

THE
Punjab Legislative Assembly
Debates.

From 10th November to 2nd December, 1938.

Vol. VI.

OFFICIAL REPORT.



Lahore :

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1939.

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.

Deputy Secretary.

Khan Sahib Hakeem Ahmad Shujaa, B.A.

PUNJAB LEGISLATIVE ASSEMBLY.

LIST OF MEMBERS.

PREMIER.

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

MINISTERS.

The Hon'ble Dr. Sir Sunder 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, B.A., LL.B., Minister of Education (South-Eastern Towns, Muhammadan, Urban).

PARLIAMENTARY SECRETARIES.

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

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

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

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

Chaudhri Tikka Ram, B.A., LL.B., 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).

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

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

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

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Nawabzada Muhammad Faiyaz Ali Khan (Karnal, Muhammadan, Rural).

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

PARLIAMENTARY PRIVATE SECRETARIES—CONCLUDED.

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).
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 Ali Akbar, Chaudhri (Gurdaspur East, Muhammadan, Rural).
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 Bhagat Ram Sharma, Pandit (Kangra West, General, Rural).
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 Chanan Singh, Sardar (Kasur, Sikh, Rural).
 Deshbandhu Gupta, Lala, (South-Eastern Towns, General, Urban).
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 Jafar Ali Khan, M. (Okara, Muhammadan, Rural).
 Jagjit Singh Bedi, Tikka (Montgomery East, Sikh, Rural).
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 Jogindar Singh Man, Sardar (Gujranwala and Shahdara, Sikh, Rural).
 Jugal Kishore, Chaudhri (Ambala and Simla, General—Reserved Seat, Rural).

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- 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).
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- Kishan Dass, Seth (Jullundur, General—Reserved Seat, Rural).
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- Lal Singh, Sardar, M.Sc., LL.B. (Ludhiana Central, Sikh, Rural).
- Mazhar Ali Azhar, Maulvi (North-Eastern Towns, Muhammadan, Urban).
- Mohy-ud-Din Lal Badshah, Pir (Attock South, Muhammadan, Rural).
- Mubarik Ali Shah, Syed (Jhang Central, Muhammadan, Rural).
- Muhammad Abdul Rahman Khan, Chaudhri (Jullundur North, Muhammadan, Rural).
- Muhammad Akram Khan, Khan Bahadur Raja (Jhelum, Muhammadan, Rural).
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- Muhammad Amin, Khan Sahib Shaikh (Multan Division Towns, Muhammadan, Urban).
- Muhammad Ashraf, Chaudhri (South-West Gujrat, Muhammadan, Rural).
- Muhammad Azam Khan, Sardar (Dera Ghazi Khan North, Muhammadan, Rural).
- Muhammad Hassan, Chaudhri (Ludhiana, Muhammadan, Rural).
- Muhammad Hassan Khan Gurebani, Khan Bahadur Sardar, C.I.E. (Dera Ghazi Khan South, Muhammadan, Rural).
- Muhammad Hassan, Khan Bahadur Makhdum Syed (Alipur, Muhammadan, Rural).
- Muhammad Hyat Khan Noon, Nawab Sir Malik (North Punjab, Landholders).
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- Muhammad Hussain, Sardar (Chunian, Muhammadan, Rural).
- Muhammad Iftikhar-ud-Din, Mian (Kasur, Muhammadan, Rural).
- Muhammad Jamal Khan Leghari, Khan Bahadur Nawab Sir (Tumandars).
- Muhammad Nawaz Khan, Major Sardar (Attock Central, Muhammadan, Rural).
- Muhammad Nurullah, Mian, B.Com. (London) (Lyallpur, Muhammadan, Rural).

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- Muhammad Raza Shah Jeelani, Makhdumzada Haji Sayed (Shujabad, Muhammadan, Rural).
- Muhammad Saadat Ali Khan, Khan Sahib Khan (Samundri, Muhammadan, Rural).
- Muhammad Sadiq, Shaikh (Amritsar City, Muhammadan, Urban).
- 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).
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- Muni Lal Kalia, Pandit (Ludhiana and Ferozepore, General, Rural).
- Muzaffar Ali Khan Qizilbash, Sardar (Lahore, Muhammadan, Rural).
- Muzaffar Khan, Khan Bahadur Captain Malik (Mianwali South, Muhammadan, Rural).
- Muzaffar Khan, Khan Bahadur Nawab, C.I.E. (Attock North, Muhammadan, Rural).
- 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).
- Naunihal Singh Mann, Lieutenant Sardar (Sehikhupura West, Sikh, Rural).
- Nawazish Ali Shah, Syed (Jhang East, Muhammadan, Rural).
- Nur Ahmad Khan, Khan Sahib Mian (Dipalpur, Muhammadan, Rural).
- Partab Singh, Sardar (Amritsar South, Sikh, Rural).
- Pir Muhammad, Khan Sahib Chaudhri (South-East Gujrat, Muhammadan, Rural).
- Prem Singh, Chaudhri (South-East Gurgaon, General—Reserved Seat, Rural).
- Prem Singh Mahant (Gujrat and Shahpur, Sikh, Rural).
- Pritam Singh Siddhu, Sardar, B.A., LL.B. (Ferozepore West, Sikh, Rural).
- Raghubir Kaur, Shrimati (Amritsar, Sikh Women).

MEMBERS—CONCLUDED.

- Ram Sarup, Chaudhri (Rohtak Central, General, Rural).
 Ranpat Singh, Chaudhri (Karnal North, General, Rural).
 / Rashida Latif Baji, Begum (Inner Lahore, Muhammadan Women, Urban).
 Riasat Ali, Khan Bahadur Chaudhri (Hafizabad, Muhammadan, Rural).
 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).
 Satya Pal, Dr. (Amritsar and Sialkot, General, Rural).
 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, Seth (Eastern Towns, General, Urban).
 Sultan Mahmud Hotiana, Mian, B.A. (Pakpattan, Muhammadan, Rural).
 Sumer Singh, Chaudhri, B.A., LL.B. (South-East Gurgaon, General, Rural).
 Suraj Mal, 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).
 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.

4TH SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Thursday, 10th November, 1938.

The Assembly met at the Assembly Chamber, Lahore, at 2 p.m. of the clock. Mr. Speaker in the chair.

OATH OF OFFICE.

Khan Sahib Shaikh Muhammad Amin (Western towns, Muhammadan, Urban) was sworn in.

PRAYER.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : Sir, to-day is the first meeting of the Assembly in this Chamber and I would, therefore, request the House with your permission that before we start the proceedings of the day, we may all stand up in our seats and observe complete silence for one minute and pray according to our own faith for divine guidance and help in our task, which is to serve our Motherland. I hope that with your permission and with the consent of the whole House we would stand for one minute and pray in silence.

(At this stage the whole House stood up in silent prayer.)

STARRED QUESTIONS AND ANSWERS.

*3328—31. Cancelled.

REPRESENTATION ON BEHALF OF TENANTS OF NILI BAR AND GANJI BAR.

*3332. **Dr. Gopi Chand Bhargava** : Will the Honourable Minister for Revenue be pleased to state whether he received a representation on behalf of tenants of Nili Bar and Ganji Bar regarding their demands, very recently ; if so, what he proposes to do in the matter ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : Government are keeping a careful watch on the problems connected with the relations of landlord and tenant in the Nili Bar and Lower Bari Doab Colonies. In connection with the former I would refer the honourable member to the statement by the Honourable Minister on the subject during the Budget session of the Assembly in connection with the Nili Bar Colony, while in respect of the Lower Bari Doab instructions have been issued on similar lines, which should enable local officers to settle any disputes which may arise on an equitable basis.

