touch this constitution with a pair of tongs.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Urdu) : May I ask a question from the honourable member ?

Lala Deshbandhu Gupta : My honourable friend will have ample time to express himself. I do not mind any questions coming from that side of the House but I would like to know from him in the first instance whether he is prepared to go whole hog with us in resisting the constitution if it came to that, before giving way.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Urdu) : Sir, I want to ask my friend a question. Is he prepared to give us an unqualified assurance on behalf of the Congress that it would in no case support the federation and that it would have nothing to do with it ?

Lala Deshbandhu Gupta : I am glad that my honourable friend has asked that question. It is really surprising that my honourable friend does not know the policy of the Congress in respect of this constitution. Let me assure him that Congress is not like the Unionist Party whose views the Honourable Premier was not prepared to divulge even to-day. It has been boldly declared from the house tops that the Congress will resist that constitution and will have no compromise on that issue ; and that it will continue to fight it out to the last.

Mrs. J. A. Shah Nawaz : But the same was said of provincial autonomy. (*Interruption*).

Lala Deshbandhu Gupta : Let me answer the question of my honourable friend in the words of Pandit Jawahar Lal Nehru, who is an authority so far as the Congress is concerned. He said—

Our attitude towards the Federation can only be one of uncompromising hostility and constant endeavour to end it.

My honourable friend knows it perfectly well that even though Congress has accepted offices in several provinces the measures which the Congress is adopting are calculated to end this most unsatisfactory constitution. The federal scheme is a charter of slavery and although the charter of slavery may be made into a law, it cannot be willingly accepted by those who have got an iota of patriotism and self-respect left in them.

The country is faced to-day with a crisis on this issue ; the crisis may develop to-morrow and we must be prepared for it. Even
12 noon. the Britishers to-day realise that they cannot impose this constitution against the will of the country. That is why the *London Times* only a few weeks back cried halt and sounded a note of warning that they should not proceed with the constitution in disregard of the opinion of the country. The extension given to the Central Legislative Assembly also shows that the Government of India is alive to the signs of the times and are not prepared to say to-day that federation will be imposed in any case. They are watching the developments in the country and marking time. So, if the remaining three provinces also declare themselves in favour of the rejection of the constitution, that would be strengthening the country's opposition to the federal constitution. Even Sind which is not a Congress province and which is a province in which the Muslim League party was in majority at that time, has rejected this constitution in much stronger terms than the terms proposed by the Honourable Premier in his amendment. I appeal to him to accept the resolution as it is : not only accept it but to work and create an atmosphere in the whole province in its favour if he is a patriotic Indian. If he shares the same feelings with us against this constitution, let there be no hesitation in rejecting the constitution or in voicing our sentiments against it. Let us stand united like men and like fighters with unbending determination to fight it out. With these words I ask the Unionist Party to support the resolution and withdraw the amendment which if passed will only expose them further.

Mian Muhammad Iftikhar-ud-Din (Kasur, Muhammadan, Rural) : Mr. Speaker, I have risen to reply in a few words to one or two points which have been raised by the Premier. The Premier has said that the federation is not a step backwards from the present constitutional position. It has been pointed out from this side of the House that the Railway Board, Reserve Bank, the Army and the Foreign Affairs, on which 80 per cent. of the revenue of the country is spent, will fall within the special powers of the Viceroy. This fact alone shows that the federal scheme will be much worse than the present position at the centre. The most objectionable feature of the federal scheme is to be found in the object that it is aimed to serve. The federal scheme has been evolved to intensify the exploitation

[Mian Muhammad Iftikhar-ud-Din.]

of the resources of this country. British imperial interests have so far been able to exploit fully and with advantage only the resources of British India. They now want to utilise and exploit the resources, men and material of the Indian states to the same extent and in the same organised manner as they have been exploiting those of British India. That is a step backwards. Secondly, the British Government wants to make use not only of the British Indian resources and men in the next imperialist war but also the resources of the Indian States in the same manner as they did those of British India in the last war. That is a step backwards. Thirdly, the British Government has discovered that the rising tide of nationalism in India has rendered it impossible for them to exploit and to rule this country through the old agencies. In the past a few bureaucratic officials, with the help of a few interested Indian aristocrats, have been able to rule this country. Now British imperialism has found it necessary to organise the vested interests and to give a definite power into their hands in order to rule India through Indians for the benefit of Britishers. It is not possible any longer to rule India in the old manner; it is necessary to create a class through the so-called democratic means in this country which would help British imperialism to retain its hold over India. For that purpose a reactionary federal constitution is being imposed in which feudal interests and those of Indian landlords will receive great importance. This will help British imperialism to tighten its hold over India by enlisting the support, to a greater measure and in an organised manner, of the Indian feudal aristocracy, landlords and capitalists, all under the garb of the so-called democracy. That is how federation will be a step backwards. It will retard the progress of Indian nationalism and it will act as a check to any future progressive movement. The Honourable the Premier made a lot of capital out of the fact that the Congress was out to wreck the constitution and yet the Congress ultimately agreed to accept the provincial autonomy. I am surprised the Premier in spite of being in touch with and in spite of actively participating in Indian politics has not been able to appreciate the position of the Congress. Consciously or unconsciously—I hope unconsciously—he has done injustice to the position that the Congress took previous to the acceptance of office and the position which the Congress has taken since the acceptance of office. Congress was out to wreck the constitution and the Congress is still out to wreck the constitution. (*Premier : Question*). Previous to their acceptance of office and previous to the elections to the provincial assemblies the Congress never said that it was not going to accept office. The Congress always said that it was going to wreck the constitution and it has been made clear repeatedly that offices were accepted in order to utilise the little concessions that have been made in the sphere of provincial autonomy to strengthen the anti-imperial forces in this country so as to give a stiffer and a better fight to British imperialism at the next fight. It may be said that just as the Congress accepted office in the provinces in order to strengthen the anti-imperialist forces and to strengthen the national movement in the country, it may again do so in the case of federation. (*Unionist benches : Hear, Hear.*) Let me give a reply. I have purposely raised that question that members opposite think it is a difficult question to answer. Actually it is not. Anybody interested in the national movement knows that no part in the

federal scheme can give us power or opportunity to strengthen the anti-imperialist forces. It is only in the provinces where law and order are in our hands to an extent that it is possible to strengthen the national movement so as to take the anti-imperialist struggle to a higher level in our next fight against British imperialism.

Now, to say that the Congress has given up non-co-operation, that the Congress is going to work the constitution and that the Congress is never going to resort to direct action again, is to misunderstand Indian politics of to-day. The Congress gave a fight to British Imperialism in 1921 and after several years work in organizing the anti-Imperial forces the Congress gave another fight in 1930. We are again preparing for a fight which I hope will be our final and fully successful fight against British Imperialism. Whenever the Congress finds that the anti-Imperialist forces have been sufficiently strengthened and have reached a pitch, when it will be advantageous to resort to direct action or to civil disobedience it will do so. Let it be made clear then that the Congress has accepted offices with the sole object of wrecking the constitution and the Congress is still out to wreck the constitution. The Congress has accepted offices in order to strengthen the anti-Imperial forces. Whenever the Congress finds that it has succeeded in that it will give a fight again. It will relinquish offices, and in that fight adopt not only old but even new, more effective methods than it has adopted hitherto. One should not therefore misunderstand the Congress attitude with regard to acceptance of offices in the provinces. Take it for granted that the Congress is going to oppose the Federation tooth and nail, for the simple reason that it does not give any opportunity whatsoever to strengthen the anti-Imperial forces. This Federation is a step backwards. The Congress wants to see an independent and free India in the very near future. It is therefore opposing this scheme tooth and nail and will adopt every possible method not excluding that of civil disobedience and that of direct action to end it. Nay, as I have said, the Congress may resort to new methods in its next fight to achieve its object. All that we demand is that the Government of this province should help us constitutionally at least. We know that they are not prepared to give a fight. We know that they are not prepared to go to jails. We know that they are not going to face bullets and we know that they have got no strength or courage to resort to civil disobedience or non-co-operation. We can however, expect at least this much from them that they as Indians will not help through the constitutional methods at their command in this province to inaugurate the federation. If they are unable to do even that, to take even this constitutional step in their power, I am afraid, their countrymen cannot have a very high opinion of their patriotism and of their courage. That is all I have to say. (*Cheers*).

(*Voices* : Question may now be put.)

Mr. Speaker : Does the honourable mover of the resolution wish to give a reply ?

Seth Sudarshan : Diwan Chaman Lall will give a reply on my behalf.

Mr. Speaker : The honourable member cannot give a reply by proxy.

Malik Barkat Ali (Eastern Towns, Muhammadan, Urban): Sir, it appears to me that, save in one regard, there is not much of a difference between the attitude revealed in the amendment of the Honourable Premier and the attitude generally prevailing in the country on the subject of federation. As I read the amendment of the Honourable Premier, the amendment makes it quite clear that the federal scheme, as formulated under the Government of India Act, is unsatisfactory. The amendment further makes it clear that a radical revision of this scheme must be taken in hand at the earliest moment in full consultation with all sections of the people concerned. Now, Sir, I quite realise the attitude of the country, generally speaking, on the subject of federation. It appears to me that the country has certainly called the federal scheme as something which is not acceptable to the country. True, very strong agitation against it has been raised. It may be that my Leader, the Honourable Mr. Jinnah, may have described this scheme as a rotten, unworkable and unacceptable scheme. It may be that the League has recorded its disapproval of this federal scheme in its resolution passed at Lucknow in October last. It is also true that the League has recorded a resolution calling upon the Government to refrain from enforcing this scheme in its entirety. You will be pleased to see that in all these criticisms of the schemes, there is no element of resistance being actually taken to the introduction of this scheme. That has never been the attitude of the All-India Muslim League, and even in regard to this question of resistance being offered to the scheme, I find, amongst the papers that have been handed over to me, two valuable amendments—one by Lala Duni Chand and the other by Sardar Hari Singh. (*A voice: They have been withdrawn*). I do not know whether these amendments have been withdrawn or not.

Mr. Speaker: They have not been moved.

Malik Barkat Ali: I am thankful to you, Sir, for letting me know the exact position. I find that there is an expression of opinion on the part of Lala Duni Chand to the following effect:—

Whereas the Federal Scheme as embodied in the Government of India Act has been condemned unequivocally and declared unacceptable by all sections of the people of India, this Assembly, therefore, recommends through the Government of India to the British Government in England that the same be not imposed upon India contrary to her will and that all possible avenues be explored to prepare a Federal Scheme with the concurrence of all concerned that may be acceptable to India.

Sardar Hari Singh also has tabled another amendment to the effect that:—

It may be intimated to the Central Government and through it to His Majesty's Government in Great Britain that the Federal constitution as embodied in the Government of India Act, 1935, is unacceptable to this House, and should be replaced by one vesting full sovereign powers of control over all subjects including Defence, Foreign Relations and Finance in the elected representatives of the people and conferring on India the status of an independent Sovereign State.

You will be pleased to see that in these two amendments—they have not been moved but I am not concerned with that fact—one thing is quite clear, *viz* that the element of resistance, which appears in the main resolution which is under debate to-day, does not appear. Let us consider the question whether resistance is possible or not. It is a fact that when the provincial scheme or provincial autonomy was being discussed or being

enacted, the general attitude of the Congress, I say so with no disrespect, was that this scheme was not acceptable, was not workable and must be wrecked. It is further true that the ultimate stage of that wrecking ended in the acceptance of offices on the part of the Congress. It is very easy, in advance, to say that a scheme like that should be resisted so far as provincial autonomy is concerned. But the scheme when it came was not actually resisted. If our learned friends think that by acceptance of offices, they are really wrecking the scheme of provincial autonomy, they are free to think like that. We, certainly, cannot interpret these realities in that manner. So far as actual resistance to the federal scheme is concerned, I wish to draw the attention of the House to section 126 of the Government of India Act which lays down that the Governor-General shall have power to issue orders to the Governor. And section 52 lays down as one of the special responsibilities of the Governor, that if any orders are issued by the Governor-General, it will be within the range of his special responsibilities to see that those orders are given effect to. I put it to the House and to my friends, how can they resist the scheme?

I can understand resistance in the shape of an armed revolution in the country, but that is not contemplated by the Congress. (*A voice: Is it not?*). It will be said that the Congress contemplates a non-violent revolution. That may be the contemplation of the Congress. But people have their own views, and I cannot see how a country can win freedom through non-violence, nor does history furnish any instance of a country where non-violent revolution, a non-violent mental attitude, has ever succeeded in winning freedom. Therefore, if our friends think like that, there are others equally interested in the welfare of the country, who feel that armed revolution—the only revolution that matters—is out of the question. The only way that is open to the country is the path of constitutional evolution. I yield to none in my condemnation of the federal scheme. There are aspects of this federal scheme which cannot be tolerated but it is not a question of my choice. The scheme is coming, it is bound to come and none can stay it. Let us make it clear that we cannot be willing parties to the scheme. The Honourable the Premier has made it clear that the scheme is unsatisfactory and requires a radical revision and I congratulate him for that. I am one of those who do not regard the Unionist Government as a very progressive government, but I consider it a great triumph of public opinion that the Unionist Government should have made up its mind to come to this House with an amendment which declares to the British Government that the federal scheme is not acceptable, is not satisfactory, and before the federal scheme is introduced, all sections of the people should be consulted and radical revision of the scheme, should be made, otherwise it will certainly not give any satisfaction to the people of this country. A condemnation of that kind to my mind should appeal to us as sufficient. With these few words I gladly support this very great advance which the present Government has taken and join with them in accepting this amendment so that it may be made clear to all concerned that even the Punjab which has worked this reform scheme to the best satisfaction of the bureaucracy is clear on one point, namely that it cannot accept the Federal Scheme as satisfactory and wants—these

[Malik Barkat Ali.]

are important words—a radical revision of that scheme in full consultation with all sections of the people concerned.

Mr. Speaker : The question is—

That the question be now put.

The motion was carried.

(At this stage some other members wanted to speak.)

Mr. Speaker : Under the rules in force when a closure motion is carried, I cannot allow any member, except the mover, to give a reply, if he is entitled to give. The mover being absent I am bound to put the original question.

Premier : As there is still time, may I submit that if the mover of the motion does not want to speak there are several of my friends opposite who might like to take part in the debate, and I suggest that they might be allowed to speak, specially I would like to hear my friend Diwan Chaman Lall.

Mr. Speaker : I shall read out the rule on the point. Standing Order 85 (3) reads :—

Where a motion is made under sub-order (1), and if it is carried, the question shall be put without amendment or debate.

I cannot allow any further debate.

Amendment moved is—

This Assembly considers that the Federal Scheme formulated in the Government of India Act, 1935, is unsatisfactory, and in view of the urgency of the problem recommends to the Government that the earliest possible steps should be taken radically to revise the scheme in full consultation with all sections of the people concerned.

The question is that this amendment do take the place of the original resolution.

The Assembly divided : Ayes 99, Noes 32.

AYES.

Abdul Aziz, Mian.

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.

Ahmad Yar Khan, Chaudhri.

Akbar Ali, Pir.

Ali Akbar, Chaudhri.

Amjad Ali Shah, Sayed.

Anant Ram, Chaudhri.

Badar Mohy-ud-Din Qadri, Mian.

Balbair Singh, Rao Bahadur Captain Rao.

Balwant Singh, Sardar.

Bhagwant Singh, Rai.

Binda Saran, Rai Bahadur.

Chhotu Ram, The Honourable Chaudhri Sir.

Dasaundha Singh, Sardar.

Dina Nath, Captain.

Faiz Muhammad Khan, Rai.

Faiz Muhammad, Shaikh.

Faqir Chand, Chaudhri.

Faqir Hussain Khan, Chaudhri.

- Farman Ali Khan, Subedar Major 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.
 Ghulam Samad, Khawaja.
 Gopal Das, Rai Sahib Lala.
 Gopal Singh (American) Sardar.
 Gurbachan Singh, Sardar Sahib Sardar.
 Habib Ullah Khan, Malik.
 Hans Raj, Bhagat.
 Hari Chand, Rai.
 Harnam Singh, Capt. Sodhi.
 Het Ram, Rai Sahib Chaudhri.
 Indar Singh, Sardar.
 Jagjit Singh, Man, Sardar.
 Jagjit Singh Bedi, Tikka.
 Jahangir Khan, Chaudhri.
 Jalal-ud-Din Amber, Chaudhri.
 Jogindar Singh Man, Sardar.
 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 Azam Khan, Sardar.
 Muhammad Faiyaz Ali Khan, Nawabzada.
 Muhammad Hassan Khan Gur-chani, Khan Bahadur Sardar.
 Muhammad Hayat Khan Noon, Nawab Malik Sir.
 Muhammad Hussain, Sardar.
 Muhammad Hussain, Chaudhri.
 Muhammad Jamal Khan Leghari, Nawab Sir.
 Muhammad Nawaz Khan, Major Sardar.
 Muhammad Saadat Ali Khan, Khan Sahib Khan.
 Muhammad Sarfraz Khan, Chaudhri.
 Muhammad Wilayat Hussain Jeelani, Makhdumzada Haji Sayed.
 Muhammad Yasin Khan, Chaudhri.
 Muhammad Yusaf Khan, Khan.
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
 Muzaffar Khan, Khan Bahadur Captain Malik.
 Muzaffar Khan, Khan Bahadur Nawab.
 Narendra Nath, Diwan Bahadur Raja.
 Nasir-ud-Din, Chaudhri.
 Naunihal Singh Mann, Lieutenant Sardar.
 Nur Ahmad Khan, Khan Sahib Mian.
 Pir Muhammad, Khan Sahib Chaudhri.
 Pritam Singh Sidhu, Sardar.
 Ram Sarup, Chaudhri.
 Ranpat, Chaudhri.
 Rashida Latif Baji, Begum.
 Riasat Ali, Khan Bahadur Chaudhri.
 Ripudaman Singh, Thakur.
 Roberts, Professor W.
 Sahib Dad Khan, Khan Sahib Chaudhri.
 Santokh Singh, Sardar Sahib Sardar.
 Shah Nawaz, Mrs. J. A.
 Shah Nawaz Khan, Nawab Khan.
 Sham Lal, Rai Bahadur Chaudhri.
 Sikander Hyat-Khan, The Honourable Major Sir.
 Sita Ram, Lala.
 Sohan Lal, Rai Sahib 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.

NOES.

Ajit 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.
 Duni Chand, Mrs.
 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 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.
 Rur Singh, Sardar.
 Sahib Ram, Chaudhri.
 Sant Ram Seth, Dr.
 Shri Ram Sharma, Pandit.
 Sohan Singh Josh, Sardar.
 Sudarshan, Seth.

Mr. Speaker : As it is Friday today I interrupt the business of the House at this stage—in fact it should have been interrupted at 12-30—to enable the Muslim members to say their prayers.

The Assembly then adjourned till 9 A.M., on Monday, 11th April, 1938.

PUNJAB LEGISLATIVE ASSEMBLY.

2ND SESSION OF THE 1st PUNJAB LEGISLATIVE
ASSEMBLY.

Monday, the 11th April, 1938.

*The Assembly met at the Council Chamber at 9 A.M. of the clock.
Mr. Speaker in the chair.*

STARRED QUESTIONS AND ANSWERS.

MANGAL SAIN, A POLITICAL CONVICT OF THE KINARI BAZAR SHOOT-
ING CASE.

***2642-A. Sardar Hari Singh :** Will the Honourable Minister of Finance be pleased to state—

- (a) whether it is a fact that Mangal Sain, a political convict of the Kinari Bazar shooting case is keeping very indifferent health and is suffering from intestinal colic of which he gets acute attacks ;
- (b) his present weight and weight on admission ;
- (c) his total term of imprisonment ;
- (d) whether it is a fact that the Medical Officer in charge of the jail has already brought to the notice of the Government the serious nature of his illness ;
- (e) whether the Punjab Government proposes to order his release ?

The Honourable Mr. Manohar Lal : (a) He suffers from recurrent attacks of epistaxis and occasional attacks of intestinal colic.

(b) His present weight is 115lbs. against 137 lbs. on first admission to jail about five years ago. His weight has been more or less steady for the last six months.

(c) Seven years.

(d) No.

(e) The question of his release is under the consideration of Government.

Sardar Hari Singh : When is the Government likely to arrive at a decision in regard to this particular matter?