Dr. Gopi Chand Bhargava : May I inquire if the Honourable Minister or the Financial Commissioner has received any information or representation from the tenants of the Nili Bar and Ganji Bar ?

Minister (The Honourable Dr. Sir Sundar Singh Majithia) : I may inform my honourable friend that the Financial Commissioner, Development, has only recently visited that place and he will submit his report to Government which will be considered and orders will be passed on it.

Dr. Gopi Chand Bhargava : Is the Honourable Minister aware of the fact that these tenants have been recently served with notices of ejectment ?

Minister : I have nothing more to add as I am not aware of such notices.

Sardar Ajit Singh : Is it a fact that the tenants of the Nili Bar brought their grievances to the notice of the Financial Commissioner with regard to fodder and other demands and the Financial Commissioner promised to declare the decisions of the Government after due consideration very shortly ?

Parliamentary Secretary : As the Revenue Minister has stated, the Financial Commissioner, Development, has only recently visited that place and I believe he is soon going to submit a complete report and Government will consider that report. All these questions will certainly receive consideration.

Sardar Ajit Singh : Is Government aware of the fact that the tahsildars of Mailsi and Pakpattan at the request of the Government lessees have served notices of ejectment on thousands of tenants of Nili Bar to do the needful within a period of 6 months and thus thousands of people will be rendered homeless, workless and will starve to death ?

Parliamentary Secretary : Government have no information on the point. It appears that the information of the honourable member is wrong.

A Voice : Your information is wrong.

Dr. Gopi Chand Bhargava : Is the honourable the Parliamentary Secretary prepared to see the notices which have been served on the tenants with his own eyes ?

Minister : If the honourable member brings them to my notice, I will certainly make inquiries.

VOTERS' LISTS FOR DISTRICT BOARD ELECTIONS.

***3333. Dr. Gopi Chand Bhargava** : Will the Honourable Minister for Public Works be pleased to state whether voters' lists for District Board elections are still being prepared under old franchise rules ; if so, in what districts and why ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The voters' lists have been or are being prepared on the basis of the old franchise for the following district boards :—

- (1) Gurgaon,
- (2) Hoshiarpur,
- (3) Sheikhpura,
- (4) Mianwali,
- (5) Jhang,
- (6) Multan, and
- (7) Hissar.

The reason for this is that these district boards had incurred considerable expenditure on the preparation of the lists on the basis of the old rules before the franchise was extended and postponement of the elections for the preparation of the lists according to the extended franchise would have put these boards to considerable monetary loss.

Dr. Gopi Chand Bhargava : May I ask when and on what date did the Deputy Commissioner, Jullundur, issue orders for preparation of electoral roll and in which Gazette did the requisite notification appear ?

Minister : I require notice in order to give dates.

Dr. Gopi Chand Bhargava : Is Government aware of the fact that Sardar Kabul Singh saw the Deputy Commissioner, Jullundur, in this connection and was told that the roll could not be prepared according to new rules ?

Minister : May I inform the honourable member that the name of the Jullundur District Board does not appear in the list of district boards I have just supplied in answer to this question.

Dr. Gopi Chand Bhargava : Is it not a fact that the voters' lists in the Jullundur district are being prepared under the old franchise rules ?

Minister : I have already said that Jullundur is not included in the list of district boards I have just enumerated.

Sardar Hari Singh : May I ask whether it is a fact that the district board elections in Hoshiarpur and Jullundur districts were due in the same month and the lists under preparation were also to have been completed by the same date, that is, the 30th of December, in both districts ?

Minister : I have already said that I would like to have notice.

Sardar Hari Singh : May I ask whether he received any communication from the Deputy Commissioner, Jullundur, that the district board elections should be postponed for a year, because the District Congress Committee voters were united this year ?

Minister : I have given a detailed reply already.

REPRESENTATIONS REGARDING AGRARIAN REFORMS.

***3334. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Revenue be pleased to state whether he has received any representations from a large number of villages of Jullundur District regarding their demands about agrarian reforms very recently ; if so, what he proposes to do in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : Nine representations were received from certain villages of the Jullundur district, and in all of them, with the exception of one, the Government were thanked for the recent agrarian legislation. No action has been taken on these representations.

MATRICULATE CONSTABLES AND HEAD CONSTABLES IN LUDHIANA POLICE.

***3342. Chaudhri Muhammad Hasan :** Will the Honourable Premier be pleased to state—

(a) the number and the names of the constables and the head-constables at present employed in the Ludhiana Police Force, who are matriculates, with their home districts and their parentage and also the date of the enlistment of each of them :

(b) the number of commendation certificates earned by each of them since their enlistment ?

The Honourable Major Sir Sikander Hyat-Khan : A statement is laid on the table. I do not think it necessary to give the names in a case of this kind.

Statement.

Serial No.	Rank.	Home District.	Date of Enlistment.	Number of commendation certificates earned.
1	2	3	4	5
1	Foot Constable	Ludhiana ..	2-1-1936	..
2	Head Constable ..	Ludhiana	17-10-1927	11
3	Foot Constable ..	Ludhiana	5-4-1934	1
4	Head Constable ..	Ludhiana	15-5-1928	7
5	Foot Constable ..	Ludhiana	8-10-1935	..
6	Head Constable ..	Hoshiarpur ..	7-12-1925	27
7	Foot Constable	Ludhiana	1-4-1938	..
8	Head Constable ..	Jullundur	21-10-1927	14
9	Foot Constable ..	Ludhiana	6-1-1937	1
10	Foot Constable ..	Kangra	4-1-1938	..
11	Foot Constable ..	Gujrat	5-10-1936	..
12	Foot Constable ..	Rohtak	1-1-1933	6
13	Foot Constable ..	Ludhiana	5-10-1936	..
14	Head Constable ..	Ludhiana	5-1-1932	5
15	Foot Constable ..	Ludhiana	9-10-1938	..
16	Head Constable ..	Ludhiana	27-3-1930	6
17	Foot Constable ..	Ludhiana	1-7-1933	6

Serial No.	Rank.	Home District.	Date of Enlistment.	Number of commendation certificates earned.
1	2	3	4	5
18	Foot Constable ..	Ludhiana	16-10-1936	..
19	Foot Constable ..	Hoshiarpur	4-1-1938	..
20	Foot Constable ..	Ludhiana	3-4-1933	6
21	Foot Constable ..	Campbellpur	5-7-1938	..
22	Foot Constable ..	Gujrat	5-10-1936	2
23	Foot Constable ..	Amritsar	1-7-1933	2
24	Foot Constable ..	Gujranwala	14-1-1936	12
25	Head Constable ..	Ferozepore	1-4-1932	18
26	Foot Constable ..	Ludhiana	1-7-1932	5
27	Foot Constable ..	Ferozepore	15-2-1927	10
28	Foot Constable ..	Patiala State	1-4-1933	2
29	Foot Constable ..	Ludhiana	15-11-1925	19
30	Foot Constable ..	Ludhiana	3-11-1936	14
31	Head Constable ..	Meerut (United Provinces).	23-5-1928	8
32	Foot Constable ..	Campbellpur	4-4-1935	8
33	Foot Constable ..	Rohtak	4-1-1933	4
34	Foot Constable ..	Jullundur	9-10-1938	..
35	Head Constable ..	Jhang	20-10-1925	42
36	Head Constable (now officiating Assistant Sub-Inspector).	Ambala	15-7-1924	34
37	Foot Constable (officiating Head Constable).	Rohtak	2-8-1928	7
38	Foot Constable ..	Gurdaspur	1-8-1931	1
39	Foot Constable ..	Sialkot	4-7-1935	9
40	Head Constable ..	Ludhiana	16-1-1925	16
41	Foot Constable ..	Ludhiana	5-7-1935	..
42	Foot Constable ..	Rohtak	5-7-1938	..
43	Foot Constable ..	Jullundur	5-4-1934	2

[Premier.]

Serial No.	Rank.	Home District.	Date of Enlistment.	Number of commendation certificates earned.
1	2	3	4	5
44	Foot Constable ..	Ludhiana	1-7-1934	2
45	Foot Constable ..	Jullundur	2-10-1933	6
46	Head Constable ..	Hoshiarpur	1-7-1924	7
47	Head Constable ..	Jullundur	2-6-1925	22
48	Foot Constable ..	Jullundur	5-7-1933	..
49	Foot Constable ..	Ludhiana	5-7-1933	..
50	Foot Constable ..	Ludhiana	1-10-1932	7
51	Foot Constable ..	Jullundur	4-4-1935	..
52	Officiating Head Constable.	Hoshiarpur	13-9-1923	15
53	Head Constable ..	Jullundur	11-11-1925	23
54	Foot Constable ..	Montgomery	1-10-1932	12
55	Foot Constable ..	Attock	9-10-1933	..
56	Foot Constable ..	Ludhiana	25-1-1926	14
57	Foot Constable ..	Ludhiana	16-4-1936	4
58	Foot Constable ..	Jullundur	1-7-1934	3
59	Head Constable ..	Ludhiana	1-7-1932	6
60	Foot Constable ..	Jullundur	8-10-1936	..
61	Head Constable ..	Ludhiana	25-1-1928	10
62	Foot Constable ..	Hoshiarpur	1-4-1933	3
63	Foot Constable ..	Ambala	1-7-1935	3
64	Head Constable ..	Hoshiarpur	14-5-1923	17
65	Foot Constable ..	Sialkot	5-6-1933	..
66	Foot Constable ..	Jullundur	5-4-1934	14
67	Foot Constable ..	Hoshiarpur	4-1-1933	..
68	Foot Constable ..	Jullundur	5-7-1933	..
69	Foot Constable ..	Ludhiana	5-7-1933	..

POLICE RECRUITMENT FROM BET ILAQA, LUDHIANA DISTRICT.

***3343. Chaudhri Muhammad Hasan :** Will the Honourable Premier be pleased to state the number of persons recruited for the Police from the Bet Ilaga in the Ludhiana district during the time the present Superintendent of Police, Ludhiana, has been incharge of the district giving separately the educational qualifications of each of such persons and the names of the villages to which each of them belongs?

The Honourable Major Sir Sikander Hyat-Khan : A statement is laid on the table.

(As was pointed out to the honourable member in the reply to his Question *2908¹, the term "Bet Ilaga" is vague. The figures in the present statement are for the area comprised in the five rivers in police stations of Macchiwara, Ludhiana Sadr, Sahnawal, Dakha and Sidwan Bet).

Statement.

Serial No.	Rank.	Village and Police Station.	District.	Educational Qualifications.	Date of enlistment.
1	2	3	4	5	6
1	One Foot Constable.	Sidhwan Bet ..	Ludhiana ..	6th Vernacular pass.	4-1-38
2	Ditto ..	Tihara, P. S. Sidhwan Bet.	Do. ..	Upto Middle ..	3-4-38
3	Ditto ..	Mohi, P. S. Dakha ..	Do. ..	Primary ..	3-4-38
4	Ditto ..	Dakha ..	Do. ..	Upto 8th Class ..	1-8-38
5	Ditto ..	Bhanohar, P. S. Dakha.	Do. ..	Illiterate ..	28-10-38
6	Ditto ..	Ditto ..	Do. ..	Knows Roman and Urdu (Military 1st Class Pass).	28-10-38
7	Ditto ..	Isawal, P. S. Dakha	Do. ..	Knows Roman and Gurmukhi.	28-10-38
8	Ditto ..	Mohi, P. S. Dakha ..	Do. ..	Knows Gurmukhi	28-10-38
9	Ditto ..	Gill, P. S. Sadr Ludhiana.	Do. ..	Illiterate ..	1-10-37
10	Ditto ..	Mundian Kalan, P. S. Sadr Ludhiana.	Do. ..	Vernacular Middle	4-1-38
11	Ditto ..	Gill, P. S. Sadr Ludhiana.	Do. ..	Middle ..	5-7-38
12	Ditto ..	Isawal, P. S. Dakha	Do. ..	Middle ..	5-7-38
13	Ditto ..	Lalton Khurd, P. S. Sadr Ludhiana.	Do. ..	Knows Roman ..	28-10-38

REVERSION OF TAHSILDARS TO NAIB-TAHSILDARSHIP IN JULLUNDUR DIVISION.

***3344. Chaudhri Muhammad Hasan :** Will the Honourable Minister of Revenue be pleased to state the number and the names of the tahsildars who reverted to their substantive posts of naib-tahsildars in the Jullundur division during the last three years on the ground of inefficiency with the educational qualification and length of service of each of them and also the period for which each of them officiated as a tahsildar before his reversion ?

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

Statement showing the particulars of service, etc., of tahsildars who reverted to their substantive posts of naib-tahsildars in the Jullundur division during the last three years on the ground of inefficiency.

Serial No.	Name.	Educational qualifications.	Total length of service.	Period for which officiated as Tehsildar.	REMARKS.
1	2	3	4	5	6
1	Sardar Atma Singh	Matric..	17 years, 2 months and 17 days.	1 year, 10 months and 7 days.	Has been permitted to officiate as a Tahsildar in short vacancies.
2	Lala Nathu Ram	Matric ..	29 years, 1 month and 15 days. (Service as naib-tahsildar 13 years, 4 months and 3 days.)	1 year, 7 months and 5 days.	

ARMY BILL.

***3345. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact or not that it was at the suggestion of the Punjab Government that the Central Government introduced the " Army Bill", penalising anti-recruitment speeches in the Central Assembly ;
- (b) the date on which the Punjab Government sent a communication, if any, on the subject to the Central Government and also contents of the said communication ;
- (c) the reason why it did not take steps to have a legislation passed on the subject by the Punjab Assembly ?

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

(b) It is not in the public interest to give particulars or disclose the contents of communications between the provincial and central Governments.

(c) Because the Punjab Government was advised that under the Government of India Act, 1935, such legislation cannot be undertaken by a provincial Government.

Sardar Hari Singh : May I ask the honourable member the reason for sending a communication to the central Government without consulting this legislature on the subject ?

Parliamentary Secretary : This question does not arise out of the main question.

Sardar Hari Singh : My question is, why was not this House taken into confidence by the Government before sending a communication to the central Government on such an important measure ?

Parliamentary Secretary : If this legislation could have been passed by this House, surely the matter would have been brought before this House. But as it was not so, it was considered unnecessary waste of time to bring the matter before this House at this stage.

Sardar Hari Singh : Is the honourable member aware of the fact that this act of the Punjab Government has evoked a strong resentment against it ?

Parliamentary Secretary : It may be a fact that this act has evoked resentment amongst a very small section of the Punjab, but it is patent that it has received strong appreciation from certain other associations and bodies and from the public in general.

Sardar Hari Singh : Has the Government received resolutions passed by public meetings against this act of the Government ?

Parliamentary Secretary : I have received much more substantial resolutions passed by district boards and other representative bodies commending the act of the Punjab Government.