Minister : The Government is considering the question of his release right now.

Chaudhri Muhammad Hassan : Since how long has this question been under the consideration of the Government?

Minister : I think I have already answered the question very amply. To probe into this matter any further would not suit the prisoner.

Sardar Hari Singh : In view of his serious illness, may I take it that the question will be decided within a week or so?

Minister : Very likely.

Sardar Hari Singh : Thank you.

INSTALLATION OF LOUD SPEAKER OUTSIDE THE NEW ASSEMBLY CHAMBER.

***2642-B. Mian Badar Mohy-ud-Din Qadri :** Will the Honourable Minister of Public Works be pleased to state whether the Government has under consideration the proposal to install a loud speaker outside the new Assembly Chamber for broadcasting the proceedings of the House?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : No proposal of the kind is under consideration by Government.

STEPS FOR REMOVING INEQUITABLE REPRESENTATION OF COMMUNITIES IN VARIOUS DEPARTMENTS.

***2643. Mian Abdul Rab :** Will the Honourable Premier be pleased to state with reference to the statement made by him with regard to the questions relating to communal representations in services, the steps which he is taking or proposes to take to remove and remedy the inequitable representation of the communities in the various departments of the Government?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : Where inequitable representation is found to exist, it will be corrected, subject to the requirements of efficiency in future recruitment.

Mian Abdul Rab : May I understand that in future no member of this House has any right to ask any question if injustice is done to any community in any department?

Parliamentary Secretary : Reply to this question has already been given on several occasions by the Honourable Premier and other Honourable Ministers.

Mian Abdul Rab : Is the Parliamentary Secretary aware of the fact that declining to answer questions of this nature has created doubts in the public mind and that there is a strong public opinion against such a course of action?

Parliamentary Secretary : The matter will be placed before the Honourable Premier for his consideration.

Khawaja Ghulam Samad : Are there any other means open to the members to redress the grievances of communities that are suffering?

Parliamentary Secretary : They can approach the Minister concerned who I am sure will try to redress a genuine grievance.

STEPS TO REMOVE INEQUITABLE REPRESENTATION OF COMMUNITIES IN VARIOUS LOCAL BODIES.

***2644. Mian Abdul Rab :** Will the Honourable Minister of Public Works be pleased to state with reference to his answer to my starred question No. 2208, asked on the 22nd March, 1938 the steps which he is taking or proposes to take to remove and remedy the inequitable representation of different communities in the various local bodies in the Punjab?

Parliamentary Secretary (Shaikh Faiz Muhammad) : Every effort is made to give each community the representation to which it is entitled on the basis of its population and voting strength. I regret it is not possible to do more than this.

Mian Abdul Rab : Is the Parliamentary Secretary aware of the fact that the formula of reservation of seats will meet the demand of the aggrieved communities?

Parliamentary Secretary : Unless he gives particular instances of injustice done to communities, it is not possible for the Government to say whether the general formula will be acceptable or not.

TRAVELLING ALLOWANCE AND DAILY ALLOWANCES PAID TO CIVIL SURGEONS FOR ATTENDING THE CIVIL SURGEONS' CONFERENCE.

***2645. Chaudhri Faqir Husain Khan** : Will the Honourable Minister of Education be pleased to state the amount spent on the travelling allowance and daily allowances paid to the Civil Surgeons of the province who attended the Civil Surgeons' Conference, held at Lahore recently and lay on the table the various resolutions adopted by the said conference?

The Honourable Mian Abdul Haye : No amount has so far been paid on account of the travelling and daily allowances to the Civil Surgeons who attended the Civil Surgeons' Conference at Lahore. They will, however, draw travelling allowance at ordinary tour rates. No formal resolutions were passed by the said conference, as it was a purely departmental gathering. Certain important matters in connection with the improvement and expansion of medical relief in the province, and particularly in the rural areas, were discussed in the conference.

I.M.S. AND P.C.M.S. OFFICERS IN THE CADRE OF CIVIL SURGEONS.

***2646. Chaudhri Faqir Husain Khan** : Will the Honourable Minister of Education be pleased to state—

- (a) the average salary drawn by an I.M.S. and a P.C.M.S. Civil Surgeon including his various allowances, respectively;
- (b) the number of appointments reserved for I.M.S. officers in the cadre of civil surgeons and their actual strength at present in this cadre?

The Honourable Mian Abdul Haye : (a) The average pay of P. C. M. S. Civil Surgeon is Rs. 771·6. This figure does not include allowances. As all the Civil Surgeons do not draw allowances and as these allowances where drawn, are not uniform in amount, they cannot be taken into account in calculating the average pay of a Civil Surgeon. It is not possible to work out the average pay of an I.M.S. Civil Surgeon, as officers of this service draw pay according to their rank and the length of service in that rank.

(b) Ten places on the provincial cadre of Civil Surgeons are reserved for European I.M.S. officers under the reorganisation scheme of 1937. Besides this four Indian I.M.S. officers must be employed in the province, and these may be Civil Surgeons. The actual strength of I.M.S. officers now on the cadre is 16.

ORDERS *7c* EXTENSIONS IN SERVICES TO MINISTERIAL STAFF.

***2647. Chaudhri Faqir Husain Khan:** Will the Honourable Premier be pleased to state

(i) whether it is a fact that orders have been issued by the Ministry of Development that no extensions in service be given to the ministerial staff employed in the various departments included in that portfolio; and

(ii) if so, whether other Ministers have issued or contemplate to issue such orders; if not, why not?

The Honourable Major Sir Sikander Hyat-Khan: (i) No, the orders issued by the Honourable Minister of Development to the Heads of Departments working under him are that no extension in service should be granted to any member of a Subordinate Service who has attained the age of 55 without his previous permission.

(ii) The question is at present under the consideration of Government.

PAY AND ALLOWANCE OF *BELDARS* EMPLOYED BY THE CANAL DEPARTMENT.

***2648. Chaudhri Faqir Husain Khan:** Will the Honourable Minister of Revenue be pleased to state—

(a) the pay of the *beldars* employed by the Canal Department in the province;

(b) whether it is a fact that they have to work even on Sundays; if so, reasons for the same?

The Honourable Dr. Sir Sundar Singh Majithia :—

(a) 1. Regulation *beldars* at headworks .. Rs. 14 to 18.

2. Regulation *beldars* elsewhere than at headworks. Rs. 12 to 15.

3. Maintenance and other *beldars* .. Rs. 12 to 14.

(b) Sunday is not a "*dies non*" for *beldars*. *Beldars* are given holidays off work by the local officers in charge as the necessity arises.

CHAPRASIS OF THE CANAL DEPARTMENT.

***2649. Chaudhri Faqir Husain Khan:** Will the Honourable Minister of Revenue be pleased to state—

(a) the pay of the chaprasis of the Canal Department in the province;

(b) whether they are granted annual increments in their pay, if not reasons for the same;

(c) whether their posts are pensionable; if so, the amount of pensions granted to them after retirement;

(d) if the answer to (c) above be in the negative, reasons for not granting them pension;

(e) whether they are granted railway fare when they are transferred from one place to another; if so, whether it is granted for their dependents also; if not, reasons for the same;

(f) whether they are granted casual leave; if so, how much;

(g) whether they are granted privilege leave; if so, how much in a year; if not, reasons for the same;

(h) the action the Government intends to take in the matter?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Rs. 14 per mensem and Re. 1 local allowance at Lahore, Lyallpur, Amritsar, Sargodha and Delhi.

(b) No, as chaprasis are employed on a fixed rate of pay.

(c) Yes, Rs. 4 per mensem in accordance with Article 481 (b) (4) of the Civil Service Regulations.

(d) Does not arise.

(e) Yes, if transferred for the public convenience; under Rule 2-102 ordinarily travelling allowance is not allowed for the dependents. Chaprasis are seldom or never transferred from one place to another, but where special circumstances arise travelling allowance for their families is granted with the specific sanction of the Finance Department.

(f) Yes,—vide Rule 10-8 of the Subsidiary Rules.

No period is laid down, but casual leave must in no case exceed at a time 10 days or such longer period as may, by general or special order, be prescribed by the local Government and leave exceeding 4 days is not granted on more than 2 occasions during the year, unless a third period is allowed in special circumstances by the local Government.

(g) Yes. 1 month and 3 days in one year—under Fundamental Rules 81 and 87.

16 days in one year—under Rule 9 (b) of the Punjab Revised Leave Rules for those appointed on or after 1st January 1931.

(h) Does not arise.

REPRESENTATIONS AGAINST THE CONDUCT OF THE DOCTOR IN CHARGE OF CIVIL HOSPITAL, SHAKARGARH.

***2650. Chaudhri Abdul Rahim :** Will the Honourable Minister of Education be pleased to state—

(a) whether it is a fact that the inhabitants of tahsil Shakargarh recently submitted some representations to the Government and the Civil Surgeon of the Gurdaspur district against the conduct of the doctor in charge of the Civil Hospital at Shakargarh;

(b) whether it is a fact that the Civil Surgeon went to Shakargarh to make inquiries on the spot;

(c) whether it is a fact that the member representing Shakargarh and President, Anjuman, Shakargarh, made serious complaints to the Civil Surgeon on his visit to that place against the aforesaid doctor;

(d) if the answers to the foregoing parts be in the affirmative, what action Government propose to take in the matter?

The Honourable Mian Abdul Haye : (a) Yes.

(b) Yes.

(c) Yes, but these complaints were not substantiated by definite evidence or proof of misconduct or negligence on the part of the Sub-Assistant Surgeon. They were based on hearsay. On the other hand, the President, Bar Association and the Secretary, Soldiers' Board, appreciated his good work and praised his conduct. The Civil Surgeon reported that there was no case against the doctor.

(d) Does not arise.

APPLICATIONS FOR TRANSFER OF CASES FROM THE COURT OF HONORARY
MAGISTRATE, MAHATPUR, DISTRICT JULLUNDUR.

***2651. Mian Abdul Rab :** Will the Honourable Minister of Finance be pleased to state—

(a) the number of cases in which the parties applied to the District Magistrate, Jullundur, for having their cases transferred from the court of the honorary magistrate, Mahatpur, in the Nakodar tahsil, to some other court, during the period 1st April, 1936 to 15th February, 1938 ;

(b) the number of cases actually transferred from the said court during the period stated above ?

The Honourable Mr. Manohar Lal : (a) 16.

(b) 15.

PUGGA ROADS IN BEIT ILAQA OF NAKODAR TAHSIL, DISTRICT JULLUNDUR.

***2652. Mian Abdul Rab :** Will the Honourable Minister of Public Works be pleased to state—

(a) the total mileage of metalled and unmetalled roads under the control of Public Works Department in the Nakodar tahsil, district Jullundur ;

(b) whether it is a fact that the most thickly populated *ilaqa*, i.e., Beit of the said tahsil has no Public Works Department pucca roads passing through it and connecting it to any market place ;

(c) if the answer to (b) above be in the affirmative, the action that the Government has taken or proposes to take in the matter ?

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

(b) Yes, it is a fact that there are no Public Works Department pucca roads passing through the Nakodar tahsil but railway lines from Nakodar to (i) Makhu, (ii) Jullundur and (iii) Phillaur, serve the *ilaqa* for purposes of transport of the agricultural produce. The *ilaqa* is also served by various unmetalled roads maintained by the District Board, Jullundur.

(c) Government is considering the case of constructing feeder roads to railway stations and the requirements of the residents of the Nakodar tahsil will receive due attention.

OFFICIATING ARRANGEMENT IN THE LEAVE VACANCY OF HEAD VERNACULAR CLERK IN THE DEPUTY COMMISSIONER'S OFFICE, FEROZEPOR.

***2653. Lala Duni Chand :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that Mian Devi Singh, Head Vernacular Clerk, Deputy Commissioner's office, Ferozepore, proceeded on two months' privilege leave in the year 1936 or thereabout and under Commissioner's orders Lala Sadhu Ram, Reader, to the Deputy Commissioner was to officiate as Head Vernacular Clerk in addition to his own duties ;
- (b) whether Lala Harcharan Das, Bills Clerk, applied to be given the above officiating appointment and that request was supported by the Office Superintendent and eventually sanctioned by the Deputy Commissioner, Ferozepore ;
- (c) whether it is correct that in order to avoid the audit objection the disbursing officer furnished a certificate continuously for two months to the effect that Lala Harcharan Das actually officiated for the post of selection grade while the work was actually done by Lala Sadhu Ram ;
- (d) if the replies to (a) to (c) be in the affirmative, what action Government proposes to take against the clerk or clerks or any officer responsible for this ?

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

(b) Yes.

(c) Lala Harcharan Das, whose substantive post was in the grade of Rs. 30—1½—60/2—70, worked as Bills and Establishment Clerk up to the 27th May, 1936 and as Head Clerk, General Branch, thereafter. Both these posts are shown in Rs. 75—5—100/5—125 grade in paragraph 2.9 of the District Office Manual. He had evidently worked on posts of far greater importance and responsibility than his substantive post in the junior grade and was on this account granted the extra allowance.

(d) In the circumstances explained further action does not appear to be necessary.

Lala Duni Chand : Does the Government admit that there has been an irregularity?

Minister : The reply is quite comprehensive. There is no question of any irregularity.

**LEASE OF A PIECE OF LAND ADJOINING NAULAKHA POLICE STATION
LAHORE, TO ONE NUR MUHAMMAD, POLICE CONTRACTOR.**

***2654. Lala Duni Chand :** Will the Honourable Premier be pleased to state—

- (a) whether it is true that one Nur Muhammad, police contractor who lives inside Mochi Gate, Lahore, secured a piece of land

[Lala Duni Chand.]

adjoining Naulakha Police Station, Lahore, from the Superintendent of Police, on the condition that he would build upon it and realize the rent for two years and after that he would return the site including the buildings thereon ;

(b) whether it is true that after the expiry of two years the said Nur Muhammad again got lease of the building for three years at Rs. 800 for the first year, Rs. 900 for the second year and Rs. 1,000 for the third year ;

(c) whether it is true that several other persons had also applied for getting lease of the said buildings and were prepared to pay much more than the amounts for which Nur Muhammad was granted lease ;

(d) the reasons that led the Superintendent of Police, Lahore, to lease the said plot of buildings to the said Nur Muhammad ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : (a) A plot of land adjoining Naulakha Police Station was leased to Nur Muhammad for two years from the 17th September, 1932, on condition that the temporary shops to be built by him with his own material would be removed on the expiry of the lease or at any earlier date on which the site might be required by the Police.

(b) Yes.

(c) Yes.

(d) I am making enquiries. I understand, however, that all applicants for the lease were interviewed by the Lahore Police authorities.

Lala Duni Chand : May I know if the offers made by others were greater than that accepted?

Parliamentary Secretary : It is admitted that higher offers were made.

Lala Duni Chand : Is it true the offers which were not accepted were three or four times greater than the one accepted?

Parliamentary Secretary : I have already stated that the Honourable Premier is making enquiries about this matter, but I cannot give the exact figures off-hand.

Mian Abdul Aziz : Is it not a fact that Nur Muhammad had already spent over two thousand rupees in constructing these shops?

Parliamentary Secretary : Very likely. He may have spent a good deal of money.

Mian Abdul Aziz : I suppose these shops were not constructed by the department but by the contractor.

Parliamentary Secretary : Yes, the material belonged to him.

Lala Duni Chand : Is it true that a great loss has been caused to the Government in view of the admitted fact that much greater offers were not accepted?

Mr. Speaker : Disallowed. It is an inference.

Pir Akbar Ali : Is it a fact that some undertaking was given to the contractor by the Police officers?

Parliamentary Secretary : I am not aware of any undertaking having been given.

PLOT OF LAND OUTSIDE SHAHALMI GATE, LAHORE, LEASED OUT BY NAZUL OFFICER, LAHORE.

***2655. Lala Duni Chand :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether the Nazul Officer of Lahore had leased out a plot of land outside Shahalmi Gate and opposite to the tonga stand at Rs. 12 a month to one Nur Muhammad living inside Shahalmi Gate, Lahore ;
- (b) whether numerous other persons had asked to lease out the said plot by public auction and their request was refused ;
- (c) whether now as a result of strong and repeated representations the lease of the same plot was publicly auctioned on 26th February, 1938, and it fetched Rs. 3-4-0 per day as lease money ;
- (d) reasons why the said plot was not leased out by public auction prior to 26th February, 1938 ?

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

(b) No.

(c) No representation had been received but the plot was auctioned at the suggestion of the Special Nazul Officer and fetched Rs. 100 a month as rent.

(d) Leases of nazul land are not usually auctioned unless there are numerous applicants for a particular plot or unless it is otherwise considered advisable.

Lala Duni Chand : In view of the fact that the lease of this plot, when publicly auctioned, fetched Rs. 3-4-0 a day, will the Government make enquiries into the circumstances which led to the lease of this property being sold at six annas per day?

Minister : I have given full reply to the question of my honourable friend and I cannot add anything more to it.

Lala Duni Chand : I put a further question. The Honourable Minister for Revenue admitted that the plot in question when put to auction fetched Rs. 3-4-0 a day. It is also admitted that previously it was leased at six annas a day or Rs. 12 a month. Will the Honourable Minister for Revenue give any reasons why so much loss is caused to the Government and why there is so much disparity?

Minister : In my reply I have said that this was leased at Rs. 100 a month.

Lala Duni Chand : Is it not a case of clear loss to the Government of several hundreds of rupees a year?

Minister : Possibly there may have been a slight loss but the position has been rectified.

Diwan Chaman Lall : May I ask whether the Government have decided that for the future they will adopt a better policy in respect of letting nazul land ?

Minister : I will refer my honourable friend to part (d) of my answer which is as follows :—

“(d) Leases of nazul land or not usually auctioned unless there are numerous applicants for a particular plot or unless it is otherwise considered advisable.”

Lala Duni Chand : Why is it that this plot was leased at Rs. 12 a month while it fetched Rs. 100 a month previously ? Will the Honourable Minister for Revenue give any reasons why it was leased at such a low rate ? Why could it not fetch ten times the amount it has now fetched ?

Minister : I am sorry I was not the Nazul Officer to auction the lease of this land there.

APPEAL PREFERRED BY A CLERK OF DEPUTY COMMISSIONER'S OFFICE,
FEROZEPORE, WHO WAS GIVEN CHARGE SHEET DURING 1937.

***2656. Lala Duni Chand :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that in reply to question No. 267 the Government have stated on the authority of the Deputy Commissioner, Ferozepore, that out of the persons against whom charge sheets were drawn up for irregularities, only one official preferred an appeal against the order of the Deputy Commissioner, Ferozepore, and that the said appeal was pending with the Commissioner of the division ;
- (b) whether it is a fact that the appeal referred to in (a) above was pending at that time with the Deputy Commissioner and not with the Commissioner and it was never preferred to the Commissioner ;
- (c) if the reply to (b) is in the negative, the date on which the said appeal was forwarded to the Commissioner, Jullundur division, and the date on which it was disposed of by him ;
- (d) what action the Government proposes to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The reference to question No. 267 is incorrect as in reply to this question a statement containing the required information was merely placed on the table.

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

CERTIFICATES OF FITNESS FOR RESUMPTION OF DUTY REQUIRED FROM
CLERKS IN THE DEPUTY COMMISSIONER'S OFFICE, FEROZEPORE.

***2657. Lala Duni Chand :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that in reply to a Council question the Government on the authority of the Deputy Commissioner, Ferozepore, have stated that only one official was required to furnish a certificate of fitness on return from medical leave ;

(b) whether it is a fact that Lala Thakar Dass and Lala Waliati Ram, clerks, were also ordered to produce similar certificates of fitness ;

(c) if the reply to (a) be in the negative, will the Government be pleased to lay on the table papers pertaining to the grant of leave to the two officials referred to in (b) ;

(d) what action the Government proposes to take in the matter ?

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

(b) No.

(c) and (d) Do not arise.

EFFECT OF EPIZOOTIC DISEASES IN INDIA ON THE EXPORT TRADE OF LIVESTOCK.