Rai Bahadur Mr. Mukand Lal Puri : May I know the date of the communication to the central Government, or is it also in the public interest to withhold that information ?

Parliamentary Secretary : If my honourable friend will table a separate question, it would be examined whether the information could be given without detriment to public interest.

Rai Bahadur Mr. Mukand Lal Puri : The question is already there in part (b).

Parliamentary Secretary : If in the public interest a document cannot be disclosed, we cannot by any subtlety differentiate between one part of the document and another.

Rai Bahadur Mr. Mukand Lal Puri : Do I understand the Parliamentary Secretary to say that the disclosing of the date of the communication is also not in the public interest ?

Parliamentary Secretary : I am sorry I have to repeat my answer. If a document cannot be divulged on grounds of public interest, we cannot differentiate between one portion and another of that document.

Rai Bahadur Mr. Mukand Lal Puri : Was any such communication sent at all ?

Lala Deshbandhu Gupta : Was it not open to Government to table a resolution for the consideration of this House before sending a communication to the Government of India ?

Premier (The Honourable Major Sir Sikander Hyat-Khan) : The Government of India ruled that it was a matter on which the provincial legislature had no jurisdiction.

Rai Bahadur Mr. Mukand Lal Puri : What is the public interest which warrants the withholding of that statement ?

Premier : This question has already been answered, and I have nothing further to add.

Chaudhri Krishna Gopal Dutt : Did the Punjab Government receive any communication from the central Government that the Punjab Government should write to them in regard to this Army Bill ?

Premier : Not to my knowledge.

Dr. Gopi Chand Bhargava : Will the Premier be pleased to state whether that communication was sent before the Viceregal visit to Lahore or after it ?

Premier : I am not sure.

Sardar Sohan Singh Josh : Was that communication made with a view to provide proof of the dominance of British Imperialism in the province ?

Premier : No.

Mr. Dev Raj Sethi : Was the fall in recruitment the reason for this communication ?

Lala Deshbandhu Gupta : Was not the existing law sufficient to deal with speeches affecting recruitment ? Where was the necessity for making a recommendation to the central Government to pass this new legislation ?

Premier : The existing law was considered insufficient for the purpose.

Dr. Gopi Chand Bhargava : Did the Honourable Premier make that communication at somebody's instance ?

Premier : If my honourable friend means to say that that communication was made because we were pressed by the Government of India or some outside body, my answer is an emphatic 'no'.

Dr. Gopi Chand Bhargava : Was that communication made on the suggestion of any high official of the Punjab Government ?

Premier : I emphatically repudiate the insinuation.

Sardar Kartar Singh : Before sending that communication, did the central Government give any assurance that the armies will not be sent to Palestine ?

Premier : I have made my position clear on the subject that if Indian armies are sent out to fight Arabs in Palestine, I shall resist it.

Lala Deshbandhu Gupta : Did the Honourable Premier satisfy himself that the Indian armies will not be used for imperialist purposes before making the communication that he did ?

MESSAGE TO GOVERNOR-GENERAL OF INDIA BY HONOURABLE PREMIER
ASSURING HELP IN CASE OF WAR.

***3346. Sardar Hari Singh :** Will the Honourable Premier be pleased to state whether it is a fact that he, in his official capacity, sent a message to the Governor-General of India to the effect that the Punjabis would make every sacrifice for the King-Emperor in case of outbreak of War in Europe in which England was involved ?

Parliamentary Secretary (Mir Maqbool Mahmood) : The honourable member doubtless refers to a speech made by the Honourable Premier in Simla on the evening of the 26th September. While he did not send any message to the Governor-General nor did he use the words attributed to him by the honourable member in the question, he did affirm that if the worst came and war broke out, the Punjab, now in its political majority, would be true to its traditions and would not be found wanting. The honourable member would find a fuller report of his speech which was published in the papers. The Honourable Premier had no doubt that in his speech he was expressing the feelings not only of his colleagues in the Government, but of the vast majority of the people of the province.

Honourable Members : Question.

Sardar Hari Singh : May I know whether his speech referred to in the answer given by the honourable member was in fact an assurance to British Imperialism to the effect that the Punjabis were ready to make every sacrifice in case of an outbreak of war in Europe ?

Premier (The Honourable Major Sir Sikander Hyat-Khan) : No.

Sardar Hari Singh : Then, what was the object or purpose of that speech ?

Premier : I merely gave voice in a more practical way to the statement made by another big leader on this particular subject.

Sardar Hari Singh : May I ask the Honourable Premier what authority he has to make the statement mentioned in the answer that he was expressing the feelings of the vast majority of the people of the province ?

Premier : Because I represent a large majority of the people.

Sardar Hari Singh : May I ask the Honourable Member whether he is aware of the fact that he may cease to represent the majority of the people of the Punjab on a particular question ?

Premier : When I cease to represent the Punjab on a particular question of such importance somebody else will be here in my place and then he would make a statement and not I.

Diwan Chaman Lall : May I enquire whether in this particular matter, he does represent the feelings and the ideas and the opinions of the vast majority of the Punjab ? By what right has the Honourable Member, if I may say so, the audacity to make a statement of that kind ?

Premier : My honourable friend was not here when I answered that question. I said that it was my duty to keep my hand on the pulse of the province as a whole and I knew the feelings of the province and as a matter of fact my statement has been corroborated by thousands of telegrams which I received.

Diwan Chaman Lall : May I ask my honourable friend whether he is prepared to hold a referendum or plebiscite and take the opinion of the Punjab ?

Premier : I am prepared to hold a plebiscite in the House itself, which officially represents the opinion of the Punjab.

Diwan Chaman Lall : Is the Honourable Member aware that it is perfectly easy to find a plebiscite in his favour in a House constituted as it is ? But has he the courage to go to the people of the province ?

Premier : If my honourable friend is prepared to accept a counter challenge, I would ask any of my rural friends on this side to resign and let him contest on this issue.

Diwan Chaman Lall : May I ask my honourable friend—

Mr. Speaker : I think we are going too far.

Diwan Chaman Lall : A challenge has been thrown out. I am perfectly willing that the Leader here in the city of Lahore, the capital of the Punjab, should resign his seat and fight the election on this one issue.

Premier : The martial and rural city of Lahore.

Dr. Gopi Chand Bhargava : Does the Honourable Premier think that England is not India's enemy ?

Premier : I did not say that. I was merely quoting the opinion of an eminent Indian leader that had appeared in certain newspapers.

Dr. Gopi Chand Bhargava : Then may I know his opinion ?

Chaudhri Krishna Gopal Dutt : Did it occur to the Honourable Premier that each international question should be discussed on its own merits from the point of view of the welfare of India and that no promise should have been made to the Governor about the loyalty of the people without studying that particular question on its merits.

Mr. Speaker : The question is disallowed.

Chaudhri Krishna Gopal Dutt : Am I not entitled to seek information on that point?

Mr. Speaker : The question asks for opinion.

Chaudhri Krishna Gopal Dutt : It is absolutely relevant to the question.

Sardar Hari Singh : With reference to the challenge thrown out by the Honourable Premier, may I ask him one question, whether he is prepared to accept the challenge in the constituency of the Honourable Revenue Minister?

Mr. Speaker : Please, no more questions on that point.

Diwan Chaman Lall : May I enquire whether the Honourable Premier has consulted the relatives of those peasants in the Punjab whose wives were stripped naked because of the recruiting campaign in the last War?

Chaudhri Krishna Gopal Dutt : May I ask one question? My point is that every question which is before the world should be discussed on its own merits from the point of view of the interests of this country and that no general assurance of loyalty to assist the British people should be given. I want to ask this question from the Government. Did the Honourable Premier take this fact into consideration when he made the statement? May I know whether it occurred to him that the Sudeten question should be discussed on its own merits and whether or not we should join Britain or France on that particular question?

Diwan Chaman Lall : Since my honourable friend has thrown out a challenge, is he prepared to accept this challenge that a member of the rural constituency on this side will resign and contest it? Will he accept that challenge?

Mian Muhammad Iftikhar-ud-Din : May I know if the Honourable Premier thinks that every war that Britain undertakes will be in the interests of India?

Premier : I said nothing of the sort.

Mian Muhammad Iftikhar-ud-Din : Why did you give a general assurance?

Premier : I did not give a general assurance.

Mian Muhammad Iftikhar-ud-Din : You did give it.

Chaudhri Krishna Gopal Dutt : Is the Government prepared to give an assurance that it will not give such assurances without consulting the House?

JOURNEY ALLOWANCES DRAWN BY EACH MINISTER.

***3347. Sardar Hari Singh :** Will the Honourable Premier be pleased to state the journey allowances drawn by each of the Ministers after the last Simla session of the Assembly?

Parliamentary Secretary (Mir Maqbool Mahmood) : A statement is laid on the table.

Lala Deshbandhu Gupta : May I point out that we are practically debarred from asking supplementary questions when a statement is laid on the table ?

Mr. Speaker : It is the duty of the Parliamentary Secretary to give, if possible, one day in advance a copy of his answer to the member interrogating.

Lala Deshbandhu Gupta : You will see, Sir, that the question is in the form of a starred question seeking information on the floor of the House, but the method of answering it reduces it to an unstarred question.

Parliamentary Secretary : I got the information only this morning and I have laid it on the table.

Lala Bhim Sen Sachar : He cannot lay it on the table unless he has made it available to the member one day before the day on which it is to be answered.

Mr. Speaker : I invite attention to rule 27. It says "a copy in such case shall, if possible, be delivered to the member interrogating one day in advance of such answer being placed on the table."

Sardar Hari Singh : The words are 'if possible', and it was quite possible.

Rai Bahadur Mr. Mukand Lal Puri : May this question be taken up to-morrow ?

Mr. Speaker : Under which rule ?

Lala Deshbandhu Gupta : May I submit that the Parliamentary Secretary be asked to read it out instead of laying it on the table ? It must be a very short answer.

Diwan Chaman Lall : May I ask whether the Parliamentary Secretary asserts that it was not possible for him to hand a copy of the answer to the honourable member ?

Mr. Speaker : He says that he received the answer only this morning.

Diwan Chaman Lall : May I ask as to when he received notice of this question ?

Parliamentary Secretary : I got the answer only this morning and I have placed it on the table to-day.

Diwan Chaman Lall : Whose duty is it to see that these answers are received in time from the departments ? Is it nobody's duty ?

Lala Bhim Sen Sachar : On a point of order. Does the chair hold that the answer is a lengthy one and that it should be placed on the table ? Unless the answer has been made available to you it cannot be held that it is a lengthy one.

Mr. Speaker : I have not seen the answer.

Lala Deshbandhu Gupta : Why do Government feel shy in giving this information openly ?

Diwan Chaman Lall : May I ask the honourable member at least to show this much courtesy to this House as to read out the brief statement and not to feel shy of admitting their doings by merely placing a document on the table.

Parliamentary Secretary : In reply to the insinuation of my honourable friend there, who seems to have come fresh from his tour in the West, I can assure him that so far as the answer is concerned I am not ashamed of the work done by the Ministers nor of the inconvenience suffered or the time they have devoted to the performance of their public duties. (*Hear, hear*)

Diwan Chaman Lall : If my honourable friend is not ashamed to read the answer, why does he not read it?

Parliamentary Secretary : To save time.

Diwan Chaman Lall : Save time!

Rai Bahadur Mr. Mukand Lal Puri : Will you please give a ruling whether this answer is long or not?

Diwan Chaman Lall : Will the honourable member try as much to save the public money as he is trying to save time?

Lala Bhim Sen Sachar : May I know if the expenses for these journeys also include expenses for visits to various public meetings in far off places addressed by the Honourable Minister for Development and the Honourable Premier and other Ministers?

Premier (The Honourable Major Sir Sikander Hyat-Khan) : Is that where the shoe pinches? (*Laughter.*)

Diwan Chaman Lall : That is what is most scandalous. Public money is being misappropriated.

Premier : Will the honourable member make such a statement outside this House?

Diwan Chaman Lall : I do not plead privilege and you can take any action you like.

Rai Bahadur Mr. Mukand Lal Puri : Is the Government justified in spending out of public funds for party propaganda?

Parliamentary Secretary : It is not for party propaganda. It is a part of the duty of the Ministers to keep in touch with their constituencies and tell the people the real significance of the legislation that has been passed and to counteract mischievous propaganda (*hear, hear*).

Rai Bahadur Mr. Mukand Lal Puri : May I know the names of places for which the travelling allowance has been charged by the Honourable Minister for Development in this connection?

Parliamentary Secretary : I require notice.

Chaudhri Krishna Gopal Dutt : Does this expenditure include the expenses incurred in connection with a microphone and a lorry used in connection with the propaganda of the Unionist Party?

Parliamentary Secretary : I do not think so, but I shall make sure if a notice is given.

Lala Bhim Sen Sachar : Is it or is it not a fact that in the presence of the Honourable Premier himself, the Honourable Minister for Development had the audacity to say "Congress *murdabad*" in one of the meetings which he addressed in Gujrat School?

Mr. Speaker : That does not arise out of this question.

Lala Bhim Sen Sachar : The Parliamentary Secretary said that they do not go and say anything by way of party propaganda and I submit that in the presence of the Honourable Premier in the Muslim School, Gujrat, the Honourable Minister for Development did say "Congress *murdabad*." Has the Premier the audacity to deny that?

Premier : Whoever gave this information to the Honourable Member told him a damnable lie.

Lala Bhim Sen Sachar : It is a lie on the other side.

Parliamentary Secretary : He said : "*be-mani murdabad*."

Mr. Speaker : May I ask the honourable members to keep before their eyes the dignity of the House which is their own dignity, and not to use unparliamentary language?

Chaudhri Krishna Gopal Dutt : The boot is on the other foot.

Rai Bahadur Mr. Mukand Lal Puri : Is 'damnable lie' a parliamentary expression?

Mr. Speaker : Certainly not. My remarks were meant for the whole House and all honourable members of all parties.

Chaudhri Krishna Gopal Dutt : What about the word "damnable."

Mr. Speaker : Did that word refer to Lala Bhim Sen Sachar?

Premier : No.

Chaudhri Krishna Gopal Dutt : Is it a dignified word?

Mr. Speaker : No. I have already said that this language is undignified and unparliamentary.

Diwan Chaman Lall : I just want to ask a supplementary question and it is this. Is it a fact that the Unionist Party's finances are in such a depleted condition that they have to call upon the public exchequer for the purpose of doing their party propaganda against the Congress?

Mr. Speaker : Disallowed.

Rai Bahadur Mr. Mukand Lal Puri : Does the travelling allowance amounting to Rs. 3,090-13-0 charged by the Honourable Minister for Development include the travelling allowances for his visit to Rohtak?

Dr. Gopi Chand Bhargava : That is his home.