***2658. Mrs. Duni Chand :** Will the Honourable Minister of Education be pleased to state—

(a) whether his attention has been drawn to a statement issued by Mr. S. C. A. Datta, Research Officer of the Imperial Veterinary Research Institute at Muktesar, and published in the *Civil and Military Gazette*, Lahore, of 25th March, 1938, in which he has stated that owing to the continuation of the epizootic diseases within the Indian continent the export trade in livestock and livestock products amounting to Rs. 32·3 crores in 1933-34 has dwindled down to Rs. 12·9 crores ; if so, the action the Government intends to take in the matter so far as Punjab is concerned ;

(b) the steps the Government have taken or intend to take to check the spread of these diseases among human beings ?

The Honourable Mian Abdul Haye : (a) The Punjab Government have no definite information regarding conditions affecting export of livestock and of livestock products from the Indian continent as a whole. From such information as is available the position would appear to be as follows :—

The Report of Royal Commission on Agriculture in India, 1928, recognises that India is essentially a crop-growing country and, with but rare exceptions, its livestock are never seen beyond its shores. The only livestock product in which a modest external trade is carried on are hides, bones and wool, of which India has an abundant supply. In point of fact more animals were exported in 1934-35 than in the year 1933-34. Also there was no appreciable decrease in the export of livestock products in the year 1934-35, as far as their quantities are concerned. The epizootic diseases have got no bearing on the export of livestock products. These diseases can only affect the export of livestock. The low return from export in the year 1934-35 was evidently due to the world-wide depression in trade and fall in prices of these commodities. Therefore, the suggestion that India has sustained a loss of Rs. 19·4 crores in the year 1934-35 on account of epizootic diseases appears to be unfounded.

[Hon. Mian Abdul Haye.]

(b) Of the various diseases referred to in the statement issued by Mr. S. C. A. Datta, in the *Civil and Military Gazette*, Lahore, dated the 25th March, 1938, Rabies only is of any importance to human beings in the Punjab Province and Government have already made extensive arrangements for treatment centres for this disease.

BUILDING ROAD BETWEEN FAZILKA AND DIPALPUR.

***2655. Mahant Girdhari Das :** Will the Honourable Minister for Public Works be pleased to state—

- (a) whether it is a fact that sometimes back the Government intended to connect Fazilka with Dipalpur by a metalled road ;
- (b) if the answer to (a) be in the affirmative, whether the Government still intends to build that road ; if so, when, if not, why not ?

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

(b) Yes, Fazilka is being connected with Dipalpur through Sulemanki and Bunga Hayat. The metalling of the section between Bunga Hayat and Dipalpur is included in the Road Development Programme which is under the consideration of Government.

METALLING OF ROADS IN DIPALPUR TAHSIL.

***2660. Mahant Girdhari Das :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the total length in mileage of metalled roads in Dipalpur tahsil (district Montgomery) ;
- (b) whether the Government proposes to get the main roads under Public Works Department control in the said tahsil metalled ; if so, when the work will be taken up ;
- (c) the programme for the next five years in this respect ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) Twenty-four miles approximately.

(b) The road development programme of the province for the next 7 years is under preparation and until it is complete and approved by Government, it cannot be said which of the unmetalled roads at present in the charge of the various district boards will be metalled, or provincialized.

(c) Does not arise.

IRRIGATION ARRANGEMENTS OF CHAK NO. 109, LYALLPUR DISTRICT.

***2661. Chaudhri Faqir Husain Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the total area of chak No. 109, Lyallpur district ;
- (b) whether it is a fact that before 1908 all the area of the said Chak was irrigated from Rajbah Shahkot, Paka Dalla Division ;

- (c) the distance between the head of Shahkot Rajbah and Chak No. 109, Lyallpur district ;
- (d) whether it is a fact that in 1908, 15 squares of land and later on 24 squares of land on this chak were transferred to Rajbah Pavuliani in Buchiyana Division for irrigation purposes ; if so, reasons for the same ;
- (e) whether it is a fact that 20 squares of land of the same chak are supplied water for irrigation purposes from Rajbah Shahkot ; if so, reasons why they were not transferred to Buchiyana division for irrigation from Rajbah Pavuliani ;
- (f) if the answer to (e) above be in the affirmative, whether the Government intends to transfer this land to Buchiyana Division and provide for their irrigation from Rajbah Pavuliani ; if not, why not ;
- (g) whether it is a fact that the zamindars of this chak have repeatedly made representations to the Canal Authorities complaining that they are put to lot of trouble on account of their Chak being under two different canal division authorities ; if so, the action taken on them ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) 2,289 acres.

(b) Yes.

(c) 30 miles.

(d) In all about 54 squares have been transferred from the Shahkot Distributary to Pauliani Distributary. The year in which the transfer was made cannot be ascertained.

The area was transferred due to unsatisfactory supply at the tail of Shahkot Distributary.

(e) About 27 squares are at present supplied with water from the tail of Shahkot Distributary. It is not possible to ascertain why these squares were not transferred to the Pauliani Distributary. The probable reason is that it would be difficult to irrigate them from the latter distributary.

(f) No, because the watercourse would cross an important natural drainage and thus block it.

(g) Yes. Representations have been received, but Government is unable to block a natural drainage where this can be avoided. Work is being undertaken to improve the supplies at the tail of Shahkot Distributary and it is considered that this will remove the cause for complaint.

CARNIVALS IN LAHORE.

*2562. **Lala Duni Chand :** Will the Honourable Premier be pleased to state—

- (a) whether at present half a dozen carnivals are operating in Lahore with the permission of the police of Lahore ;
- (b) the rule or rules under which they are allowed to operate ;
- (c) whether Government is aware that a number of unwary persons of whom many come from villages fall a prey to the temptation of winning the stakes and thus lose their money ;

[L. Duni Chand.]

(d) whether Government have received complaints that there is a strong feeling in Lahore to protect innocent and unwary persons from these carnivals and whether the Government is prepared to do anything in the matter ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : (a) The Deputy Commissioner reports that there are at present no carnivals operating in Lahore.

(b) Carnival proprietors are not under law required to obtain permission before giving performances.

(c) The attention of the honourable member is invited to part (d) of the reply given in the last session to question No. *1934¹ put by the honourable member for the South-Eastern Towns (General) Urban Constituency.

(d) No.

Mr. E. Few : Is the Parliamentary Secretary aware that these carnivals are the cause of much misery amongst the poorer classes on account of the gambling that goes on ?

Parliamentary Secretary : Gambling games can come under the Gambling Act.

Mr. E. Few : Is the Parliamentary Secretary aware that these carnivals cannot exist without gambling and the poor are fleeced ? Will he bring to the notice of the Honourable Premier the desirability of their being closed entirely ?

Parliamentary Secretary : As a matter of fact Government have no authority to prevent the playing of games of skill.

Lala Duni Chand : Is it true that recently there have been several carnivals in Lahore ?

Parliamentary Secretary : There is none at present.

Lala Duni Chand : When did they cease to operate ?

Parliamentary Secretary : I am sorry I cannot give the honourable member a definite date when they stopped.

Lala Duni Chand : Is the Parliamentary Secretary aware of the fact that the proprietors of these carnivals are a kind of sharpers ?

Parliamentary Secretary : I am not aware of it, but there are good men as well as bad men in every trade or profession.

Lala Duni Chand : Has the Government ever considered the question of protecting innocent people from their falling a prey to these carnivals ?

Parliamentary Secretary : Government can only see that regular gambling does not go on in these carnivals and it keeps a careful watch over them.

Lala Duni Chand : Is it not the duty of the Government to prevent innocent people from cheats ?

Parliamentary Secretary : Only ordinary games of skill are played there and it is not possible for the Government to take further action in the matter.

Lala Deshbandhu Gupta : What does the Parliamentary Secretary mean by 'regular gambling' ? Does he permit irregular gambling ?

Parliamentary Secretary : I say games of skill, in which a little element of gambling might be involved, are played.

Lala Deshbandhu Gupta : Is the policy of the Government to allow a little element of gambling ?

Minister for Finance : But life is also a gamble.

Lala Deshbandhu Gupta : Is it or is it not within the powers of the deputy commissioners or the district magistrates not to permit these carnivals to be put up in big towns ? Have they to take previous permission or not ?

Parliamentary Secretary : That is perfectly true. The permission of the deputy commissioner has got to be obtained. But it is not possible to put a wholesale stop to these carnivals on this ground.

Lala Deshbandhu Gupta : What is the difficulty ? Where is the difficulty when it is a fact and when the Government realises that innocent people are cheated and deceived ? Where is the difficulty for the Government to protect people from the 'little element of gambling' which is there ?

Parliamentary Secretary : Government is not aware that innocent people are being cheated but the point is that it does not rest with the Government to stop this sort of entertainment altogether when even under ruling of the High Court these games of skill are permitted.

Lala Duni Chand : Is it true that in the first instance the cases of opening carnivals are referred to the police and it is on the recommendation of the police that sanction is granted ?

Parliamentary Secretary : The permission of the district magistrate is obtained and the magistrate has got to satisfy himself before granting permission that the persons who apply are a *bona fide* firm and will not resort to gambling.

Lala Deshbandhu Gupta : And that is why these people are granted permission by the police ?

Parliamentary Secretary : I am not aware of it.

Diwan Chaman Lall : Has the honourable member any personal experience of these carnivals ?

Parliamentary Secretary : No Sir. I have no personal experience.

Lala Duni Chand : Is it not commonly believed that they have to pay a share of the income to the police ?

Parliamentary Secretary : No, I do not share that belief of the honourable member.

Mr. E. Few : Will the Parliamentary Secretary take it from me that without gambling these carnivals could not exist at all ?

Parliamentary Secretary : I am not prepared to accept any statement from my honourable friend.

Diwan Chaman Lal : Is the honourable member not prepared to accept even a few remarks from the honourable member ? (*Laughter*).

MATHEMATICS PAPER A IN THE MATRICULATION EXAMINATION.

***2662-A. Khawaja Ghulam Samad :** Will the Honourable Minister of Education be pleased to state—

- (a) whether it has come to his notice that the Mathematics Paper A in the Matriculation Examination of the Punjab University at present going on was abnormally stiff ;
- (b) whether it is a fact that instructions were issued to the Supervisors to explain the note in the beginning of the said paper ;
- (c) whether it has come to his knowledge that the Supervisor-in-charge of Anglo-Sanskrit High School, Ambala city centre, failed to explain to the candidates the said note which the majority of the students could not understand as a result of which the students of that centre could attempt questions carrying 50 marks only ;
- (d) if the answers to the above be in the affirmative, the action intended to be taken to safeguard the interests of the examinees in general and of the candidates of the said centre in particular ?

Parliamentary Private Secretary (Khan Bahadur Mian Mushtaq Ahmad Gurmani) : (a) Yes.

(b) No.

(c) Does not arise.

(d) Necessary action has been taken by the University resulting in a concession to candidates in general.

CARNIVAL AT AMBALA CANTONMENT.

***2663. Lala Duni Chand :** Will the Honourable Premier be pleased to state—

- (a) whether a carnival has been carrying on for several weeks operation on a big scale at Ambala Cantonment ;
- (b) whether Government is aware that every day lot of unwary persons mostly coming from villages lose their hard-earned money by falling a prey to the temptation of winning the stakes ;
- (c) under what rules these carnivals are allowed to operate by the police ;
- (d) the steps, if any, that the Government proposes to take to save the public ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : (a) A carnival opened on the 19th March, in Ambala Cantonment.

(b) and (d) The attention of the honourable member is invited to part (d) of the reply given in the last session to question No. *1934¹ put by the honourable member for the South-Eastern Towns (General) Urban Constituency.

(c) Carnival proprietors are not under law required to obtain permission before giving performances.

Lala Duni Chand : May I know the reasons that induced the authorities to allow the opening of the carnival at the Ambala Cantonment?

Parliamentary Secretary : In fact it is not necessary to obtain previous permission. The district magistrate could not stop such games of skill without any valid grounds.

Lala Duni Chand : Is it true that in the case of Ambala hundreds of people have agitated to stop this carnival?

Parliamentary Secretary : I have no information on the point.

Lala Deshbandhu Gupta : Will Government consider the desirability of seeking local opinion through municipal and district boards before permitting anything like that?

Parliamentary Secretary : I am sure the district magistrate does consider the point when giving permission to any carnival.

Lala Duni Chand : Is the Parliamentary Secretary in a position to state whether any section of the public is in favour of this carnival being opened anywhere?

Parliamentary Secretary : If they are not in favour of it they would not visit it.

Diwan Chaman Lall : What particular class of people visit these carnivals?

Parliamentary Secretary : I think all classes.

Lala Duni Chand : Is Government unaware of the fact that unwary people become victims of these carnivals?

Parliamentary Secretary : Innocent and unwary people are the victims of many things which is not in the power of Government to stop.

Lala Bhim Sen Sachar : Has the Parliamentary Secretary himself paid a visit to any of the carnivals?

Mr. Speaker : I disallow that question.

REPORT CALLED FOR FROM POLICE STATION CHICHAWATNI REGARDING
ACTIVITIES OF MEMBERS OF INHABITANTS' COMMITTEE, CHICHAWATNI.

*2664. **Sardar Ajit Singh :** Will the Honourable Premier kindly state—

- (a) whether it is a fact that a report was called for from police station Chichawatni about the activities of some office bearers of the Inhabitants' Committee, Chichawatni in October, 1937. by the district authorities of Montgomery; if so, reasons for the same;
- (b) whether a similar report was called for from the local magistrate of Chichawatni;
- (c) the nature of the inquiry in respect of which these reports were called for and at whose first information the said report was called for?

The Honourable Major Sir Sikander Hyat-Khan : (a) No.
 (b) No.
 (c) Does not arise.

FORFEITURE OF THE DEVELOPMENT GRANT OF NOTIFIED AREA
 COMMITTEE, CHICHAWATNI.

***2665. 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. 1,89,600 before 1927 and that this grant has since been forfeited to the Government ;
- (b) whether the Honourable Minister has received a copy of the letter in this connexion sent to the Deputy Commissioner, Montgomery, by the acting Secretary, Inhabitants' Committee, on 1st March, 1938 ; if so, the action taken on it ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) and (b) No.

DISSATISFACTION OF ZAMINDARS OF MULTAN DISTRICT WITH HAVELI
 PROJECT SCHEME.

***2666. Sardar Ajit Singh :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that the zamindars of the non-perennial canal of the Multan district are dissatisfied with the Haveli Project Scheme and have submitted many representations to this effect ; if so, the action taken or proposed to be taken on them ?

The Honourable Dr. Sir Sundar Singh Majithia : It is incorrect to say that the zamindars of the non-perennial canal of the Multan district are dissatisfied with the Haveli Project. There have been a few complaints on specific points from zamindars and these are being suitably dealt with.

GOVERNMENT DEMANDS REALIZED FROM AND REMISSIONS GRANTED TO
 CHAKS NOS. 689/31 AND 694/36-G.B., LYALLPUR DISTRICT.

***2667. Chaudhri Faqir Husain Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the total area of land in which cotton crop was sown in kharif 1937 in Chaks Nos. 689/31 and 694/36-G.B. literate colonies in Lyallpur district ;
- (b) the average per acre yield of cotton and the price per maund at that time during kharif 1938 ;
- (c) the total amount of Government demands realized from each grantee in the said chaks in respect of the said cotton crop ;
- (d) the total amount of remissions granted to each grantee ?

The Honourable Dr. Sir Sundar Singh Majithia : The question presumably refers to *kharif* 1937—

- (a) 344 and 347 acres, respectively.
- (b) Average yield 3 maunds per acre.
 Price Rs. 6 per maund.
- (c) and (d) Two statements are placed on the table.

Statement showing the amount of Government demand realized from each grantee regarding cotton crop of Kharif 1937, of Chak No. 689-G. B., Khikha Extension.

Serial No.	Name of grantee.	Total Government demand.	General remission on land revenue at Re. 0-3-6 per rupee.	Total Government demand realized from each grantee.	REMARKS.
		Rs. A. P.	Rs. A. P.	Rs. A. P.	
1	Ghulam Jilani	104 5 0	7 1 0	97 4 0	
2	Mirza Khan	191 8 0	13 1 0	178 7 0	
3	Khurshaid Mohy-ud-Din	128 7 0	8 11 0	119 12 0	
4	Hakim-ud-Din	132 11 0	8 15 0	123 12 0	
5	Ajaib Singh	139 14 0	9 7 0	130 7 0	
6	Karam Singh	146 8 0	9 14 0	136 10 0	
7	Muhammad Sharif Khan	148 3 0	10 0 0	138 3 0	
8	Muhammad Abdul Ghani	45 0 0	3 1 0	41 15 0	
9	Abdul Khaliq	100 3 0	6 4 0	93 15 0	
10	Raj Karan	145 4 0	9 13 0	135 7 0	
11	Ved Mittar	166 9 0	11 4 0	155 5 0	
12	Altaf Ahmad Khan	141 7 0	9 10 0	131 13 0	
13	Bhagat Singh	223 11 0	15 3 0	208 8 0	
14	Hari Singh	148 13 0	10 2 0	138 11 0	
15	Ram Rakha Mall	179 15 0	12 4 0	167 11 0	
16	Mst. Ajit Kaur, widow of Harbans Singh.	154 9 0	10 8 0	144 1 0	
17	Lal Singh	146 5 0	9 15 0	136 6 0	
18	Teja Singh	182 5 0	12 5 0	170 0 0	
19	Moti Ram	118 11 0	8 1 0	110 10 0	
20	Dr. Ghulam Rasool	76 8 0	5 4 0	71 4 0	
21	Dr. Harbans Singh	107 12 0	7 5 0	100 7 0	
22	Ali Bakhsh	131 12 0	9 0 0	122 12 0	
	Total	3,060 4 0	207 0 0	2,853 4 0	

[Hon. Dr. Sir Sundar Singh Majithia.]

Statement showing the amount of Government demand realized from each grantee regarding cotton crop of Kharif 1937, of Chak No. 694-G. B., Khikha Extensions.

Serial No.	Name of grantee.	Total Government demand.	General remission on land revenue at Rs. 0.3-6 per rupee.	Total Government demand realized from each grantee.	REMARKS.
		Rs. A. P.	Rs. A. P.	Rs. A. P.	
1	Fazal Ahmad	157 9 0	10 11 0	146 14 0	
2	Nazir Ahmad Khan ..	151 4 0	10 5 0	140 15 0	
3	Sher Muhammad Hamid ..	116 9 0	7 14 0	108 11 0	
4	Ilm-ud-Din	187 12 0	12 14 0	174 14 0	
5	John Shedi Khan ..	196 5 0	13 5 0	183 0 0	
6	Inder Singh	190 4 0	12 4 0	168 0 0	
7	Joseph Thakar Das ..	161 6 0	10 15 0	150 7 0	
8	Abdul Aziz	135 11 0	9 3 0	126 8 0	
9	Tassadiq Hussain ..	137 3 0	9 3 0	128 0 0	
10	Khurshid Alam	140 15 0	9 10 0	131 5 0	
11	Shah Din Ahmad ..	94 7 0	6 6 0	88 1 0	
12	Chaman Lal	150 1 0	10 1 0	140 0 0	
13	Kehar Singh	140 5 0	9 6 0	130 15 0	
14	Rasawal Singh	154 6 0	10 8 0	143 14 0	
15	Prabh Dyal	142 1 0	9 10 0	132 7 0	
16	Dya Ram	141 10 0	9 10 0	132 0 0	
17	Ram Dhan	138 7 0	9 6 0	129 1 0	
18	Kul Bhushan	157 12 0	10 10 0	147 2 0	
19	Hans Raj	148 9 0	10 1 0	138 8 0	
20	Karam Singh	141 15 0	9 10 0	132 5 0	
21	Balwant Singh	179 1 0	12 0 0	167 1 0	
	Total	3,155 8 0	213 8 0	2,942 0 0	

CROWN LAND IN CHAKS NOS. 689/31 AND 694/36-G.B., LYALLPUR DISTRICT.

***2668. Chaudhri Faqir Husain Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether there is any crown land in Chaks Nos. 689/31 and 694/36-G.B. in Lyallpur district ; if so, the total area of such land ;
- (b) whether the Government intends to dispose of the said land ; if so, how ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, 1,020 acres.

- (b) There is at present no proposal to dispose of this area.

COPYISTS RETRENCHED BY THE DEPUTY COMMISSIONER, AMBALA.

***2669. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether the Deputy Commissioner, Ambala, has reduced the number of copyists under his control ;
- (b) whether the said Deputy Commissioner has taken into consideration the length of service put in by the copyists while enforcing the retrenchment ;
- (c) with reference to the instructions contained in Punjab Government letters Nos. 3203-A, dated 16th June 1936, and 784-A, dated 31st January, 1938, the action proposed to be taken with regard to persons so retrenched ?