Rai Bahadur Mr. Mukand Lal Puri : Does the travelling allowance charged by the Honourable Premier include travelling allowance for his visits to Lyallpur, Gujrat, Gujjar Khan and Campbellpur?

Parliamentary Secretary : Yes, whenever he went on official public business.

Chaudhri Krishna Gopal Dutt : There was a public meeting at Satrah which was attended by the Honourable Premier and the Honourable Minister for Development. The Director of Information Bureau also attended that meeting along with them. I cannot believe that the expenses of his tour were paid by the Government. I want to know whether something out of the travelling allowances of the Ministers was also spent on his visit to Satrah.

Mr. Speaker : The question is about the travelling allowance of another Government servant. So, I disallow it.

Chaudhri Krishna Gopal Dutt : It cannot be disallowed because I possess information and it is for this reason that I put that question.

Mr. Speaker : This supplementary question does not arise from the question now before the House.

Lala Duni Chand : May I know if it is a fact that only a few days ago the Honourable Minister for Development paid a visit to a fair in Ambala district, about 225 miles from this place, and returned the same evening or the next day and if so, how much travelling allowance he would draw for this visit ?

Premier : My honourable friend should not expect the Government to answer such a question.

Lala Duni Chand : Is it true that he had no other business to transact there except the speech ?

Premier : That also is public business.

Pandit Shri Ram Sharma : What special State business was transacted during those tours for which these allowances have been drawn ?

Premier : From the beginning to end it was public business pure and simple and the people were told how they were being duped and hoodwinked by certain people.

Diwan Chaman Lall : Is it a fact that that is pure and simple party propaganda ?

Mr. Speaker : Is the honourable member going to ask a supplementary question ?

Diwan Chaman Lall : It is a supplementary question arising out of the reply given by the Honourable Premier. The charge is that public money was utilised for the purpose of party propaganda. Is it or is it not a fact that the Honourable Premier's reply confirms that fact ?

Premier : No.

Parliamentary Secretary : It is a primary duty of the Government to counteract false and malicious propaganda against their activities.

Pandit Shri Ram Sharma : Can I enquire as to what is the meaning of ' party propaganda ' ?

Mr. Speaker : A question asking interpretation cannot be allowed.

Sardar Sohan Singh Josh : Can I ask one question ?

Premier : If my learned friend would see the bulletin periodically issued by the United Provinces Publicity Bureau he would come to know the difference between party propaganda and public business of the Government.

Dr. Gopi Chand Bhargava : Does that Information Bureau series contain news about the action of the Punjab Government also ?

Premier : No. The honourable member was asking me as to what is the difference between the public business and party propaganda and I was making that fact clear to him by giving an illustration.

Dr. Gopi Chand Bhargava : I want to know whether it contains the news about the action of the Punjab Government also ?

Premier : No.

Sardar Sohan Singh Josh : May I ask whether the action of the Ministers who tour the countryside and make speeches there without making any reference to the repressive policy and arrests, etc., does not amount to cheating the public ?

Pandit Muni Lal Kalia : The Honourable Minister for Development has been paying visits to big conferences but he has never addressed any conference regarding industries or other developments. May I ask whether these visits for the purpose of attending those conferences lead to the development of industries or whether these visits mean the development of the Government only ?

Mr. Speaker : I disallow the question. It is more an argument, nay a speech, than a question.

Chaudhri Krishna Gopal Dutt : On the 23rd of October in Satrah when the Honourable Minister for Development and the Premier were—

Mr. Speaker : I think the questions put and answers given are sufficient. Many questions have been asked and answered. I am not going to allow any more supplementary questions on this question.

Statement showing the journey allowances drawn by each of the Ministers after the last Simla Session of the Assembly.

			Rs. A. P.
The Honourable Premier	..	..	1,786 12 0
The Honourable Minister of Revenue	..	..	Nil, but a bill is being prepared.
The Honourable Minister of Development	..	..	3,090 13 0
The Honourable Minister of Finance	..	..	1,359 4 0
The Honourable Minister of Public Works	..	..	1,444 8 0
The Honourable Minister of Education	..	..	1,896 4 0

PUNJAB CIVIL SERVICE OFFICERS HOLDING POSTS WITH ALLOWANCES.

***3349. Pandit Shri Ram Sharma :** With reference to the answer to my question No. *2731¹ will the Honourable Premier be pleased to state—

- the special reasons in each case where a junior has been promoted to an allowance post over and above his seniors ;
- which community is either over or under represented in the allowance posts or whether the present representation is adequate ;
- in case of equal qualifications how many and which candidate were given such posts on account of under representations of a particular community ?

The Honourable Major Sir Sikander Hyat-Khan : (a) The honourable member is referred to the answer given to part (c) of question No. *2731¹ put by him in the last session of the Assembly where it has been explained that the main consideration in making appointments to posts carrying allowances is the qualification of an officer and not his position in the cadre.

(b) and (c). Under the convention set up by me, I cannot answer communal questions as starred ones, but on reference to the Civil list the honourable member will find that all communities are adequately represented in the allowances posts at present.

ELECTORAL CIRCLES OF THE DISTRICT BOARD, ROHTAK.

***3350. Pandit Shri Ram Sharma :** With reference to the answer to my starred question No. 2733² will the Honourable Minister of Public Works be pleased to state—

(a) for how long the matter of reconstituting the electoral circles of the District Board, Rohtak, has been under consideration ;

(b) what steps the Government have taken or intends to take in order to expedite the matter ;

(c) how much extension has been granted to the present District Board and when the already over-due elections are expected ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Since August, 1936.

(b) and (c) The local officers have been asked to make every possible effort to complete the revision of electoral circles and hold the next general elections of the Board on the basis of the revised constitution by September, 1939.

ADMISSION TO NORMAL SCHOOLS.

***3351. Pandit Shri Ram Sharma :** With reference to the answer to my question No. 426³, will the Honourable Minister of Education be pleased to state—

(a) whether there are any instructions to the Inspectors of Schools to see the needs of various communities and castes at the time of admission to normal schools ;

(b) whether the term 'needs' means communal representation ; if so, what proportion is maintained ;

(c) on what formula and basis the Inspectors fulfil the needs of the different communities in the question of admission to normal schools ?

The Honourable Mian Abdul Haye : (a) Yes. A copy of the instructions is laid on the table.

¹Vol. V, page 81.

²Vol. V, page 82.

³Vol. V, page 431.

[Education Minister.]

(b) Yes, but no definite proportions have been fixed.

(c) Statistics of teachers of each community already in service are collected and these are borne in mind when selecting candidates for admission to normal schools.

Copy of instructions from the Director of Public Instruction, Punjab, to the Divisional Inspectors of Schools, Punjab, C. M., D. O. No., 124—E.S., dated the 10th June, 1931.

From time to time I have had strong complaints made to me about the recruitment of school masters; particularly with regard to the recruitment of Junior Vernaculars and Senior Vernaculars by District Inspectors. A District Inspector was accused, whether rightly or wrongly, of importing people from his own home. Similarly, I have heard the same charge against a Divisional Inspector. I shall be grateful if you would see to it that as far as possible in each district, the teachers are men of that district, and that the proportions of the communities in those districts shall be represented to a reasonable extent in the proportions of the teachers. In particular, in recruiting for normal schools and in staffing rural schools, the greatest effort should be made to get agriculturists.

LEGISLATION AGAINST ANTI-RECRUITMENT.

***3367. Lala Duni Chand :** Will the Honourable Premier be pleased to state—

(a) whether the Punjab Government made a representation to the Government of India to secure legislation in order to make anti-recruitment efforts an offence; if so, on what grounds and whether the Government is prepared to place a copy of the representation made on the table of the House; and if not, why not;

(b) the subject matter falling within the concurrent jurisdiction of the Provincial and the Central Governments. why is it that the Punjab Government did not undertake the responsibility of this legislation itself?

The Honourable Major Sir Sikander Hyat-Khan : The Honourable member is referred to the reply given to question No. *3345.¹

Lala Duni Chand : Before the Honourable the Premier recommended to the Government of India to forge new fetters to repress India, did he notice any fact that would threaten any serious fall in recruitment?

SCHEDULED CASTES AND FORCED LABOUR.

***3368. Lala Duni Chand :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that all over the Punjab members of the scheduled castes are forced by the zamindars to give agricultural labour for nominal wages;

(b) if the answer to part (a) above be in the affirmative, how the Government contemplates to stop this practice?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): (a) No. But certain services are performed by members of the scheduled castes in return for customary dues paid by the landowners under conditions laid down in the *wajib-ul-arz*.

(b) Does not arise.

Lala Duni Chand: Is it within the knowledge of the honourable member that members of the scheduled castes receive nominal wages in the villages for the work done by them?

Parliamentary Secretary: I have already replied that to those members of the scheduled castes who are required by the landlords to serve compensation is paid under conditions laid down in the *wajib-ul-arz*.

INQUIRY INTO THE WORKING OF THE PUNJAB ALIENATION OF LAND ACT.

***3369. Lala Duni Chand**: Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the working of the Punjab Alienation of Land Act has been ordered to be investigated by the Punjab Government with a view to finding out whether the Act is helping big landlords to swallow up their small brethren and how far the process of expropriation of the land of small peasant proprietors by big landlords has gone;
- (b) if the answer to part (a) above be in the affirmative, the agency to which the investigation has been entrusted and the lines of investigation;
- (c) whether the Government will lay on the table of the House a copy of the resolution, communication or order issued on the subject;
- (d) the manner in which the non-official opinion is proposed to be ascertained on the subject?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): (a) No.

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

I should, however, like to inform the honourable member that investigations into the working of the Punjab Alienation of Land Act have been made previously through the Board of Economic Inquiry, Punjab, with a view to collecting material to enable Government to judge whether there was any truth in the allegation that large landowners belonging to agricultural tribes were making considerable additions to their estates at the expense of the small landowners of those tribes. The reports on those enquiries showed that the result of the Punjab Alienation of Land Act has not been to transfer land from small holders to large holders. In this connection attention of the honourable member is invited to the press *communiqué* issued on the subject recently which was published in the *Civil and Military Gazette* of 1st September, 1938, and also in other newspapers.

Lala Duni Chand : Does the Government accept the principle that the basis of the Punjab Alienation of Land Act should be the occupation of agriculture and not the caste to which a person might belong ?

Parliamentary Secretary : In view of the reply already given that Government after making enquiries are satisfied that the big landlords are not eating away these small holders after the passing of the Alienation of Land Act, I think this question does not arise.

Lala Duni Chand : May I ask the honourable member to confine himself to answering the question. That was not the answer you could give to my question. Does the Government accept the principle I have enunciated ?

Parliamentary Secretary : What principle ?

Dr. Sir Gokul Chand Narang : Will the honourable Parliamentary Secretary please define a big zamindar and a small zamindar ?

Parliamentary Secretary : I am afraid my honourable friend ought to know better. It is a matter of common sense to know who is a big landlord and who is a small landlord.

Dr. Sir Gokul Chand Narang : I want the definition of a small zamindar and that of a big zamindar as accepted by the honourable Parliamentary Secretary who has just answered the question. I have my own ideas but I want to know on what definition of a big zamindar and a small zamindar were the results based to which he has referred in his answer. I want to know his definition and not my own.

Parliamentary Secretary : I believe everybody holds his own definition and my honourable friend is welcome to hold his own.

Dr. Sir Gokul Chand Narang : What was the definition of a big zamindar and a small zamindar as adopted in the report to which he has referred ?

Parliamentary Secretary : It is difficult for anybody to define precisely what a big zamindar is and what a small zamindar is ; but my honourable friend knows it perfectly well that a big zamindar is distinct from a small zamindar.

Dr. Sir Gokul Chand Narang : Is it a fact that the definition adopted is that a zamindar who is paying more than a hundred rupees is a big landlord ?

Parliamentary Secretary : No, certainly not.

Dr. Sir Gokul Chand Narang : Are you sure ?

Parliamentary Secretary : I am absolutely sure.

Lala Duni Chand : Does the report referred to by the honourable member recommend that members of the scheduled castes should be given the right to acquire land ?

Parliamentary Secretary : This does not arise out of the question.

SARDAR JALWANT SINGH.

***3403. Chaudhri Kartar Singh :** Will the Honourable Premier be pleased to state whether Sardar Jalwant Singh, a Congress leader of Arifwala, has been interned within municipal limits of Arifwala ; if so, under what circumstances ?

The Honourable Major Sir Sikander Hyat-Khan : Jalwant Singh of Arifwala was served on 24th October 1938 with an order under Section 3, Punjab Criminal Law (Amendment) Act, 1935, restricting him to Chak No. 181/E. B., Montgomery district, for twelve months. This order was necessitated by the fact that Jalwant Singh had acted and was about to act in a manner prejudicial to the public safety and peace.

Chaudhri Kartar Singh : Is the Government aware that Sardar Jalwant Singh has neither any property nor any means of subsistence in that village ?

Chaudhri Kartar Singh : In view of the fact that he neither has any property in that village nor any means of subsistence, will Government consider the question of giving an allowance to Sardar Jalwant Singh ?

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Does the Government propose to consider his case for the grant of a jagir at the next selection for such grants ? (*Laughter*).

Chaudhri Kartar Singh : Will Government consider the advisability of transferring Sardar Jalwant Singh to Arifwala where he has some business and where he can find adequate means of subsistence ?

Chaudhri Kartar Singh : No answer is forthcoming from Government.

Premier : I have not heard the question.

SHORT NOTICE QUESTION AND ANSWER.

RELIEF TO CULTIVATORS ON SHAHPUR INUNDATION CANALS.

Khan Bahadur Raja Muhammad Akram Khan : Will the Honourable Minister of Revenue be pleased to state what action he has already taken to relieve distress amongst the cultivators on the Shahpur Inundation Canals consequent on these canals giving poor supply of water during the last kharif period and what further steps Government propose to take in the matter ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : In view of the early stoppage of supplies in the Shahpur Inundation Canals in the past few years Government gave a sympathetic consideration to the complaint of the cultivators on this canal about the *rabi* abiana rates being high and abolished the rauni rate last year. Government has reviewed the matter again this year and has reduced the *Rabi* water rates from Rs. 2-8-0 to Re. 1-8-0 per acre. Proposals are also under consideration for improving the supplies in these canals and maintaining them for a larger period than in the past years.

Diwan Chaman Lall : May I ask the Honourable Member whether he has, in his department, received hundreds and thousands of representations that the poor cultivators of that area have asked the Government to

[Diwan Chaman Lall.]

open up the new canal and which have never been considered merely because an Honourable Member sitting on the Treasury benches owns a parallel canal in that area?

Parliamentary Secretary : No such representation was received.

Diwan Chaman Lall : May I ask the Honourable Member to be careful to make necessary enquiries because I have evidence in my possession that documents have been sent to his department.

Diwan Chaman Lall : May I ask the Honourable Member whether he is aware of the fact that there was little water in that canal and suggest that the new canal in that area should be operated.

Parliamentary Secretary : I have not quite followed the honourable member.