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

- (b) Only those men were reduced who came under the following categories :—

- (i) Inefficient or otherwise having definitely bad record.
- (ii) Government officials whose services had been dispensed with, and who were re-employed without the sanction of Government ;
- (iii) Employed after the 15th December, 1935 ;
- (iv) Pensioners who were supplementing their income ;
- (v) Persons in good financial circumstances ;
- (vi) Copyists who had attained the age of 55 or over.

(c) Most of the retrenched copyists have already been provided for wherever possible, e.g., in the district establishment, Criminal Investigation Department, Police, Punjab, and to posts such as petition-writers. The cases of others coming under paragraph 3 of the Punjab Government letter No. 784-A., dated the 31st January, 1938, will be borne in mind.

CASES OF CORRUPTION IN POLICE DEPARTMENT.

***2670. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state—

- (a) the number of cases of corruption brought to the notice of the Government departmentally in the Police Department during the last year ;
- (b) action taken on the same ;
- (c) result of the same ?

The Honourable Major Sir Sikander Hyat-Khan : I regret that the answer to this question is not ready.

SECURITIES DEMANDED FROM NEWSPAPERS UNDER PRESS EMERGENCY ACT.

***2671. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state—

- (a) the number and names of the newspapers from whom securities were demanded by Government under the Press Emergency Act since 1st April, 1937 ;
- (b) the amount of security deposits confiscated ;
- (c) the amount of security deposits refunded ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh): (a) Since 1st April, 1937, securities from six newspapers have been demanded by Government, namely (1) *Shani-Haq*, (Gujranwala), (2) *Vedic Magazine* (Jullundur), (3) *Sadaqat* (Gujrat), (4) *Shola* (Ferozepore), (5) *Al-Maida* (Lahore) and (6) *Pasban* (Lahore).

(b) Rs. 6,000.

(c) Rs. 5,000.

Lala Deshbandhu Gupta : May I know from the Parliamentary Secretary whether Government has considered public opinion in regard to this matter and whether it proposes to revise its policy of confiscating and demanding securities ruthlessly ?

Parliamentary Secretary : Government takes steps always in the public interest.

Diwan Chaman Lall : May I ask as to which papers had their security deposits refunded ?

Parliamentary Secretary : I am sorry I cannot give that information, but if the honourable member will give notice I shall supply him the information.

Diwan Chaman Lall : Is it a fact that the security desposit of the "Zamindar" was refunded ?

Parliamentary Secretary : If the honourable member will give notice I will make enquiries.

Lala Bhim Sen Sachar : Does the honourable member know that he security of the "Karam Vir" was refunded ?

Parliamentary Secretary : Probably, but if the honourable member will give notice I shall supply him with full facts.

Lala Bhim Sen Sachar : Has not this fact ever come to the notice of the honourable member ?

Lala Deshbandhu Gupta : Will the honourable Parliamentary Secretary please give reasons for confiscating the securities of these six papers just mentioned ?

Mr. Speaker : That does not arise out of this question.

Diwan Chaman Lall : Will the honourable member state whether he has included the forfeiture of the security of the newspaper "Partab" in the reply he has given ?

Parliamentary Secretary : I am not sure about that, but if the honourable member will give notice I will supply him the information.

Lala Duni Chand : Is it true that the policy of the Government in the matter of the forfeiture of securities changes in proportion to the change in the policy of the paper ?

Parliamentary Secretary : Does that arise out of the main question and answer ?

Lala Deshbandhu Gupta : What was the guiding principle for demanding securities and confiscating securities ?

Parliamentary Secretary : Public interest.

Sardar Sohan Singh Josh : What was the amount of security demanded from the "Pasban" ?

Parliamentary Secretary : I cannot give the amount, but if the honourable member will give notice I will make enquiries.

Pandit Muni Lal Kalia : Is the Parliamentary Secretary in a position to state whether the amounts confiscated during the year are more or less than in the corresponding period of last year ?

Parliamentary Secretary : If the honourable member will give notice I shall supply him the required information.

Lala Deshbandhu Gupta : Is it a fact that the security of Rs. 6,000 demanded from the "Inqilab" at one time was reduced to Rs. 500 in 10 days ?

Parliamentary Secretary : I require notice for that.

BOOKS PROSCRIBED BY GOVERNMENT.

***2672. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state—

- (a) the number and the names of books which have been proscribed by Government since 1st April, 1937, with reasons for proscribing each of those books ;
- (b) the number and the names of books which have been removed from the list of proscribed books since April, 1937 ;
- (c) whether the list of proscribed books has been revised since 1st April, 1937 ; if so, with what result ; if not, why not ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : (a) Eight books, eight pamphlets and seven tracts were proscribed. It is not in the public interest to disclose their names.

(b) One.

(c) No, 21 out of 23 publications were proscribed for tending to embitter communal feelings, one for offending against the Indian States (Protection against Disaffection) Act, and one for expressing admiration for crimes of violence. Government see no justification for revising the list at the present juncture.

Lala Deshbandhu Gupta : Will the Parliamentary Secretary be pleased to state whether, ever since the present Government came into office the list has been revised or not ? That was the question asked in part (c) of the main question. There is no question of justification for revising that list.

Parliamentary Secretary : The Government considers this question from time to time, but so far it has not found any reason to revise this list.

Lala Deshbandhu Gupta : Do I understand that the policy of the present Government in respect of proscribing books has been the same as that of their predecessors ?

Parliamentary Secretary : No. The present Government has entirely a different policy.

Lala Deshbandhu Gupta : Is it not a fact that all the books proscribed by their predecessors have been continued to be on the proscribed list ?

Parliamentary Secretary : The Government considered it necessary to keep these books on the proscribed list.

Lala Deshbandhu Gupta : Is the Government aware that there were books on the proscribed list which have been removed from that list by many other Governments ?

Parliamentary Secretary : It may be.

Lala Deshbandhu Gupta : Has the Government ever considered this question, particularly when such books, as Bharat, have been removed from the proscribed list by the United Provinces which is a neighbouring province ?

Parliamentary Secretary : It does not necessarily follow that any action taken by a neighbouring Government should also be taken by this Government.

Lala Deshbandhu Gupta : What lead has the Punjab Government given in that respect ? They have not even revised this list.

Lala Duni Chand : Will the Parliamentary Secretary give the names of any books which were proscribed previously but which are not on the proscribed list now ?

Parliamentary Secretary : If the honourable member gives me notice, I shall make enquiries and supply the necessary information.

Lala Bhim Sen Sachar : With reference to the answer of the Parliamentary Secretary, may I know the material aspect in which the policy of the present Government has been revised or modified as compared with the policy of the previous Government ?

Parliamentary Secretary : Does that arise out of this question? Am I expected to give a reply to a question with regard to the general policy of the Government as a whole?

Lala Bhim Sen Sachar : Let me make my point clear. The honourable member has said that the policy of the present Government in this matter is different from the policy of its predecessor and with regard to that I want to know the details of the difference between the policy of the present Government and that of its predecessor and then, of course, we will draw our own conclusions.

Parliamentary Secretary : It is not possible for me to give the details of the policy of this Government in reply to a supplementary question.

Lala Bhim Sen Sachar : Do I take it that the honourable member did make that statement without knowing the facts of the case?

Mr. Speaker : This question is disallowed.

Lala Deshbandhu Gupta : Did the Government receive any representation or application from the publishers of any books that are on the proscribed list for their removal from that list during the course of the year?

Parliamentary Secretary : I cannot answer that question without having a fresh notice.

DISTINCTION OBSERVED BETWEEN EUROPEAN AND INDIAN PRISONERS IN THE PUNJAB JAILS.

***2673. Lala Deshbandhu Gupta :** Will the Honourable Minister of Finance be pleased to state—

- (a) whether it is a fact that European prisoners, as such, are given better treatment than Indian prisoners in the Punjab jails;
- (b) the cost per head per month which Government incur on European prisoners placed in the lowest class;
- (c) the cost per head per month incurred on Indian prisoners placed in the lowest class;
- (d) whether any distinction is observed between European and Indian prisoners in respect of the labour taken from them with reasons therefor;
- (e) whether distinction is also observed in respect of clothing of the European and Indian prisoners placed in the lowest class; if so, reasons for the same;
- (f) if so, the action the Government intends to take to remove racial distinction observed in Punjab jails?

The Honourable Mr. Manohar Lal : (a) The rules as regards the classification of prisoners are contained in paragraph 576-A of the Punjab Jail Manual. The classification is mainly determined by the mode of life to which the prisoner is accustomed. European prisoners are placed either in class A or B according to these rules. No question of placing a European prisoner in C class arises under the rules.

(b) The cost per head per month on B class European prisoners is approximately Rs. 17-8-0. It is the same for Indian prisoners of B class.

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(c) Rs. 2-6-7.

(d) the regulations regarding labour taken from prisoners are laid down in paragraph 576 (c) (11) of the Punjab Jail Manual and no distinction is observed.

(e) In schedule I of paragraph 969 is shown the clothing for C class prisoners. In schedule II of the same section is given the clothing which is supplied to European prisoners and Indian prisoners who have been classified as accustomed to a western mode of living. In paragraph 576 (b) (6) is shown the clothing given to Indian B class prisoners who are accustomed to an eastern mode of living.

(f) In the circumstances, no action is called for.

Lala Deshbandhu Gupta : Is the Honourable Minister for Finance aware of the fact that all European prisoners as such are placed in A and B classes ?

Minister : What I have said was that no question of their placing in C class arises in view of the rules of the Jail Manual.

Lala Deshbandhu Gupta : Has the Government considered the question, as the working of the rules necessarily means, that an European prisoner, howsoever low his status in public life may be, is given in the least B class treatment ? Has the Government ever considered the desirability of revising the rules ?

Minister : If the rules were revised, it would cause hardship much more extensively than my honourable friend contemplates. The rule is that a prisoner accustomed to a particular mode of life is placed in B class.

Lala Deshbandhu Gupta : Is the Government aware that that rule is not interpreted in the case of Indians in the same way as it is interpreted in the case of Europeans ?

Minister : I do not think that would be correct. I have dealt with several cases myself and in all cases where Indian prisoners were entitled to be placed in B class, they have been placed in B class.

Lala Deshbandhu Gupta : Is it a fact that while deciding the classification of prisoners, their status in public life, the question of their paying income-tax and many other questions are also taken into consideration and that it is not only the mode of living alone that decides the question of classification so far as the Indian prisoners are concerned ?

Minister : All these considerations are helpful to the Government in arriving at a decision on the class in which a particular prisoner is to be placed.

Lala Deshbandhu Gupta : Is the Honourable Minister aware whether an Indian, who is Europe returned and who is accustomed to western method of life, irrespective of his financial position or status in public life is not given A class ?

Minister : I am not aware of it. If my honourable friend will call my attention to any definite fact, I shall look into the matter.

Lala Bhim Sen Sachar : Is it a fact that a European convicted of cheating under section 420, with no ostensible means of livelihood and public status is placed in B class ?

Minister : May I inform the honourable member that an Indian prisoner, who was convicted of cheating, malfeasance and other cognate offences was placed in B class, and I have given orders for his release only yesterday.

Lala Bhim Sen Sachar : Was that Indian prisoner with no ostensible means of livelihood, or was he a person paying no income-tax or was not possessing any property and was bankrupt ?

Minister : I do not know whether he was bankrupt or not, but he was convicted of cheating. He was fined but was not able to pay the fine out of his property. As a matter of fact a substantial part of the fine has been waived by the Government because he has got no money.

Lala Bhim Sen Sachar : What is the educational qualification of that prisoner ?

Minister : I have not had any occasion to enquire so far. He was placed in charge of moneys. He misappropriated the money and cheated the Government.

Lala Bhim Sen Sachar : Did the Honourable Minister have an opportunity of knowing about the educational qualification of that prisoner ?

Minister : I say that he has very poor education.

Mr. E. Few : May I ask the Honourable Minister whether one convicted of cheating and who possessed some sort of respectability prior to conviction is to be differentiated in treatment with others convicted for the same offence ?

Minister : The definite position is as it is stated in the rule. The Government does its best and I have done my best without any discrimination to apply this rule to the European and Indian prisoners alike.

Lala Bhim Sen Sachar : Is it a fact that in the matter of European prisoners the Honourable Minister will have no power to discriminate—

Mr. Speaker : The rule speaks for itself. This question need not be answered.

Lala Deshbandhu Gupta : Is it a fact that so far as classification of Indian prisoners is concerned, it is generally done by the convicting magistrate and as long as the convicting magistrate does not classify the prisoner, the prisoner remains in C class and the Jail authorities do not use their discretion in placing the prisoner in a particular class, but in the case of a European prisoner or under-trial, he is kept in A or B class during the period of trial ?

Minister : An under-trial prisoner is placed in no class. About the rest I do not know.

Lala Deshbandhu Gupta : I think the Honourable the Finance Minister is misinformed when he says that the under-trial prisoners are not treated as B or C class prisoners.

Minister : My answer is correct. Under-trial prisoners are not classified.

Lala Deshbandhu Gupta : Does he mean that an under-trial prisoner who is likely to be placed in C class is allowed the same facilities as regards clothing, bedding, food, etc., as a European prisoner when he is under-trial ?

Minister : I think an under-trial prisoner according to the discretion of the magistrate is also given special treatment, if the magistrate thinks that that is necessary or desirable or proper or correct.

Lala Deshbandhu Gupta : Is it not a fact that an under-trial European prisoner receives greater facilities in the way of books, bedding, cigars, and anything of that sort, while an Indian under-trial prisoner would not receive the facilities unless he was classified by the magistrate ?

Minister : I think the answer to this question is amply given in the rule itself. The question of placing a European prisoner, owing to his habits and mode of living, in class C does not arise.

Lala Deshbandhu Gupta : Has Government considered the desirability of giving better food to the C class prisoners in view of the fact that the cost incurred, as stated by the Finance Minister, is Rs. 2-6-7 ?

Mr. Speaker : That is an appropriate subject for a resolution.

Lala Bhim Sen Sachar : Have the Government any intention of revising the rules so that other things being equal, the fact of a prisoner being a European only will not entitle him to better treatment than the one which is meted out to an Indian prisoner ?

Minister : I think to secure that end there is no need to revise the rules.

BLANKET INDUSTRY, PANIPAT.

***2674. Lala Deshbandhu Gupta :** Will the Honourable Minister of Development be pleased to state—

- (a) whether the blanket industry of Panipat has made any progress during the last fifteen years, in the way of improving the quality of blankets, etc. ;
- (b) if no progress has been made, what action Government propose to take in the matter ?

The Honourable Chaudhri Sir Chhotu Ram : (a) Not much progress has been made.

(b) (i) A small spinning plant has recently been installed at the Government Industrial School, Panipat, consisting of a teaser, a carder and a mule—in order particularly to remove defects in carding from which the industry in Panipat suffers.

(ii) The scheme of studies in the Government Industrial School has been reorganised to help the industry to work on up-to-date lines.

(iii) A big organisation is about to be set up at Panipat to help the weavers of Panipat and other places in designing, finishing and marketing. A finishing plant will also be set up as a part of the organisation.

(iv) Financial assistance under the State Aid to Industries Act will be rendered to blanket weavers of Panipat where a good case is made out.

Lala Deshbandhu Gupta : Is the Honourable Minister aware that the scheme of studies reorganised by him in the school is really of no practical help to the industry ?

Minister : I do not agree in the view taken by the honourable member.

Lala Deshbandhu Gupta : Is it a fact that the weavers outside do not get any facilities to remove defects in carding ?

Minister : No such complaint has reached me ?

Lala Deshbandhu Gupta : Has the Minister for Development himself considered the desirability of improving the industry ? There is no question of complaint.

Minister : I have given at least four items indicating the line which are going to be introduced in order to improve the industry in the Panipat area.

EDUCATION FOR ILLITERATE ADULTS.

***2675. Lala Deshbandhu Gupta :** Will the Honourable Minister of Education be pleased to state—

- (a) whether Government have prepared any programme of work for imparting education to the illiterate adults of the province ;
- (b) the main features of the Government scheme in this respect ;
- (c) the amount Government propose to spend for the purpose ?

Parliamentary Private Secretary (Khan Bahadur Mian Mushtaq Ahmad Gurmani) : (a) Yes.

(b) (i) Opening of schools for adults.

(ii) Propaganda work in connection with the education of adults.

(iii) Free supply of books and charts, etc., to village libraries for the use of adults receiving education.

(c) The following amounts are provided by Government for the purpose :—

- (i) Rupees 15,000, and
- (ii) Rupees 720 per annum to each district board maintaining at least 10 adult schools in the district.

Lala Deshbandhu Gupta : Will the Parliamentary Private Secretary please state how long it will take to educate the illiterate adults—ten, fifteen or twenty years ? Has there been any regular programme drawn up ?

Parliamentary Private Secretary : Much will depend upon the capacity of the adults who are to be educated and the amount of interest that they take in receiving instruction. The Government is examining various schemes for adult education. A programme will be drawn up after a satisfactory scheme is drawn up.

Lala Deshbandhu Gupta : Is it not a fact that the sum of Rs. 85,000 earmarked for the purpose is much too small and the problem is too enormous ?

Parliamentary Private Secretary : No, Sir. The Government do not propose to spend larger amount of money at the present moment as the whole question of adult education is in its experimental stage yet. In view of the past experience it is considered advisable to move more cautiously in this direction.

Sardar Hari Singh : Has the Government made any further provision of State aid for adult education ?

Parliamentary Private Secretary : Yes.

Sardar Hari Singh : What is that ?

Parliamentary Private Secretary : I would refer the honourable member to the budget estimates for the year 1938-39 and to the report on the Progress of Education in the Punjab for the year 1936-37.

Sardar Hari Singh : But I want the information with regard to 1937-38.

Parliamentary Private Secretary : Let the honourable member give notice and I shall be glad to supply him with the required information.

Sardar Hari Singh : What expenditure is Government going to incur in connection with the scheme besides paying Rs. 15,000 to the Fauji Akhbar of Simla ?

Parliamentary Private Secretary : I have already answered that question.

Lala Deshbandhu Gupta : Do Government maintain any record of the progress of adult education as they do in the case of primary education ?

Parliamentary Private Secretary : Yes.

Lala Deshbandhu Gupta : What are the figures for the year ? Has there been any progress during the last year ?

Parliamentary Private Secretary : I cannot give the honourable member exact figures just now, but if he gives notice, the information will be supplied to him.

Lala Deshbandhu Gupta : Will he please state as to how many adults have been educated during the last year ?

Parliamentary Private Secretary : I require notice of the question.

Parliamentary Secretary (Mrs. J. A. Shah Nawaz) : According to the report given at one of the International Conferences at Geneva in 1931, the largest number of adult schools that had been organised in any province in India was in the Punjab.

***2676.** *Cancelled.*

SPECIAL SCHOLARSHIPS FOR TECHNICAL EDUCATION.

***2677. Lala Deshbandhu Gupta :** Will the Honourable Minister of Development be pleased to state—

- (a) whether Government have considered the question of providing special scholarships to students who may go to foreign countries to receive technical education ;

- (b) the number of students who are receiving such scholarships ;
- (c) the amount spent by Government yearly on such scholarships ?

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

(b) Two scholars have recently come back after the completion of their training. It is expected that four scholars will be sent during the current financial year.

(c) Two State Technical Scholarships—Rs. 5,554. Two Silver Jubilee Scholarships—Rs. 3,600.

Lala Deshbandhu Gupta : Is it the intention of the Government that the sums earmarked by the predecessor Government were in any way in excess of the requirements ?

Parliamentary Secretary : That does not arise.

Lala Deshbandhu Gupta : I want to know whether Government have increased expenditure under this head in view of the extreme desirability of sending more students abroad to qualify themselves ?

Parliamentary Secretary : I have answered that more students will be sent this year.

Lala Deshbandhu Gupta : What is the provision made ?

Parliamentary Secretary : I have given the figures.

EDUCATING RURAL PUBLIC OPINION AGAINST BEGAR AND BRIBERY.

***2678. Lala Deshbandhu Gupta** : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether Government have taken any steps to educate the rural public opinion against giving *begar* and bribery to officials ;
- (b) the methods adopted for the same ;
- (c) whether any pamphlets have been published in this respect ?

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

(b) By press communiqué and proclamation to all zamindars, shopkeepers, etc., in the villages in the Punjab.

(c) No.

I might add that both these questions are receiving anxious consideration of Government.

Lala Deshbandhu Gupta : Have Government considered the desirability of introducing anti-begar propaganda in the rural parts through radio so that villagers may at once know that *begar* is not justified ?

Minister : I feel it is unnecessary to do so, because there are no facilities to hear radio in the villages yet.

Lala Deshbandhu Gupta : Have Government considered the desirability of installing radio sets in the villages ?

Minister : If funds for the purpose are supplied by this House Government will certainly consider this question.

PRIZES TO EXECUTIVE OFFICERS FOR CHECKING COMMUNAL RIOTS.

***2679. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state—

- (a) whether Government have awarded any prizes to such executive officers and police officials whose conduct in checking communal riots has been especially good ;
- (b) whether Government maintain a list of such officials ;
- (c) the names of such officials particularly belonging to the Police Department who have been punished for not discharging their duties properly on the occasions of communal riots in the province during the last year ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : (a) Yes.

(b) No separate list is kept but rewards and punishments are entered in their personal files.

(c) During the period mentioned two police officials have been censured for dereliction of duty in connection with communal disturbances ; one has been reduced in rank and one was dismissed from the force. A dozen or fifteen have been rewarded. The honourable member, I believe, will not press for names.

Lala Deshbandhu Gupta : Has Government considered the desirability of rewarding the Sub-Inspector of Police in Panipat who has been able to control the situation this year and amicably see the matters through ?

Parliamentary Secretary : If the Superintendent of Police concerned is satisfied, certainly his name will also be considered.

DIFFICULTIES OF LOCAL BODIES IN GETTING QUALIFIED MEN AS THEIR SECRETARIES.

***2680. Lala Deshbandhu Gupta :** Will the Honourable Minister of Public Works be pleased to state—

(a) whether Government are aware of the difficulty experienced by a number of local bodies in the province in getting qualified men to act as secretaries to these local bodies due to the absence of any arrangement for training persons for the purpose ;

(b) the steps Government propose to take to remove this difficulty ?

Parliamentary Secretary (Shaikh Faiz Muhammad) : (a) No.

(b) Does not arise.

WARRANTS OF ARREST OF LALA BANU MAL AND PHAGU MAL.

***2681. Lala Duni Chand :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether a warrant of arrest for realisation of arrears of land revenue was issued against Lala Banu Mal of village Saran, tahsil Jagadhari, district Ambala, on or about 18th March, 1938 ;

- (b) whether it is a fact that the execution of the warrant could not be effected on Lala Banu Mal, and in his place his brother Phagu Mal in whose name the land in question was not entered was taken to tahsil and put into custody and there a warrant of arrest in his name was prepared and the warrant of Lala Banu Mal was torn ;
- (c) whether the Government intends taking any action in the matter ; if so, what ?

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

(b) No.

(c) Does not arise.

**FOOD TO PRISONERS WHO GAVE UP HUNGER-STRIKE IN LAHORE
CENTRAL JAIL.**

***2681-A. Sardar Hari Singh :** Will the Honourable Minister of Finance be pleased to state—

- (a) the kind of food allowed to prisoners who recently gave up hunger-strike in the Lahore Central Jail ;
- (b) whether the said prisoners have any complaint in regard to that food ; if so, action taken or proposed to be taken to redress their complaints ?

The Honourable Mr. Manohar Lal : (a) That prescribed for their respective classes in paragraph 920 of the Punjab Jail Manual.

(b) No.

Mr. E. Few : May I enquire whether these prisoners have lost any weight since they reverted to normal diet ?

POSTING OF POLICE INSIDE BRADLAUGH HALL.

***2681-B. Sardar Hari Singh :** Will the Honourable Premier be pleased to state whether he is aware that a dozen or more police constables armed with iron-mounted lathis were posted inside the Bradlaugh Hall on the evening of 20th March, 1988, on the occasion of a public lecture by Mr. Bhulabhai Desai, Leader, Congress Party, in the Central Legislative Assembly ; if so, reasons therefor ?

Parliamentary Secretary (Sardar Sahib Sardar Ujjal Singh) : Yes, to maintain order.

Sardar Hari Singh : May I enquire whether the organisers of this public meeting held at Bradlaugh Hall which was addressed by Mr. Desai had made any request to the Government for helping them with the police ?

Parliamentary Secretary : Government had in view the requests of the honourable members opposite who criticised the Government for not making police arrangements at Congress meeting held at Fatehwal.

Sardar Hari Singh : May I know whether Government received any requisition from the organisers of the meeting to the effect that there was a likelihood of disturbance being created at this meeting ?

Parliamentary Secretary : Disturbance may be created at any time and without notice. Government has therefore got to make police arrangements.

Sardar Hari Singh : May I know whether he is aware of the fact that a complaint was made by the organisers of this meeting to the magistrate telling him that they strongly resented the police with lathis being present inside the Bradlaugh Hall ?

Parliamentary Secretary : They may have submitted a complaint to the District Magistrate ; but that was when the meeting was over.

Sardar Hari Singh : May I know whether it was essential for the police being present inside the Bradlaugh Hall to help the people ?

HEALTH OF SUNDAR SINGH, BABBAR AKALI, PRISONER IN THE LAHORE CENTRAL JAIL.

***2681-C. Sardar Hari Singh :** Will the Honourable Minister of Finance be pleased to state—

- (a) the condition of health of Sundar Singh, Babbar Akali, prisoner, in the Lahore Central Jail ;
- (b) whether it is a fact that his right shoulder has been paralysed ?

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

(b) No.

SHORT NOTICE QUESTIONS AND ANSWERS.

WINE SHOP IN GANDHI CHAUK, LAHORE.

Sardar Hari Singh : Will the Honourable Revenue Minister be pleased to state—

- (a) whether it is a fact that the Government propose to open a wine shop in Gandhi Chauk, Lahore ;
- (b) whether he is aware that already there is strong resentment among the people of the locality against the proposal ?

The Honourable Dr. Sir Sundar Singh Majithia : There is no proposal to open any new shop. Some *khattas* will be allowed to be used for consumption and not sale. I refer to a press communiqué on the subject.

DAMAGE TO CROPS BY HAILSTORM.

Chaudhri Krishna Gopal Dutt : Will the Honourable Minister of Revenue be pleased to state whether his attention has been drawn to the fact that a devastating hailstorm visited several villages in *ilaga* Dhariwal, district Gurdaspur, on the night of 6th April, 1938, causing severe damage to the crops ; if so, what steps the Government have taken or propose to take to relieve the misery of the peasants in the area affected ?

The Honourable Dr. Sir Sundar Singh Majithia : Yes. Telephonic message from the Deputy Commissioner, Gurdaspur, intimated that a severe hailstorm had caused serious damage to crops over a large area. Necessary action is being taken to relieve immediate distress by distribution of taccavi. Special remissions of land revenue, etc., will be given under rules as soon as the situation has been correctly ascertained.

PRAYERS DURING OFFICE HOURS.

Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the Deputy Commissioner of Gujrat ordered the Muslim members of his staff sometime ago not to say their prayers during the office hours ;
- (b) if so, whether he would lay a copy of his orders on the table of the House ; and if any change has since been effected in these orders whether he would lay a copy of the amended orders on the table of the House ?

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

(b) Does not arise.

THEFT OF A MOTOR CAR IN LAWRENCE GARDENS, LAHORE.

Lala Deshbandhu Gupta : Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that a report was recently made to the Lahore Police by Mr. P. C. Dhawan that his Austin Car No. P8548C had been stolen by somebody from the Lawrence Gardens on 17th March, 1938 ; if so, whether the police made any investigation into the matter and if so, result of the investigation by the police ;
- (b) whether Government propose to take some special steps to trace the culprits with a view to discouraging thefts in an important and much frequented place of recreation like the Lawrence Gardens ?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (b) Yes. Every possible effort is being made to trace the culprits.

Lala Deshbandhu Gupta : Have Government made any progress or met with any success in tracing the culprits ?

Premier : The police have taken the usual steps and informed the police in other provinces also.

AYURVEDIC COLLEGE STRIKE.

Sardar Hari Singh : Will the Honourable Premier be pleased to state the circumstances leading to and under which the Police lathi-charged and arrested about 36 students in connection with the picketting at the Ayurvedic College, Lahore, on 2nd April, 1938 ?

The Honourable Major Sir Sikander Hyat-Khan : On 2nd April, 1938, at about 4-30 P.M. on a written complaint from the Principal, Ayurvedic College and on the verbal complaint of certain students of the Ayurvedic College a case under section 147/341, Indian Penal Code, First Information Report No. 91 was registered and investigated on the spot. These persons complained that they had been beaten by picketers on attempting to enter the Ayurvedic College. About 12 accused were arrested as they refused to offer bail. At about 6 P.M. Inspector, Anarkali, received a 'phone message from S. H. O. Old Anarkali that the picketers had become more violent, and did not permit him (S. H. O.) to remove the accused from the college. He further said that the strikers were picketing all the exits of the college and did not permit any student or staff member of the college to enter or come out of the college, nor allowed their food-stuffs to be brought in, and that all the staff and the patients of the college hospital were starving. The strikers had thrown away all the flour and ghee which was being brought into the college by the college servants for cooking the meals of the patients and the staff.

On receipt of this information the Inspector, Anarkali, went to the college and found that all the exits were being picketed by the strikers. With the greatest difficulty he found his way into the college. He asked the strikers to clear the exits and let the accused be taken to the *thana* but they refused to hear him and continued squatting in front of all the exits. The Additional Superintendent of Police, Lahore, was then informed. He arrived on the spot, and finding that the situation had taken a serious turn, sent for two police reserves. A mob of about 200-300 persons collected outside the college and did not permit the police to enter the college. The Superintendent of Police warned the strikers to be peaceful and to clear the exits so that the police might come in ; but the strikers paid no heed. When all efforts had proved ineffective, the Superintendent of Police declared the mob to be an unlawful assembly, and ordered it to disperse. At the same time, he ordered the police force to enter the college but the crowd did not disperse or allow the police to enter the college boundary. Thereupon, a mild lathi charge was made. The strikers were cleared from the exits and the police entered the premises of the college. As soon as the crowd ceased to offer violence, the lathi charge was stopped. The accused were then taken out at about 9-30 P.M. and sent to Police Station, Old Anarkali. The strikers had meanwhile laid themselves prostrate in front of the college gates and deterred the students and staff of the college from entering. They were asked by the Superintendent of Police not to block the gates but refused to listen. Twenty-three of the picketers were accordingly arrested in two batches and sent to Police Station, Civil Lines. The mob was very abusive and threw stones on the police. The Inspector, Anarkali, received an injury on his right thumb. The leaders of the students found themselves helpless in pacifying the strikers. At about 11-30 P.M. picketing was abandoned and peace was restored.

It may be added that a strike of the Dayanand Ayurvedic College has been in progress for several months past and although the students have acted in an unruly manner on more than one occasion, the police have carefully refrained from interfering in the internal disputes of the college and did not

take action until a cognisable offence had been committed and general public order was imperilled.

Sardar Hari Singh : May I ask whether the Honourable Premier is aware that certain influential gentlemen including an M. L. A. were also victims of the lathi charge by the police while they were there to see that no trouble arose and that no violence was committed ?

10 A.M.

Premier : As a matter of fact one of the honourable gentlemen was of considerable help to the police and the police has written to me saying that Mian Iftikhar-ud-Din was very useful in pacifying the crowd and I am sorry to say that probably in the hustle he also got a blow, but I can assure the House that it was not intentional and I believe he knows it and says so.

UNSTARRED QUESTIONS AND ANSWERS.

RURAL GIRLS' MIDDLE SCHOOLS IN GURGAON DISTRICT.

416. Chaudhri Sumer Singh : Will the Honourable Minister of Education be pleased to state—

- (a) the number of girls' middle schools in the rural area of Gurgaon district ;
- (b) whether Government has under consideration any proposal to open more schools for girls in this district ; if so, at what places ?

The Honourable Mian Abdul Haye : (a) The requisite information will be found from the list of secondary schools recognised by the Education Department, Punjab, a copy of which has already been supplied to the honourable member.

(b) Yes, Gurgaon and Rewari.

CREATION OF NEW POSTS BY THE EXECUTIVE OFFICER, MULTAN MUNICIPALITY.

417. Chaudhri Abdul Rahim : Will the Honourable Minister of Public Works be pleased to state whether it is a fact that the Executive Officer, Multan Municipal Committee, has created some new posts without any reference to Municipal Committee, Multan ; if so, under what authority, and the action the Government propose to take in the matter ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : Yes, in exercise of the powers contained in section 4(b) (i) of the Punjab Municipal (Executive Officers) Act, 1931. No action on the part of Government is necessary.

SYSTEM OF APPOINTMENT OF LAMBARDARS OF CHAKS NOS. 689/31 AND 694/36-G.B., LYALLPUR DISTRICT.

418. Chaudhri Faqir Husain Khan : Will the Honourable Minister of Revenue be pleased to state—

- (a) how the appointments of lambardars are made in Chaks Nos. 689/31 and 694/36-G.B., in Lyallpur district ;
- (b) the arrears of Government demands due from the said chaks for each of the last five years with the dates by which complete recovery of the Government demands in respect of each of the said years should have been made ;
- (c) whether the Government intends to continue the present system of appointment of lambardars of the said chaks ; if not, reasons for the same ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No permanent lambardars have been appointed. As originally ordered by Government the presidents of the panchayats of the chaks for the time being fulfil the duties of the lambardars.

(b) A statement is laid on the table.

(c) The matter is still under consideration and no definite decision has been reached.

Statement showing arrears of Government demands due in Chaks Nos. 689/31 and 694/36-G.B., Lyallpur district for each of the last five years.

Name of Chak.	Harvest.	Total amount of arrears due.	Date by which complete recovery should have been made.
689-G.B. ..	From <i>kharif</i> 1933 to <i>kharif</i> 1937.	Rs. A. P. <i>Nil</i>	..
694-G.B. ..	From <i>kharif</i> 1933 to <i>kharif</i> 1936.	<i>Nil</i>	..
	<i>Rabi</i> , 1937	113 1 6	31-7-37
	<i>Kharif</i> , 1937	2,924 7 0	15-3-38

STARTING CLINICS IN IMPORTANT TOWNS.

419. Lala Deshbandhu Gupta : Will the Honourable Minister of Education be pleased to state—

- (a) whether Government have considered the desirability of starting clinics in the important towns of the province to provide facilities to the public to receive instruction in the scientific methods of birth control in order to check the increasing population of the province ; if not, whether Government propose to do so ;
- (b) what other measures Government propose to take to guard against the menace of the increasing population ?

The Honourable Mian Abdul Haye : (a) and (b) The Government is fully alive to the difficulties that are likely to arise from a too rapid increase

in the population, but are not convinced that public opinion is yet ripe for the encouragement by Government of artificial methods of birth control. It is the endeavour of Government to meet the needs of the increasing population, as far as possible, by improved methods of agriculture, extension of irrigation and encouragement of industry.

ADJOURNMENT MOTIONS.

SECURITY DEMANDED FROM PARTAP AND DIWAN PRINTING PRESS.

Chaudhri Krishna Gopal Dutt (North-eastern Towns, General. Urban): I beg to ask for leave to make a motion for the adjournment of the business of this House to discuss a definite matter of urgent public importance, namely, the orders issued by the Punjab Government confiscating the security deposited by the Diwan Printing Press, Lahore, and demanding fresh securities of Rs. 3,000 each from the Daily '*Partap*' and the Diwan Printing Press, Lahore.

Mr. Speaker: Will the honourable member please say whether the aggrieved party has a right to go to the High Court under section 23 of the Press Act?

Chaudhri Krishna Gopal Dutt: I have no information on this point. May I draw your attention to the fact that we cannot proceed on an assumption? I do not know whether or not the proprietors of the Press intend to go in for an appeal.

Mr. Speaker: I did not ask that question. My question was whether the aggrieved party has a right of appeal under section 23 of the Press Act or not?

Chaudhri Krishna Gopal Dutt: Yes, Sir.

Mr. Speaker: Then the adjournment motion is out of order.

Chaudhri Krishna Gopal Dutt: You have allowed similar motions.

Mr. Speaker: No, I have not. The honourable member is not right. *(At this stage several members stood up)*. No member other than the gentleman, who has given notice of the motion is allowed to take part in the discussion of this point. According to my lights the honourable member's motion is out of order.

Chaudhri Krishna Gopal Dutt: But this very House has discussed a similar adjournment motion by Lala Deshbandhu Gupta at Simla.

Mr. Speaker: The honourable member is not right. I disallowed discussion of the Siasat case. What I allowed was a discussion of the general policy of Government with regard to the Press.

Chaudhri Krishna Gopal Dutt: That is exactly what we want to discuss today.

Mr. Speaker: I regret to say that I cannot allow the motion after giving it my best consideration.

Lala Deshbandhu Gupta: I rise to a point of order. I want to know whether your ruling is that the policy of the Government underlying forfeiture of securities cannot be discussed through an adjournment motion.

Mr. Speaker: That is not the motion before the House. When the honourable member gives notice of that motion I shall consider the point.

VOTERS LIST OF RAHON MUNICIPAL COMMITTEE.

Pandit Muni Lal Kalia (Ludhiana and Ferozepore, General, Rural) : Sir, I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, serious and material irregularities and illegalities committed recently by the tahsildar, Nawanshahr, in the preparation of the preliminary voters lists for the ensuing municipal elections of Rahon, District Jullundur, the revision of which will take place on 12th April, 1938.

Mr. Speaker : This motion is also out of order for the reason stated in the last words of the motion, *i.e.*, the revision of which will take place on the 12th April, 1938. The list which is stated to have been wrongly prepared is going to be revised tomorrow and it might be corrected.

Pandit Muni Lal Kalia : We want to discuss the commission of irregularities and illegalities in the preparation of the list.

Mr. Speaker : That is for the revising authority to decide.

THE PUNJAB ALIENATION OF LAND (AMENDMENT) BILL.

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia) : I beg to present the select committee's report on the Punjab Alienation of Land (Amendment) Bill.

Chaudhri Muhammad Abdul Rahman Khan : Sir, I have not followed what was said by the Honourable Minister. I beg to be enlightened on this point.

Mr. Speaker : I request the honourable member to resume his seat. When I am standing, the honourable member should sit down, and if he does not understand even this much he should have considered twice before becoming a member of this House. I sympathise with the honourable member; but section 85 of the Government of India Act does not permit me to help him. I wish that Parliament may amend the section at the earliest possible opportunity.

(Chaudhri Muhammad Abdul Rahman Khan rose from his seat).

Mr. Speaker : Order, please. I cannot allow the honourable member to interrupt any further.

Dr. Sir Gokul Chand Narang : If other Speakers have allowed speeches being made in languages other than English—

Mr. Speaker : But he wants to speak to the motion which has been held to be out of order and finished.

Dr. Sir Gokul Chand Narang : It is not his fault. He says he cannot follow.

Minister for Revenue : I beg to move—

That the Punjab Alienation of Land (Amendment) Bill as reported on by the select committee be taken into consideration at once.

Mr. Speaker : Motion moved—

That the Punjab Alienation of Land (Amendment) Bill as reported on by the select committee be taken into consideration at once.

Dr. Sir Gokul Chand Narang, (West Lahore Division, General, Rural): I know it is utterly useless to say anything at this moment because I know that it is a foregone conclusion that whatever is proposed by the Government or any supporter of the Government in this House is bound to be carried. I, however, want to bring it to the notice of this House that the Government or responsible members of the Government have several times declared on the floor of this House that so far as the Alienation of Land Act is concerned, the Government shall neither go backward nor forward. The late Mian Sir Fazl-i-Husain made this declaration probably more than once. The Honourable Premier, when he was holding the revenue portfolio, was also pleased to make a declaration on the floor of this House, and probably made that declaration more than once, that the Government shall not either go forward or go backward with the Land Alienation Act. This promise, solemnly made on the floor of this House, has been broken several times by the Government or by those responsible for the amendment of this Act. Personally, I make it clear that I have advised those who have been opposing the Land Alienation Act so far not to waste their time over this useless effort because I know that there is no possibility of the Land Alienation Act being scrapped and it leads to no useful results to make any effort to have that Act amended or repealed. But all that I am saying is that the Government should have shown some respect for their own word, for their own solemn assurances. I would not use any strong word for this conduct of the Government but certainly we expected that they would keep faith with the members of this House and with the public at large concerned directly or indirectly with this Act. I know the reply which would be given. That reply is likely to be that they are not going forward with the Land Alienation Act but they are only removing doubts so far as the interpretation of the existing provision of the Act is concerned. That explanation has been given before and in all probability that explanation will be given today and may be given again when the Government considers it its duty again to go back on its assurances. But let me submit that this explanation is not really in keeping with the spirit of the assurance that was given. 'Going forward' means not necessarily introducing radically new provisions. 'Going backward' does not necessarily mean repealing of any material provisions of the Act but the assurance given was understood by all to mean that the Land Alienation Act will be allowed to stand as it is and no amendments of any kind whatsoever will be made in the provisions of the Act but since then two or three attempts have been made to add provisions to this Act. I would, therefore, submit that considering their own promises and the assurances given on the floor of this House, they should not have attempted any further amendment of this Act. It again shows that the real object is to close all the avenues to those who have been foolish enough to lend money to those people who are governed by the Land Alienation Act and who enjoy the protection under this extraordinary measure. I consider it a most inequitable and unjust Act on the part of the Government. It is entirely one-sided. It does not take into consideration the rights of a very large class of people who have made the mistake of advancing money to statutory agriculturists. With these words, therefore, I would oppose the motion for consideration. I know the result but I consider it conscientiously my duty to draw the attention of the members of the Government to their

[Dr. Sir Gokul Chand Narang.]

own promises and the attention of the House also to those assurances as most of the members of this House probably are not aware that such assurances had been given. (*Voices from Treasury benches: This Government never gave any assurances.*)

Premier (The Honourable Major Sir Sikander Hyat-Khan): I do not think it is necessary for me to give any comprehensive answer to the arguments put forward by my learned and honourable friend, Dr. Sir Gokul Chand Narang, because he has himself replied to his own criticism. I could see from the wording of his speech that he was himself feeling the whole time that his case was a weak one for the simple reason that he, as a lawyer and as a one-time member of Government, should know that this particular Bill does not in any way seek to extend the scope of the Land Alienation Act—it merely seeks to restore the efficacy of that Act which has been undermined by certain rulings of the courts as is really stated in the Objects and Reasons. But my honourable friend has referred to certain assurances given by the late Mian Sir Fazl-i-Husain and myself in this House. Those assurances were given by the previous Government (*Hear, hear*) and that previous Government, so long as it was in office, adhered to that undertaking and strictly and scrupulously adhered to that undertaking while they were in office. The question is whether it will be necessary now or in the future for us to amend this Act and it is a matter on which I am not prepared to make any definite statement at this stage, (*loud applause*) for the simple reason that any further extension of Land Alienation Act would not be necessary or useful because, as my honourable friend is aware, the tendency at the moment amongst the masses has gone far beyond the Land Alienation Act's scope and all that we can do is to see that that tendency is directed into proper channels so as not to make it possible for capitalists in this province or the country to be unnecessarily penalised for helping the agriculturists. That should be our object.

My honourable friend is perfectly aware that there is a tendency throughout the country to resort to drastic legislation with a view to give genuine and real relief to the poor masses in the rural areas as well as urban areas.

Dr. Sir Gokal Chand Narang: If the Act is meant only for the poor no one would have any quarrel.

Premier: This Act, as the honourable member is aware, is meant to restrict the credit of a certain section of the people; and if in spite of the Act people are prepared to lend money then, who is to blame? This Act was put on the statute book to protect those ignorant and unsophisticated masses who were often led into extravagance on account of easy availability of credit. This Act aims at restricting credit. It has not succeeded to the extent which its framers probably contemplated at the time. Supposing those assurances given by the previous Government were binding on the present Government, how would it help my honourable friend? Because it is not necessary that the Land Alienation Act should also be amended. There are several enactments for securing to the people that relief for which they are crying throughout the province. My honourable friend is aware that there is the Relief of Indebtedness Act and there are similar other Acts.

I am not sure that in view of the rather widespread demand of the agriculturists for further relief Government may not have to bring in other Act with a view to give them a certain amount of security in this direction; but whether it is necessary or not will depend upon how the other party behaves. If those people who are adversely affected by these Acts even now start taking up that attitude it would remove antagonism and friction. Although it would be easier for Government to resist any wild measure, yet I do not think any government, whether a Congress government, my own government or any other government including my honourable friend—for that is dependent on the vote of the people—should feel that they are suffering under a handicap and be forced to bring forward legislation with a view to give relief to those people in accordance with the promise given to the legislature. But my honourable friend knows that I made no wild promises and I gave no undertakings of the kind which some other party did give, because to be honest to ourselves and to be honest to the province and the country we thought that it would be no good for anybody to make wild promises. In this matter we have had to go very carefully and cautiously. At the same time I can assure my honourable friend opposite that if he thinks that no further legislation for the relief of the poor agriculturists can be brought forward, then he is living in a fool's paradise. (*Applause*).

Mr. Speaker : The question is—

That the Punjab Alienation of Land (Amendment) Bill, as reported on by the select committee be taken into consideration at once.

The motion was carried.

Mr. Speaker : Now the Bill will be taken into consideration clause by clause.

Clause 2.

The question is—

That clause 2 stand part of the Bill.

The motion was carried.

Clause 3.

Diwan Bahadur Raja Narendra Nath : I beg to move the following amendment that stands in my name—

That in the proviso to clause 3, line 2, after the word "mortgage" the words "proved to be of a collusive character or" be added.

You will see that a minute of dissent was attached by me to the report of the select committee. My amendment proposed in the select committee was rejected not by a bare majority but by an overwhelming majority. I wanted that amendment in order to improve the draft but it seems that those responsible for the draft did not consider it to be an improvement. I, therefore, propose now the amendment which is the operative part of my original amendment. My reason is this that if there are 'benami' transactions in respect of sales there would be 'benami' transactions in respect of temporary leases also. A judgment-debtor may give his land on a temporary lease to a relation of his. If it is done before the institution of a suit it will not be covered by the proviso. Every Act is strictly interpreted in accordance with the words of the Act. Therefore, all transactions previous to the institution of the suit will not be covered by the proviso

{D. B. Raja Narendra Nath}

which stands under sub-clause (3). I, therefore, think that this amendment is necessary and I hope it will be accepted and will not be taken in the spirit in which my original amendment before the select committee was taken.

Mr. Speaker : Clause under consideration, amendment moved is—

That in the proviso to clause 3, line 2, after the word 'mortgage' the words 'proved to be of a collusive character or' be added.

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia) : Sir, my honourable and old friend probably is under some misapprehension. (*A voice.* Your old friend?) My honourable friend knows what I mean by 'old friend.' It is not a question of his age : it is a question of the age of my friendship with him (*hear, hear*). He is under some misapprehension, that we are trying to make some amendments of the Act which may place difficulties in the way of regular transactions ; but such is not the case.

What I wanted to do was that the existing lease or mortgage or farm should not extend beyond 20 years that have been provided and if by any means, action is taken to extend that lease, that should be resisted. Therefore, we have said that the period of 20 years should, in no case, be exceeded by any means which may be adopted by a court or by somebody else under the provisions of the old Act. Therefore, the amendment that was proposed has been accepted by the select committee. But the Raja Sahib tried to press his point and we felt that he was going far beyond what he intended to do at that time in the select committee and therefore the select committee was not able to accept his suggestion. Now the Raja Sahib has put in a sort of amending motion before the House, which still, I am afraid, does not meet the situation. If my honourable friend is willing to accept the suggestion which I am making, I think the Government would be in a position to accept that suggestion. That suggestion is the following—

In the proviso to clause (3)—

(i) in line 3 add "a" before "subsequent"

(ii) in line 8, after "court" add the following sub-clause :—

"or (b) within 12 months, previous to the institution of proceedings referred to in (a) above and proved to be of a fraudulent and collusive character."

If my honourable friend would accept this suggestion, I think I can undertake on behalf of the Government to accept that amendment.

Diwan Bahadur Raja Narendra Nath : Sir, something is better than nothing and therefore I withdraw my amendment in favour of the amendment proposed by the Honourable Minister for Revenue.

The amendment was by leave withdrawn.

Minister for Revenue : Sir, I beg to move—

That in the proviso to clause (3)—

(i) in line 3 add "a" before "subsequent"

(ii) in line 8, after "court" add the following sub-clause :—

"or (b) within 12 months, previous to the institution of proceedings referred to in (a) above and proved to be of a fraudulent and collusive character."

The motion was carried.

Mr. Speaker : The question is—

That clause 3 as amended stand part of the Bill.

The motion was carried.

Minister for Revenue : May I with your permission say that there is a mistake in printing in the marginal note to clause 2, which I hope will be corrected. Instead of 10-A, it ought to be 8-A.

Mr. Speaker : Yes, it will be corrected.

Mr. Speaker : The question is—

That the Preamble be the Preamble of the Bill.

The motion was carried.

Mr. Speaker : The question is—

That clause 1, stand part of the Bill.

The motion was carried.

Minister for Revenue : Sir, I beg to move—

That the Punjab Alienation of Land (Amendment) Bill be passed.

The motion was carried.

RULES OF PROCEDURE.

Rule 136.

Mr. Speaker : Now the House will proceed to consider the remaining Draft Rules. The question is—

That rule 136 be adopted.

The motion was carried.

New Rule.

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

That after rule 136, the following new rule be added :—

“136-A. (1) The House shall set up each year a Select Committee on estimates to examine such of the estimates as may seem fit to the Committee and to suggest economies consistent with their policy.

(2) The Committee shall consist of 15 members elected on the principle of proportional representation by the House and shall have a quorum of four members and may set up such sub-committees as it may think necessary.”

Sir, may I know whether this Rule is in order so that I may proceed with my speech ?

Mr. Speaker : It is quite in order.

Sardar Hari Singh : In the House of Commons they have got a similar Committee on Estimates and this Committee is quite different from the Public Accounts Committee. If a similar Committee is set up in this House, there would be no coincidence, duplication or overlapping between the functions and duties of the Public Accounts Committee and this committee. Its functions will be quite different from that of the Public Accounts Committee. In the dominions, they have got similar committees. What are

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the functions of the Committee on Estimates? It is stated in the new rule itself. This committee will examine such of the estimates as may seem fit to the committee and to suggest economies consistent with the policy of the Government and the department concerned. These estimates will be examined and scrutinized by the committee. In the House of Commons, this Committee on Estimates examines the estimates, not before the passage of the budget but after the passage of the budget.

Then it examines and scrutinizes all the necessary material and makes suggestions in regard to economies, and its report, suggestions and recommendations are taken into consideration when the budget is being framed for the following year. The estimates when examined and reported upon on that occasion, the suggestions have no effect on the estimates for the current year, but the suggestions and recommendations will have a considerable effect on the estimates which are to be framed for the next year. In fact its recommendations and its report form a basis for formulating estimates for the next year. The Government makes economies, makes retrenchment in its expenditure on the report of the Committee of Estimates. If a similar committee is set up it will be of considerable help to the Government in making retrenchment, in making economies and in pruning unnecessary expenditure which may not otherwise be revealed to the eye of the Finance Minister or to the House itself. The House when discussing the budget does not go into the details at all. In the House of Commons they have a Committee of Supply. In that committee the House can go into some detail but in the Committee of Estimates the details are thoroughly examined. Thorough examination of the budget is not possible in the House. It is only the general policy of Government that can be discussed here, and it is not possible to peep into the various crevices where unnecessary expenditure may be hiding. The expert officer of the House will then be able to put his finger on the spot where the Government's estimates are weak, where the estimates are vulnerable and it will be of great help to the Finance Department in making the necessary economy and in retrenching unnecessary expenditure, and it will save a great amount of money to the province and that money when released from unnecessary expenditure may be released for beneficent activities. So, I suggest this new rule for the consideration of the House. This is nothing new. This Committee of Estimates is to be found in the House of Commons, it is also to be found in the Dominions.

Mr. Speaker : The motion moved is—

That after rule 136, the following new rule be added :—

136-A. (1) The House shall set up each year a Select Committee on estimates to examine such of the estimates as may seem fit to the Committee and to suggest economies consistent with their policy.

(2) The Committee shall consist of 15 members elected on the principle of proportional representation by the House and shall have a quorum of four members and may set up such sub-committees as it may think necessary."

Mir Maqbool Mahmood (Parliamentary Secretary): Sir, we on this side of the House are in full sympathy with my honourable friend opposite who made this motion so far as the object of securing economies is concerned. But the main argument stated by my friend Sardar Hari Singh.

in support of this amendment is that the procedure suggested by him obtains in the House of Commons. I beg to invite his attention to the note on page 557 of May's Parliamentary Practice. We therein find that the procedure which he has suggested is not a permanent or a recurring procedure in the House of Commons. It is no doubt true that in certain years, in certain cases, the House of Commons decided that a select committee be appointed to examine the estimates and the report of that committee was considered. But there is no hard and fast rule in the House of Commons or in the rules of procedure there that this committee shall be appointed as my honourable friend desires to prescribe in this House. Consequently he will find in that note that after 1924 no year is recorded when such committees were appointed. I do not know if any have been appointed since, but from the abovementioned reference it appears that after 1924 no such committee had been appointed. You will further find that the committee therein adumbrated is to report generally on the estimates when so desired by the House of Commons, while in this particular case my honourable friend desires that the committee be charged "to suggest economies consistent with their policy." He has not in his remarks made it clear as to what he means by "their policy." If he means that this committee is to suggest or to look at the budget and revise it according to the policy of this committee then obviously my honourable friend is substituting for the policy of the Government, the policy of this committee. If, on the other hand, he means that they will suggest economies according to the policy of the Ministry for the time being, then he is charging the Opposition and asking us to admit that the Opposition will join the members from this side of the House on the select committee to give their support to the policy which the Ministry has initiated. From both the points of view I submit that the thing would not work and is anomalous. I submit that the procedure does not obtain in the House of Commons as a hard and fast rule and if and when necessary it is open to us by convention or otherwise to have a select committee for such purposes and on such occasions as may be necessary. In view of these remarks I hope the honourable member will withdraw his amendment.

Lala Bhim Sen Sachar (North-Western Towns, General Urban) : My honourable friend has admitted that such a procedure, according to him, did obtain in the House of Commons.

Parliamentary Secretary : Occasionally.

Lala Bhim Sen Sachar : But according to my friend Sardar Hari Singh this procedure does obtain in the House of Commons. The argument of my friend, Mir Maqbool Mahmood, is that such a procedure may be resorted to occasionally. When he says this he concedes that there are times when it may be necessary to set up such committees. This being so, my submission is that if ever there was a time for setting up of such committees that time is now. The reason in support of my statement is this. I do not at this moment propose to say anything with respect to the merits or the demerits of provincial autonomy as it is unfolded in the Government of India Act of 1935, but the fact is that at present certain powers are exercised by the representatives of the people. Now the idea underlying the appointment of this committee is that the Government may be enabled,

[L. Bhim Sen Sachar.]

before the estimates are placed before the House, to ascertain at closer quarters the wishes of all sections of the House.

Now it is quite possible, and not unlikely, that some suggestions may be made which when discussed at a joint meeting may prove acceptable even to the Government. Therefore, the idea underlying the establishment of such a committee is that greater consideration can be brought to bear on the study of the estimates before they are submitted to the House. It is common knowledge that that amount of scrutiny which would be desirable while going through estimates is not possible in such a big House as this. The underlying principle of this committee is that things would be studied at closer quarters and in an atmosphere which will not be quite as tense as sometimes the atmosphere in this House is likely to be. All sections of the House will be able to apply their minds calmly and coolly to the estimates proposed to be placed before the House.

Sardar Dasaundha Singh (Deputy Speaker): I would like to add one word to the arguments of my honourable friend, Mir Maqbool Mahmood. The Committee of Estimates is at times appointed in the House of Commons. It is a sessional select committee. But it is not always appointed. At page 472 of May you will find that other sessional committees are mentioned, but this committee is not mentioned. "Sessional committees also are appointed, such as the committee on public accounts, the committee on standing orders, the committee on public petitions, the committee of selection, the local legislation committee, the publication of debates and reports committee, and the kitchen and refreshment committee." Then there is another point. Our financial system is altogether different from the financial system that is in vogue in the House of Commons. That financial system is exceedingly complicate. There are committees of the whole House, the committee of supply and the committee of ways and means and there are the Consolidated Fund Act and the Appropriation Act but here we have no such thing. Our system of finance being different, to copy a single provision from there would not be proper. It would not fit in with our system. With these words I oppose the motion.

Munshi Hari Lal (South Western Towns, General, Urban): The rule proposed by the honourable member is so very modest. It only says that a select committee be formed with a view to suggest economy. I submit that there is a universal demand for retrenchment and the demand is so insistent that everywhere we hear that unless there is a reduction in the expenditure the people cannot be relieved of the heavy taxation under which they are at present placed. The select committee that is to be formed with a view to suggest economies, consistent with the policy of the Government, would be a very desirable thing. It has been stated that such select committees in the House of Commons are rare. I find on page 251 of *Campion* the following lines :

"The Estimates Committee has been regularly appointed by order of the House every session since 1912, with the exception of years 1915—20.

Only during the time when war was in progress the appointment of these select committees was not considered advisable. We are in a state

of transition. It is absolutely necessary to effect economies in order to save the people from the heavy taxation under which they are labouring. It is also further stated in Campion.

* The order of reference is to suggest the form in which the estimates shall be presented for examination and to report what, if any, economies, consistent with the policy implied in those estimates, may be effected therein.

I submit that this salutary practice exists in the House of Commons and if a rule on that line is introduced in the Punjab it will serve a useful purpose. Then on the very page 251 of Campion it is stated :

Among the reforms due to this Committee is the re-classification of the estimates which took place in 1927.

With these remarks I support the rule proposed by the honourable mover.

Mr. Speaker : The rule now proposed is :

- "136-A. (1) The House shall set up each year a Select Committee on estimates to examine such of the estimates as may seem fit to the Select Committee on Committee and to suggest economies consistent with their Estimates. policy.
- (2) The Committee shall consist of 15 members elected on the principle of proportional representation by the House and shall have a quorum of four members and may set up such sub-committees as it may think necessary.

The question is that this new rule be adopted.

The Assembly divided!: Ayes 29, Noes 79.

AYES.

Abdul Aziz, Mian.
Ajit Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhagat Ram Sharma Pandit.
Bhim Sen Sachar, Lala.
Chanan Singh, Sardar.
Deshbandhu Gupta, Lala.
Duni Chand, Lala.
Duni Chand, Mrs.
Gopi Chand Bhargava, Dr.
Hari Lal, Munshi.
Hari Singh, Sardar.
Harjab Singh, Sardar.
Kabul Singh, Master.
Kapoor Singh, Sardar.

Kishan Singh, Sardar.
Lal Singh, Sardar.
Muhammad Hassan, Chaudhri.
Muhammad Iftikhar-ud-Din, Mian.
Mula Singh, Sardar.
Muni Lal Kalia, Pandit.
Partab Singh, Sardar.
Raghubir Kaur, Shrimati.
Rur Singh, Sardar.
Sahib Ram, Chaudhri.
Sant Ram Seth, Dr.
Shri Ram Sharma, Pandit.
Sohan Singh Josh, Sardar.
Sudharshan, Seth.

NOES.

Abdul Hamid Khan, Sufi.
Abdul Haye, The Honourable Mian.
Abdul Rahim, Chaudhri (Gurgaon).
Afzaalali Hasnie, Sayed.
Ahmad Yar Khan Daulatana, Khan Bahadur Mian.
Ali Akbar, Chaudhri.
Amjad Ali Shah, Sayed.

Anant Ram, Chaudhri.
Balbir Singh, Rao Bahadur Captain Rao.
Bhagwant Singh, Rai.
Chhotu Ram, The Honourable Chaudhri Sir.
Dasaundha Singh, Sardar.
Dina Nath, Captain.

Faiz Muhammad Khan, Rai.
 Faiz Muhammad, Shaikh.
 Farman Ali Khan, Subedar Major 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.
 Gauba, Mr. K. L.
 Ghazanfar Ali Khan, Raja.
 Ghulam Qadir Khan, Khan Bahadur.
 Ghulam Rasul, Chaudhri.
 Ghulam Samad, Khawaja.
 Gopal Singh (American), Sardar.
 Gurbachan Singh, Sardar Sahib Sardar.
 Habib Ullah Khan, Malik.
 Haibat Khan Daba, Khan.
 Hans Raj, Bhagat.
 Hari Chand, Rai.
 Harnam Singh, Captain Sodhi.
 Jagjit Singh Man, Sardar.
 Jagjit Singh Bedi, Tikka.
 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.
 Mubarik Ali Shah, Sayed.
 Muhammad Akram Khan, Khan Bahadur Raja.
 Muhammad Azam Khan, Sardar.
 Muhammad Faiyaz Ali Khan, Nawabzada.
 Muhammad Hassan Khan, Gur-chani, Khan Bahadur Sardar.
 Muhammad Hussain, Sardar.

Muhammad Hussain, Chaudhri.
 Muhammad Nawaz Khan, Major Sardar.
 Muhammad Nurullah, Mian.
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
 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.
 Nasrullah Khan, Rana.
 Naunihal Singh, Mann, Lieutenant Sardar.
 Nur Ahmad Khan, Khan Sahib Mian.
 Pir Muhammad, Khan Sahib Chaudhri.
 Prem Singh, Chaudhri.
 Pritam Singh Siddhu, Sardar.
 Ranpat, Chaudhri.
 Riasat Ali, Khan Bahadur Chaudhri.
 Ripudaman Singh, Thakur.
 Roberts, Professor W.
 Sahib Dad Khan, Khan Sahib Chaudhri.
 Shah Nawaz, Mrs. J. A.
 Shah Nawaz Khan, Nawab Khan.
 Sham Lal, Rai Bahadur Chaudhri.
 Sikander Hyat-Khan, The Honourable Major Sir.
 Sohan Lal, Rai Sahib, Lala.
 Sumer Singh, Chaudhri.
 Sundar Singh Majithia, The Honourable Dr. Sir.
 Talib Hussain Khan, Khan.
 Tara Singh, Sardar.
 Tikka Ram, Chaudhri.
 Ujjal Singh, Sardar Sahib Sardar.

Rule 137.

Mr. Speaker : Question is —

That rule 137 be adopted.

The motion was carried.

New Rule 137-A.

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

After rule 137, the following new rule be added :—

“ 137-A. At the beginning of each session the Speaker shall nominate with the approval of the House a Committee of Privileges consisting of not more than ten members to whom all breaches of the Privileges of the House or members thereof may be referred for enquiry and report.”

A similar committee is also set up in the House of Commons. This is a rule to which no valid objection can be raised by members of the public, because under section 71 of the Government of India Act it is definitely laid down that the legislature may pass an Act defining the privileges, etc., of members. When that Act has been passed, it will be necessary to appoint a Committee of Privileges. It may be nominated by the Speaker as in the House of Commons, with the consent of House, if the consent of the House is at all required to which breaches of privileges of the members of the House may be referred. I think the Government will be well advised in bringing a Bill defining the privileges of members as was promised by the Premier the other day in reply to certain enquiries and if the Government does not bring in a Bill it would be failing in its duty and perhaps the Opposition may then bring in a Bill defining the privileges of members of this House. The members of this House collectively have got certain inherent privileges which are already there. It would be better if they are defined by means of an Act. I want to press this rule in anticipation of those privileges being defined by an Act of the legislature to which I think there can be no valid objection from the other side.

Mr. Speaker : Motion moved—

That after rule 137, the following new rule be added :—

137-A. At the beginning of each session the Speaker shall nominate with the approval of the House a Committee of Privileges consisting of not more than ten members to whom all breaches of the Privileges of the House or members thereof may be referred for enquiry and report.

Sayed Amjad Ali Shah (Ferozepore East, Muhammadan, Rural) :
I would very humbly submit to my honourable friend on the other side that this new rule would be tantamount to putting the cart before the horse. We have not got any privileges. Under section 71 of the Government of India Act the only privilege is freedom of speech and the other privilege is contained in section 71 (2) which says :—

(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 Province.

I beg to submit that so far as section 71 (1) of the Government of India Act is concerned, we have no privileges and unless we have an Act passed defining the privileges it will be absolutely no use constituting a committee like that, because what are they going to define when the privileges themselves do not exist? Furthermore, my honourable friend has taken this rule from the rules relating to the Privileges Committee of the House of Commons as laid down in *Campion* at page 49. But I submit that there is lot of difference between those privileges and our privileges. The House of Commons

[Sayed Amjad Ali Shah.]

can inflict punishments of the following nature namely, admonition, reprimand, imprisonment and even fines, though the House of Commons has not imposed a fine since 1666. Let us first see what the privileges are going to be and then set up a committee. Before that it will be no use and in the light of these remarks I am sure my honourable friend will withdraw the new rule moved by him.

Munshi Hari Lal (South-Western Towns, General, Urban): The new rule, as has been proposed by the honourable member, means that there should be appointed a Committee of Privileges. There are privileges which are quite inherent and which the members enjoy even now without any Act being passed. For example, no member can be obstructed in entering the House, free access is the privilege and that privilege exists quite independent of the Act. There is a privilege, and this is recognised by the Act, that a member of the House cannot be prosecuted or cannot be hauled up for anything said in the legislature. There are privileges in existence which though no Act is passed the members enjoy. This cannot be denied. Only the other day a member was threatened in the Bengal Chamber for something which he said in the House but he claimed the privilege. I submit that if this rule is framed and is inserted in the body of the rules where is the wrong? When this rule will come into full operation is a question which may arise after the Act is passed. We are now providing for all eventualities and the rules are being made not to govern only the present case but the cases that may arise in the future also. Some Act is to be passed some day. Either the Act will have to be brought by the Government members or it may be brought by the Opposition members. Such an Act cannot be held in abeyance for a long time. Some day it must come in and it must be passed in some shape or another. The rule provides, in case the privileges are conferred upon the members by the Act, for the protection of those privileges and is for the protection of the present inherent privileges. This rule is very salutary and I cannot understand the logic of the Government benches in opposing such a rule which is so beneficial for both the sides and for every member of the House. It is only opposition for the sake of opposition, otherwise there is nothing to be opposed. With these remarks I support the motion for a new rule.

Sardar Dasaundha Singh (Deputy Speaker): The new rule is opposed not because it is not necessary, not because it is not useful, but because there is no need for it just at the present moment. At present under section 71 (1) of the Government of India Act we have the privilege of freedom of speech. That is the only defined privilege that we have. Other privileges of ours are not defined anywhere. A committee of privileges is appointed in order that honourable members may complain to that committee if a breach of privilege is committed. But here the privileges are not defined. Therefore properly speaking there can be no such complaint. The one well defined privilege that we have is of freedom of speech. So far as that privilege is concerned there can hardly be any complaint and therefore concerning that privilege there is no necessity of a privileges committee. Other privileges are not defined therefore the necessity for the appointment of such a committee does not arise. With these words I oppose the amendment.

Pandit Muni Lal Kalia (Ludhiana and Ferozepore, General, Rural): Sir, I fail to understand the arguments which have been advanced from the other side by the honourable the Deputy Speaker and the reasons given for not incorporating so healthy and important a provision in these rules. He is very fond of quoting *Campion* and other books. I will also quote Article 105 of the Manual of Procedure in which a similar provision is given and that is to the effect :—

A committee of privileges is appointed at the beginning of every session, and the members are nominated shortly afterwards.

Complaints of breach of privilege are referred to the committee as the occasion arises. The committee of recent years has consisted of ten members of whom five are a quorum.

When there is so clear a provision in the House of Commons I do not understand why objection should be taken to such a provision being incorporated in these rules. Another point has been suggested by Syed Amjad Ali Shah to the effect that there are no such privileges here as there are in the British Parliament or that we have got no such power as the Parliament has got with regard to punishment of members and other things. In that respect section 71 of the Government of India Act is quite clear and to some extent is exhaustive. At present the privilege of freedom of speech is not under discussion and it is not for that purpose that such a committee is going to be set up. It is with respect to other privileges such as access of the members to the House, interruptions and other privileges which can be defined by this committee. Section 71 of the Government of India Act is also definite that such privileges do exist. With your permission I will read sub-section (2) to section 71 which says—

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 Province.

It assumes that the legislative councils had certain privileges and unless the present legislatures under the new Act like to make an enactment of their own in which the privileges are defined under the modified circumstances, the privileges that used to exist must be preserved. By opposing this amendment the other side mean that they are not at present in the least interested to observe the privileges that were observed in the previous legislative councils and that they are not going to be recognised simply because they think that so long as a committee is not set up or so long as they do not like to bring an enactment to that effect, there should be no privilege and every time there should be a dispute. Sometimes a matter is brought to the notice of the Speaker on a point of order and sometimes on a point of privilege. No day passes when there is no question with regard to the privileges of the members. Do they mean to say that these are to be postponed and are not to be taken into consideration simply because Government is not at present desirous of introducing any such wholesome measure. I submit that there is a very clear provision in the Government of India Act. This should have been the first measure that Government should have brought in after their Bills with regard to the salary of the parliamentary secretaries and it should have been the first measure to be adopted but so far Government has not even taken the trouble of defining such privileges.

[Pandit Muni Lal Kalia]

When Government is not at all attending to such privileges it is all the more important and necessary that such a committee should be set up and privilege after privilege should be defined and then later on it may be codified in the form of an enactment.

Mr. Speaker : This is not provided in the rules. If the honourable member reads the rules he will find that under these rules no privilege can be defined. Only breaches of privileges can be reported.

Pandit Muni Lal Kalia : If such a committee is appointed it will see that breaches of privileges are not committed. Unless there is such a committee there will be nobody in the House to take care of such privileges. If there is such a body then it will take notice of the breaches of privileges that should be observed.

Lala Bhim Sen Sachar (North-Western Towns, General, Urban) : Sir, in spite of the opposition which the Treasury benches have thought fit to give to such a wholesome provision as has been proposed by the honourable mover, I do entertain the hope that honourable members opposite will not treat this provision with the usual indifference which they exhibit towards the proposals of the Opposition. Is it not an irony of fate and is it not a clear proof of the extent of interest which the Treasury benches take in conserving the privileges of the members of the House or of the House as a whole or in creating or establishing the privileges for the members of the House? Government have not so far moved in the matter. They have not found time to define the privileges which members of the House should have or to put them together or to renew the privileges which already are there. Now the point of objection of the other side is that the Act has not so far been passed and the privileges have not been so far defined. It is not contended that the members of this House have no privileges. If the contention of my honourable friend opposite is that the members or the House as a whole has no privileges to exercise then the point of their objection can be understood.

With your permission, Sir, I shall put a direct question to the benches opposite and it is this, 'Do they say that this House or the members of this House do not at present enjoy even a single privilege?' And with your permission I shall resume my seat for a minute in order to get a direct reply to that question. I take it, Sir, that they do not deny that we have certain privileges and that this House does possess certain privileges. It is not a question of number of privileges that the House or members of the House may enjoy but it is a fact of certain privileges being there and the privilege of members of the House and of the House as a whole is a sacred thing and must be protected by every possible means. Therefore, the idea underlying this new rule is that we should take steps to safeguard the sanctity and sacredness of our privileges. There will be a committee specially entrusted with the task of protecting the privileges of this House and if there are any breaches of the privileges of this House, then this machinery will be set in motion and they will apply their minds to the facts of the case and then they will report to the House as to what action should be taken against those breaches.

Before I resume my seat I want to suggest or even to request the honourable members of the Government to see that the rule as proposed is a very salutary and reasonable rule. After all we do not ask for anything more than they themselves admit we are entitled to. They say that the privileges of the House are there. They have admitted, in answer to my question by silence, that we do enjoy certain privileges. When we enjoy certain privileges, breaches of privileges may take place and there is no reason why a committee should not be set up in order to safeguard the sanctity of those privileges (*Cheers*).

Mr. Speaker : The question is—

That after rule 137, the following new rule be added :—

137-A. At the beginning of each session the Speaker shall nominate with the approval of the House a Committee of Privileges consisting of not more than ten members to whom all breaches of the Privileges of the House or members thereof may be referred for enquiry and report.

The Assembly divided: Ayes 27, Noes 79.

AYES.

Ajit Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhagat Ram Sharma, Pandit.
Bhim Sen Sachar, Lala.
Deshbandhu Gupta, Lala.
Duni Chand, Lala.
Duni Chand, Mrs.
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.
Raghubir Kaur, Shrimati.
Rur Singh, Sardar.
Sahib Ram, Chaudhri.
Sampuran Singh, Sardar.
Sant Ram Seth, Dr.
Sohan Singh Joshi, Sardar.
Sudarshan, Seth.

NOES.

Abdul Hamid Khan, Sufi.
Abdul Rahim, Chaudhri (Gur-
Gaon).
Afzaalali Hasnie, Sayed.
Ahmad Yar Khan Daulatana, Khan
Bahadur Mian.
Ahmad Yar Khan, Chaudhri.
Ali Akbar, Chaudhri.
Allah Bakhsh Khan, Khan Bahadur
Nawab Malik.
Amjad Ali Shah, Sayed.
Anant Ram, Chaudhri.
Badar-Mohy-ud-Din Qadri, Mian.
Balbir Singh, Rao Bahadur Captain
Rao.

Balwant Singh, Sardar.
Chhotu Ram, The Honourable Chau-
dhri Sir.
Dasaundha Singh, Sardar.
Dina Nath, Captain.
Faiz Muhammad, Shaikh.
Faqr Chand, Chaudhri.
Farman Ali Khan, Subedar Major
Raja.
Fateh Khan, Raja.
Fateh Muhammad, Mian.
Fazl Ali, Khan Bahadur Nawab
Chaudhri.
Fazal Karim Bakhsh, Mian.
Few, Mr. E.

Ghazanfar Ali Khan, Raja.
 Ghulam Rasul, Chaudhri.
 Ghulam Samad, Khawaja.
 Gopal Singh (American), Sardar.
 Gurbachan Singh, Sardar Sahib
 Sardar.
 Haibat Khan Daba, Khan.
 Hans Raj, Bhagat.
 Harnam Das, Lala.
 Het Ram, Rai Sahib Chaudhri.
 Indar Singh, Sardar.
 Jagjit Singh Bedi, Tikka.
 Jalal-ud-Din Amber, Chaudhri.
 Jogindar Singh Man, Sardar.
 Karamat Ali, Shaikh.
 Kbizar Hayat Khan Tiwana, The
 Honourable Nawabzada Major.
 Manohar Lal, The Honourable Mr.
 Maqbool Mahmood, Mir.
 Mubarik Ali Shah, Sayed.
 Muhammad Akram Khan, Khan
 Bahadur Raja.
 Muhammad Ashraf, Chaudhri.
 Muhammad Azam Khan, Sardar.
 Muhammad Hassan Khan Gurchani,
 Khan Bahadur Sardar.
 Muhammad Hussain, Sardar.
 Muhammad Hussain, Chaudhri.
 Muhammad Nawaz Khan, Major
 Sardar.
 Muhammad Nurullah, Mian.
 Muhammad Saadat Ali Khan,
 Khan Sahib Khan.
 Muhammad Sarfraz Khan, Chaudhri.
 Muhammad Shafi Ali Khan, Khan
 Sahib Chaudhri.
 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, 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.
 Chaudhri.
 Prem Singh, Chaudhri.
 Pritam Singh Siddhu, Sardar.
 Ram Sarup, Chaudhri.
 Ripudaman Singh, Thakur.
 Roberts, Professor W.
 Sahib Dad Khan, Khan Sahib Chau-
 dhri.
 Sham Lal, Rai Bahadur Chaudhri.
 Sikander Hyat-Khan, The Honour-
 able Major Sir.
 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.

Rule 138.

Mr. Speaker : Question is—

That rule 138 be adopted.

The motion was carried.

Rule 139.

Pandit Muni Lal Kalia (Ludhiana and Ferozepore, General, Rural) :
 Sir, I beg to move—

That in lines 2-3, for the words "published under rule 80" the word "introduced" be substituted.

This is a formal amendment and it is to the effect that the figure '80' is a misprint here for '82'. Under section 80 of the Act, there is no provision.

with regard to publication of any bill. But as a matter of fact, under section 82, there is a provision that a bill or amendment making provision (a) for imposing or increasing any tax ; or (b) for regulating the borrowing of money or the giving of any guarantee by the province or for amending the law with respect to any financial obligations ; or (c) for declaring any expenditure to be expenditure charged on the revenues of the province, etc., shall not be introduced or moved—

Mr. Speaker : Please read rule 82.

Pandit Muni Lal Kalia : In that case I do not propose to press my amendment.

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

That in line 3, for the figure '80,' the figure '82' be substituted.

The motion was carried.

Mr. Speaker : The question is—

That rule 139 as amended be adopted.

The motion was carried.

Rule 140.

Mr. Speaker : The question is—

That rule 140 be adopted.

The motion was carried.

Rule 141.

Pandit Muni Lal Kalia (Ludhiana and Ferozepore, General, Rural) :
I beg to move—

That the following proviso be added :—

Provided if objection is taken to any portion of the concise statement given in the prescribed form under schedule 2, the member presenting or submitting may read the prayer and make a statement regarding the parties from whom it comes, the number of its signatures and its material allegations.

In moving this amendment I want to bring in the proviso to the effect that in case there is some misunderstanding or some dispute on a certain matter which requires elucidation provision should be made in this rule, otherwise it does not serve any purpose if the petition is presented in the proper form and certain points which require elucidation are not allowed to be elucidated or cleared on the floor of this House. I do not mean to raise a full debate on this point but only that a member may be allowed to move a type of the complaint or about the position of the signatories to such petition and it only gives another occasion for the House to express the view so far as the public is concerned with regard to a certain department, so that this is more or less of a formal nature and I hope the member in charge of these rules will not oppose it, simply because he does not find an equivalent either in Campion or in any other book. For this reason I move that this should also be incorporated.

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

That the following proviso be added :—

Provided if objection is taken to any portion of the concise statement given in the prescribed form under schedule 2, the member presenting or submitting may read the prayer and make a statement regarding the parties from whom it comes the number of its signatures and its material allegations.

Sardar Dasaundha Singh (Deputy Speaker) : Sir, so far as the addition of this proviso is concerned, the object of the mover of the amendment does not seem to be clear. Nor has he made it clear in his speech. Nor is there any advantage to be gained by adding this proviso.

A member presenting a petition shall confine himself to a statement in the following form :—

‘I present a petition signed by.....petitioners regarding.....bill’ :
and no debate shall be permitted on this statement.

This is the rule and the proviso which my honourable friend wants to be added is :

Provided if objection is taken to any portion of the concise statement given in the prescribed form under schedule 2, the member presenting or submitting may read the prayer and make a statement regarding the parties from whom it comes, the number of its signatures and its material allegations.

“ May read the prayer and make a statement to the parties from whom it comes,” does not convey any meaning whatsoever. With these words I oppose this amendment :

Mr. Speaker : The question is—

That the following proviso be added :—

Provided if objection is taken to any portion of the concise statement given in the prescribed form under schedule 2, the member presenting or submitting may read the prayer and make a statement regarding the parties from whom it comes, the number of its signatures and its material allegations.

The motion was lost.

Mr. Speaker : The question is :

That rule 141 be adopted.

The motion was carried.

Rules 142—147.

Mr. Speaker : The question is—

That rules 142—47 be adopted.

The motion was carried.

Rule 148.

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

That in line 2, after the word “Schedule,” the figure “2” be inserted.

The motion was carried.

Mr. Speaker : The question is :

That rule 148 as amended be adopted.

The motion was carried.

Rule 149.

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

That in line 6, for the word "Governor" the word "Speaker" be substituted.

The Speaker is the chief officer of the House and he has to regulate in what manner, in what way, in what form, the proceedings are to be published.

The motion was carried.

Sardar Hari Singh : I beg to move :

That at the end of rule 149 the words 'in English and vernacular' be added.

(*Interruption*). I do not know why my friends over there are getting so restive on my suggestion to insert these words. Do they take fright at the word 'vernacular' of which they claim themselves to be the champions or do they take fright at the word 'English'? I understand that in practice this procedure is already there and the proceedings are being supplied to the members in English as well as in vernacular. Unless it is intended not to continue that practice, I do not see any harm if these words are introduced in this rule.

Mr. Speaker : The question is :

That at the end of rule 149 the words 'in English and vernacular' be added.

The Assembly divided : Ayes 26, Noes 81.

AYES.

Ajit Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhagat Ram Sharma, Pandit.
Bhim Sen Sachar, Lala.
Deshbandhu Gupta, Lala.
Duni Chand, Lala.
Duni Chand, Mrs.
Gopi Chand Bhargava, Dr.
Hari Lal, Munshi.
Hari Singh, Sardar.
Kabul Singh, Master.
Kartar Singh, Chaudhri.
Kishan Singh, Sardar.
Krishna Gopal Dutt, Chaudhri.

Muhammad Abdul Rahman Khan,
Chaudhri.
Muhammad Hassan, Chaudhri.
Muhammad Iftikhar-ud-Din, Mian.
Mula Singh, Sardar.
Muni Lal Kalia, Pandit.
Raghubir Kaur, Shrimati.
Rur Singh, Sardar.
Sahib Ram, Chaudhri.
Sagpuran Singh, Sardar.
Sant Ram Seth, Dr.
Sohan Singh Josh, Sardar.
Sudarshan, Seth.

NOES.

Abdul Hamid Khan, Sufi.
Abdul Haye, The Honourable Mian.
Abdul Rahim, Chaudhri (Gurgaon).
Afzaalali Hasnie, Sayed.
Ahmad Yar Khan Daulatana, Khan
Bahadur Mian.
Ali Akbar, Chaudhri.
Amjad Ali Shah, Sayed.
Ashiq Hussain, Captain.

Badar Mohy-ud-Din Qadri, Mian.
Balwant Singh, Sardar.
Barkat Ali, Malik.
Bhagwant Singh, Rai.
Chhotu Ram, The Honourable Chau-
dhri Sir.
Dasaundha Singh, Sardar.
Faiz Muhammad Khan, Rai.
Faiz Muhammad, Shaikh.

Faqir Chand, Chaudhri.
 Faqir Hussain Khan, Chaudhri.
 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 Qadir Khan, Khan Bahadur.
 Ghulam Rasul, Chaudhri.
 Gopal Das, Rai Sahib Lala.
 Gopal Singh (American), Sardar.
 Gurbachan Singh, Sardar Sahib Sardar.
 Haibat Khan Daha, Khan.
 Hans Raj, Bhagat.
 Harnam Das, Lala.
 Harnam Singh, Captain Sodhi.
 Het Ram, Rai Sahib Chaudhri.
 Indar Singh, Sardar.
 Jagjit Singh Man, Sardar.
 Jagjit Singh Bedi, Tikka.
 Jalal-ud-Din Amber, Chaudhri.
 Joginder Singh Man, Sardar.
 Jugal Kishore, Chaudhri.
 Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.
 Manohar Lal, The Honourable Mr.
 Maqbool Mahmood, Mir.
 Mubarik Ali Shah, Sayed.
 Muhammad Akram Khan, Khan Bahadur Raja.
 Muhammad Azam Khan, Sardar.
 Muhammad Faiyaz Ali Khan, Nawabzada.
 Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar.
 Muhammad Hussain, Sardar.
 Muhammad Nawaz Khan, Major Sardar.
 Muhammad Nurullah, Mian.

Muhammad Saadat Ali Khan, Khan Sahib Khan.
 Muhammad Sarfraz Khan Chaudhri.
 Muhammad Wilayat Hussain Jeelani, Makhdumzada Haji Sayed.
 Muhammad Yasin Khan, Chaudhri.
 Muzaffar Ali Khan Qizilbash, 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.
 Nasrullah Khan, Rana.
 Nawazish Ali Shah, Sayed.
 Nur Ahmad Khan, Khan Sahib Mian.
 Pir Muhammad, Khan Sahib Chaudhri.
 Prem Singh, Chaudhri.
 Ram Sarup, Chaudhri.
 Ripudaman Singh, Thakur.
 Roberts, Professor W.
 Sahib Dad Khan, Khan Sahib Chaudhri.
 Shah Nawaz, Mrs. J. A.
 Sham Lal, Rai Bahadur Chaudhri.
 Sikander Hyat-Khan, The Honourable Major Sir.
 Sham Lal, Rai Sahib Lala.
 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.

Mr. Speaker : The question is :

That rule 149 as amended be adopted.

The motion was carried.

New Rule.

Lala Duni Chand (Ambala and Simla, General, Rural) : I beg to move—

That after Rule 149, the following new rule be added :—

- "150. The Assembly shall elect Standing-Committees consisting of as many members as it may think proper for each financial year to be attached to the Departments of Law and Justice, Police, Public Works, Irrigation, Education and Jails with powers to have access to the records of such departments and suggest improvements thereof. The Assembly may also elect similar Standing Committees to be attached to other departments with similar powers. One Standing Committee may be attached to and serve more than one department."

The question of setting up standing committees was raised in the select committee meeting but it was suggested and accepted that this question instead of being raised in the select committee may be finally decided by the Assembly. The new rule that I wish to be added is a very necessary rule. So far as my information goes, even in the old Councils certain standing committees were set up in order to help certain departments. It is really the duty of the Government to take steps to set up standing committees at the earliest possible opportunity. More than a year has passed but the Government has not moved in the matter. We are going to discharge ourselves the duty that really devolves upon the Government. As it will appear, I want that so far as certain departments or most important departments of the Government are concerned, the setting up of standing committees in regard to them should be made compulsory. With regard to other departments it should be optional. In view of the introduction of the new scheme of provincial autonomy, it is necessary that the representatives of the people should be taken into confidence so far as the administration of different departments of the Government is concerned. It is implied in the Constitution itself that every possible help will be taken from the representatives of the people in order to make this Government people's government or popular government in the real sense of the word. If this new rule is going to be opposed by the Government—I mean by the Government members—then it means that they are going against the very spirit of the Constitution. I do not want to duplicate the Government machinery by suggesting standing committees. I have taken care to make it clear in the rule that their function will be merely advisory. All that I have asked is that they should have access to the necessary papers and they should submit their suggestions in order to improve those departments. The standing committees can serve many useful purposes. This is the most constructive plan which, if the Government accepts, will greatly improve the administration of law courts, the administration of police, the administration of the Irrigation Department and many other departments. What is needed by the people is that in so far as their problems are concerned and in so far as their grievances are concerned, they should be redressed. They want a fair play and fair treatment by the departments. If the members of this honourable House, as representatives of their constituencies, make certain suggestions in order to improve the administration of the day, it means that to that extent they will be giving a great satisfaction to the people of this province. We on this side constitute a very small minority of this House. It will not be possible for the other side to argue that we want to acquire positions of

[L. Duni Chand]

influence, prestige or power. The members of the Unionist Party are three times the members of the Opposition. Therefore, it is the members of the Unionist Party that will constitute majorities in the standing committees. It is a right that this rule confers upon the members of the Unionist Party in a larger measure than it does upon the members of the Opposition. What objections can the Government possibly have if the standing committees should consist of the majority of their own followers and supporters? Each member represents vast constituencies with the exception of some special constituencies. Each member has problems in relation to different departments of Government in his constituency. I do know that the members of the Unionist Party are being approached by the aggrieved people as the members of the Opposition. It will give an opportunity to many members of the Unionist Party to serve their constituency and serve those people whose representatives they are. Can anybody deny that the department of police requires co-operation of the representatives of the public? Can anybody deny that the popular representatives of the people can help the police greatly in the matter of detection of crime, proper investigation and in so many other things? I also think that the setting up of a standing committee will greatly help to remove corruption. It is an admitted fact that there is corruption in many departments.

Mr. Speaker : That is irrelevant.

Lala Duni Chand : I am giving reasons why a standing committee should be formed.

Mr. Speaker : The honourable member is requested to be brief.

Lala Duni Chand : I respect your susceptibilities in this matter and I will give up this question. We on this side think that it is only by speaking plainly and by speaking the truth that we can serve the province. We are convinced of the fact that perhaps in the course of the next four years we may be able to persuade the Government members to accept some of the propositions which we propound on this side of the House. Therefore as you take objection to the word 'corruption' and it is the last day of the session, I will not say anything that may offend any susceptibilities.

Premier : You are offending the susceptibilities of the clock.

Lala Duni Chand : I know whatever the proposal from this side may be and however good from the Government point of view, it entirely depends on their sweet will to accept it. It is not very necessary that we should make long speeches. The only object which we serve by making speeches is that we are trying to convince the people that we are prepared to serve them but that we are not allowed to serve. With these words I move the new rule.

Mr. Speaker : The new rule moved is—

That after Rule 149, the following new rule be added :—

" 150. The Assembly shall elect Standing Committees consisting of as many members as it may think proper for each financial year to be attached to the Departments of Law and Justice, Police, Public Works, Irrigation, Education and Jails with powers to have access to the records of such departments and suggest improvements thereof. The Assembly may also elect similar Standing Committees to be attached to other departments with similar powers. One Standing Committee may be attached to and serve more than one department."

Premier (The Honourable Major Sir Sikander Hyat-Khan) : Sir, after separating the grain from the chaff I find what my honourable friend wants is that we should have standing committees more or less analogous to those which we had under the previous constitution. I believe I am correct in saying that that is what he wants. If I am not correct I shall be glad if he will put me right.

Lala Duni Chand : We want more than that.

Premier : He wants larger number of committees than we had. My honourable friend is probably not conversant with the working of democratic forms of government. If he had been conversant with them I am certain that he would not have preferred this amendment. If he had seen the constitutions of other democratic countries he would have found that there is no such thing as standing committees there. He must realise that with a responsible government the responsibility must rest entirely with the government and the government party (*hear, hear*) and not with the House as a whole. Therefore in view of these circumstances the proposal which my honourable friend has put forward comes to this that we should take all the responsibility but that responsibility should be fettered by advice of committees which consist not only of the responsible party but also of the irresponsible party (*hear, hear*). That is what it comes to. I am afraid that is a proposition to which no constitutionalist, much less a person who has to run a responsible party and government, can accept. I therefore hope that he will withdraw his amendment.

Pandit Shri Ram Sharma (Southern Towns, General, Urban) (*Urdu*) : Sir, I rise to support the new rule proposed by my honourable friend, Lala Duni Chand. The other day, in the course of my speech, I made a submission that it was not proper on the part of the Treasury benches to say that the new Reforms have conferred autonomous government upon the province. On the contrary I would make bold to say that the new Reforms have deprived us of the little measure of independence that we had possessed before the inauguration of the new Constitution. The Honourable Premier has just remarked that under the Montford Reforms it was possible, no doubt, for the House to elect certain standing committees consisting of its members to be attached to some highly important departments, but now in view of the establishment of an autonomous and responsible Government in the province, under the new Reforms, such a step on the part of the House would not prove just and proper. Sir, I would like to make a submission that the argument advanced by the Honourable Premier is not so sound as he considers it to be. If the new Reforms have conferred on us a responsible and autonomous government it does not mean that we should cease to feel our responsibility in administrative matters of the province. Prior to the advent of the new Reforms it was open to the House to form a Jail sub-committee with a view to institute inquiries into the working of the Jail Department. Its members were entitled to visit the Punjab jails occasionally to see as to whether humane treatment was being meted out to the prisoners or not. But thanks to the new Reforms we have been deprived of even this legitimate right. I can submit this from my personal experience that the names of certain honourable members of the Opposition Party are found to be present in the black lists kept in jails. In this case the restriction is so hard that we are not allowed to see any prisoner in the jail.

[Pandit Shri Ram Sharma.]

We are either put off by evasive answers or disallowed to see them on one excuse or another. Once I was also denied the privilege of seeing a prisoner, but when I asked the officer in charge again, he replied, "Anybody else can see the prisoner but you cannot see him." But when I asked him the reason he replied that I knew the reason myself, therefore, there was no need of asking him again. This is a specimen of this autonomous government as regards Jail administration. It is very regrettable to say that now under the so-called autonomous government some of the honourable members of this House have not got even so much privilege as the public have got in seeing their relatives and friends in the jails.

I fully support the new rule drafted by my honourable friend Lala Duni Chand and I strongly endorse the proposal that the House should elect standing committees consisting of its honourable members to be attached to the Departments of Law and Justice, Police, Public Works, Irrigation, Education and Jails.

Whenever we submit that the House should be entitled to appoint such committees, it is said by the Government that the new Reforms have conferred on them a responsible and autonomous government and therefore it is the business of the Government to appoint or elect such committees. I am afraid whether the autonomous government has actually come into force and I am doubtful in regarding this a responsible government. If the new Reforms have actually conferred an autonomous government upon the province, the honourable members of this House must have got some voice at least, in the House.

I fail to understand that whenever the Government wants to appoint a committee there is a way for it, but when we ask the Government to elect certain committees for the Departments of Police and Jails, the Government claims to be a responsible government. In this connection I would make bold to say that such attitude of the Unionist Government is most objectionable. I should also appeal to the Unionist members who are either following the Unionist Government blindly or who are being persuaded by the Unionist Government that this attitude of the Government would no longer be useful for them in the long run.

(Voices : Question be now put).

Mr. Speaker : Question is—

That the question be now put.

(A division was called for.)

(After Mr. Speaker directing the "ayes" and "noes" to their respective lobbies).

Premier : May I ask the Honourable Leader of the Opposition whether this division is likely to serve any useful purpose? The Honourable Speaker has been pleased to put the question to the House. We know that the strength of the Opposition is 26 to 30, whereas we are about 130. Is it necessary to waste the time of the House in this manner?

Dr. Gopi Chand Bhargava : I myself would not like any division to be taken but we have been forced to take it. Had the honourable members on this side been permitted to speak for 5 minutes, it would have been over.

Mr. Speaker : I take it that the House does not want any division. When I asked the "ayes" to go to the right and "noes" to the left, not a single member left the Chamber.

Chaudhri Kartar Singh : As the Honourable Premier was making some remark, we did not leave the Chamber.

Mr. Speaker : If the House still wants a division, I direct the "ayes" to the right and "noes" to the left.

(No member left the Chamber).

Mr. Speaker : I conclude that the House does not want division. *(Voices : No, Sir.)*

The closure motion was carried.

Mr. Speaker : Question is—

That after Rule 149, the following new rule be added :—

" 150. The Assembly shall elect Standing Committees consisting of as many members as it may think proper for each financial year to be attached to the Departments of Law and Justice, Police, Public Works, Irrigation, Education and Jails with powers to have access to the records of such departments and suggest improvements thereof. The Assembly may also elect similar Standing Committees to be attached to other departments with similar powers. One Standing Committee may be attached to and serve more than one department."

The Assembly divided : Ayes 27 ; Noes 86.

AYES.

Abdul Aziz, Mian.
Ajit Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhagat Ram Sharma, Pandit.
Bhim Sen Sachar, Lala.
Deshbandhu Gupta, Lala.
Duni Chand, Lala.
Duni Chand, Mrs.
Gopi Chand Bhargava, Dr.
Hari Lal, Munshi.
Hari Singh, Sardar.
Kabul Singh, Master.
Kapoor Singh, Sardar.
Kartar Singh, Chaudhri.

Kishan Singh, Sardar.
Krishna Gopal Dutt, Chaudhri.
Muhammad Abdul Rahman Khan, Chaudhri.
Muhammad Hassan, Chaudhri.
Muhammad Iftikhar-ud-Din, Mian.
Mula Singh, Sardar.
Muni Lal Kalra, Pandit.
Raghubir Kaur, Shrimati.
Rur 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 (Gardaspur).
Abdul Rahim, Chaudhri (Gurgaon).
Afzaalali Hasnie, Sayed.
Ahmad Yar Khan Daulatana, Khan Bahadur Mian.
Ahmad Yar Khan, Chaudhri.

Ali Akbar, Chaudhri.
Anant Ram, Chaudhri.
Badar Mohy-ud-Din Qadri, Mian.
Balwant Singh, Sardar.
Bhagwant Singh, Rai.
Chhotu Ram, The Honourable Chaudhri Sir.
Dasaundha Singh, Sardar.
Dina Nath, Captain.
Faiz Muhammad Khan, Rai.

Faiz Muhammad, Shaikh.
 Faqir Hussain Khan, Chaudhri.
 Farman Ali Khan, Subedar-Major Raja.
 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 Qadir Khan, Khan Bahadur.
 Ghulam Rasul, Chaudhri.
 Gopal Singh (American), Sardar.
 Gurbachan Singh, Sardar Sahib Sardar.
 Habib Ullah Khan, Malik.
 Hans Raj, Bhagat.
 Hari Chand, Rai.
 Harnam Das, Lala.
 Harnam Singh, Captain Sodhi.
 Het Ram, Rai Sahib Chaudhri.
 Jagjit Singh Man, Sardar.
 Jahangir Khan, Chaudhri.
 Jalal-ud-Din Amber, Chaudhri.
 Jogindar Singh Man, Sardar.
 Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.
 Manohar Lal, The Honourable Mr.
 Maqbool Mahmood, Mir.
 Mubarik Ali Shah, Sayed.
 Muhammad Ashraf, Chaudhri.
 Muhammad Azam Khan, Sardar.
 Muhammad Faiyaz Ali Khan, Nawabzada.
 Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar.
 Muhammad Hussain, Sardar.
 Muhammad Hussain, Chaudhri.
 Muhammad Nawaz Khan, Major Sardar.
 Muhammad Saadat Ali Khan, Khan Sahib Khan.

Muhammad Sarfraz Khan, Chaudhri.
 Muhammad Sarfraz Khan, Raja.
 Muhammad Wilayat Hussain, Jeelani, Makhdamzada Haji Sayed.
 Muhammad Yasin Khan, Chaudhri.
 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.
 Naunihal Singh Mann, Lieutenant Sardar.
 Nawazish Ali Shah, Sayed.
 Nur Ahmad Khan, Khan Sahib Mian.
 Pir Muhammad, Khan Sahib Chaudhri.
 Prem Singh, Chaudhri.
 Ram Sarup, Chaudhri.
 Ranpat, Chaudhri.
 Rashida Latif Baji, Begum.
 Ripudaman Singh, Thakur.
 Roberts, Professor W.
 Sahib Dad Khan, Khan Sahib Chaudhri.
 Shahadat Khan, Khan Sahib Rai.
 Shah Nawaz, Mrs. J. A.
 Sham Lal, Rai Bahadur Chaudhri.
 Sikander Hyat-Khan, The Honourable Major Sir.
 Singha, Mr. S. P.
 Sita Ram, Lala.
 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.

SCHEDULES.

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

That in line 1 of the Schedule for the words "of private members" the words "other than Government business" be substituted.

The motion was carried.

Mr. Speaker : The question is—

That the Schedules as amended be adopted.

The motion was carried.

Mr. Speaker : Consideration of the remaining rules has to be postponed for the present.

Chaudhri Muhammad Abdul Rahman Khan (Urdu) : Sir, it was remarked by you this morning that those members who did not know English should not have come here. I walk out as a protest against that remark.

Mr. Speaker : I need hardly say that I never said that members who did not know English should not have come. Honourable members probably remember what I said. My intention was far from insulting or offending any honourable member. Chaudhri Muhammad Abdul Rahman Khan, almost every day, whenever he gets an opportunity to put a question or move a resolution or make a speech, stands up and says that he does not know English and that, therefore, everything should be explained or translated for him in vernacular. All other members, who do not understand English, put together have not complained on this point as many times as he alone has done. Without meaning any insult or offence to the honourable member I told him in substance that presumably he knew the provisions of section 85 of the Government of India Act and that, as he is entirely unacquainted with English, he should have considered twice his difficulties before becoming a member of the Assembly, in view of the express and mandatory provisions of section 85. I never intended to insult him. In fact I will be the last to insult any honourable member.

Chaudhri Kartar Singh : Sir, I request you to permit me to bring Chaudhri Muhammad Abdul Rahman Khan back to the House.

Mr. Speaker : I have no objection.

(Chaudhri Muhammad Abdul Rahman Khan re-entered the Chamber amidst cheers).

ELECTIONS TO PUBLIC ACCOUNTS COMMITTEE.

Mr. Speaker : Now the House shall proceed to elect members to the Public Accounts Committee.

Elections then took place.

PROROGATION.

Mr. Speaker : I may inform the honourable members that the Assembly has been prorogued by His Excellency the Governor under section 62 of the Government of India Act.

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