Diwan Chaman Lall : I will make myself clear. There is a canal which the Government dug in that particular area and which cost the Government several lakhs of rupees. That canal has never been operated. Why, because there is a parallel canal owned by my honourable friend who is sitting on the Treasury benches and who charges 25 per cent. of the produce of the soil from the poor peasants for the benefit of giving water and because of the influence that those people carry in that area that canal never carried sufficient water. Is he prepared to operate it for the benefit of the poverty-stricken cultivators?

Minister (The Honourable Dr. Sir Sundar Singh Majithia) : I am afraid my honourable friend is not correct in what he has said. Water in inundation canals depends upon the supply of water in rivers. In winter the supply in rivers is short.

Diwan Chaman Lall : May I draw the attention of the Honourable Minister to the fact that he has not understood my question? My question is this. Is it a fact that there is a canal owned by the Government which has never been operated? Is it a fact that because it has not been operated during that particular period, during summer, there was shortage of water and that the inundation canal could not supply a sufficient amount of water which could have been supplied by the canal dug by the Government? Is it a fact that that canal has not been operated because there is a parallel canal owned by my honourable friend and which supplies water to those areas for which my honourable friend charges 25 per cent. of the total produce of the soil from those poor cultivators whom he is supposed to represent here?

Mr. Speaker : That is an argument.

UNSTARRED QUESTIONS AND ANSWERS.

RETIREMENT OF DEWAN RAM NATH, EXTRA ASSISTANT CONSERVATOR OF FORESTS.

468. Dr. Gopi Chand Bhargava : Will the Honourable Minister of Development be pleased to state—

- (a) the period of Government service and the pension rules applicable to the case of Dewan Ram Nath, Extra Assistant Conservator of Forests, who was prematurely retired in 1932 ;

- (b) the cause of his retirement ;
- (c) whether previous sanction of the Governor-General in Council is necessary in such cases of retirement and was taken in this case ; if so, the date of retirement and the date of such sanction ;
- (d) if it was taken after retirement whether it gives a retrospective effect to the sanction in this case ;
- (e) whether he was entitled to any compensation ; if so, whether it was given ; and if so, how much ;
- (f) whether the said official submitted any representation to Governor-General in Council through proper channel ; if so, whether it was forwarded ; if not, why not ?

The Honourable Chaudhri Sir Chhotu Ram : (a) *First Part.*—Twenty-eight years three months and twenty-two days.

Second part.—New pension rules.

(b) He was retired in pursuance of the general policy of retrenchment necessitated by the economic depression. Seven posts of the Provincial Forest Service cadre were brought under reduction.

(c) Yes ; he was retired on the 23rd July, 1932, and the sanction of the Governor-General in Council obtained on the 27th October, 1932.

(d) The action of the Punjab Government in reducing the seven posts of Provincial Forest Service cadre including the one held by Diwan R. N. Kashyap was confirmed by the Government of India, and in doing so they stated that the reduction might be deemed to have been made with their previous sanction.

(e) Was retired on compensation pension under article 426 of the Civil Service Regulations and was not entitled to any other compensation under the rules.

(f) Yes ; but it was withheld under the discretion vested in Punjab Government under rule 11 (6) of the Memorial Rules then applicable.

INTERNMENT OF UJAGAR SINGH, SON OF JAWALA SINGH.

469. Sardar Hari Singh : Will the Honourable Premier be pleased to state whether one Ujagar Singh, son of Jowala Singh, of village Khurda, thana Haryana, district Hoshiarpur, was recently interned in his village for one year ; if so, reasons for the same ?

The Honourable Major Sir Sikander Hyat-Khan : Ujagar Singh was proceeded against under section 110, Criminal Procedure Code for bad livelihood. He was unable to furnish the security demanded from him and applied to the court on the 28th October, 1937, for restriction to his village under the Habitual Offenders' Act. The court passed an order accordingly restricting him to his village for one year. This period has expired and Ujagar Singh is no more under restriction.

FAMINE CONDITIONS IN HISSAR DISTRICT.

470. Sardar Hari Singh : Will the Honourable Minister of Revenue be pleased to state whether the Government is aware of the prevalence of famine conditions in Hissar district ; if so, the nature of the gravity of the situation and action taken or proposed to be taken by the Government in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : The attention of the honourable member is invited to the three press notes* issued by Government on the 29th September, 1938, 5th October, 1938, and the 2nd November, 1938, on the subject-copy placed on the table.

ILL-TREATMENT OF SURAIN SINGH OF VILLAGE JHINGAN BY SUB-INSPECTOR OF POLICE, DASUYA.

471. Sardar Hari Singh : Will the Honourable Premier be pleased to state whether the Inspector-General of Police, Lahore, is in receipt of a registered representation, dated 31st August, 1938, from Surain Singh of village Jhingan Khurd, regarding his alleged ill-treatment at the hands of Sub-Inspector, Police, thana Dasuya ; if so, whether an inquiry has been instituted into the matter ; and if so, with what result ?

The Honourable Major Sir Sikander Hyat-Khan : I regret that the answer to this question is not yet ready.

DAMAGE TO CROPS BY HAILSTORMS IN SARGODHA.

472. Sardar Hari Singh : Will the Honourable Minister for Revenue be pleased to state whether there was a severe hailstorm at Sargodha on the night of September 21, resulting in damage to vegetables and other standing crops ; if so, the extent of damage reported and the steps proposed to be taken by Government to afford relief to the sufferers ?

The Honourable Dr. Sir Sundar Singh Majithia : Yes, there was an hailstorm which affected the following areas more or less :—

- (1) An area adjoining Sargodha city and including a number of gardens.
- (2) A small number of villages in the Shahpur tahsil.
- (3) A small number of villages in the Salt Range circle of the Khushab tahsil.

The area affected near Sargodha in two of the three sections damaged by the storm was 2,820 acres, abiana and land revenue have been remitted on 809 acres amounting to Rs. 595 and Rs. 226, respectively. The figures for the third section which is reported to be the worst damaged are not yet available. As soon as the full extent of the damage in this section and in the other damaged areas has been ascertained, remissions in Government dues, where found necessary, will be given under the rules.

*Kept in the Assembly Library.

UJAGAR SINGH OF VILLAGE KHURDAN.

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

(a) the reason why Ujagar Singh, son of Jawala Singh, of village Khurdan, thana Haryana, district Hoshiarpur, has been interned in his village and for what period ;

(b) whether it is further a fact that the said Ujagar Singh is placed on Register No. 10 of the Police ; if so, for what reasons ?

The Honourable Major Sir Sikander Hyat-Khan : (a) The attention of the honourable member is invited to the answer to question No. 469¹ asked by him ;

(b) It is not in the public interest to reply to this question.

REPRESENTATION AGAINST MONOPLY SYSTEM OF VEHICLES ON REWAT-BASAL ROAD, RAWALPINDI DISTRICT.

474. Sardar Hari Singh : Will the Honourable Minister of Public Works be pleased to state—

(a) whether it is a fact that a representation, dated 28rd August, 1938, has been addressed to the Punjab Premier by people of 24 villages regarding the monopoly system of running vehicles on Rewat-Basal Road, district Rawalpindi ; if so, substance of the same ;

(b) action proposed to be taken in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes. (The date, as it appears on the printed copies, is the 17th July). The representation contains complaints of over-charging and the like against the person who at present has the monopoly of operating public motor vehicles on the road mentioned.

(b) Instructions have been issued to ensure that on expiry of the current agreement with the monopolist at the beginning of next year an element of competition shall be introduced.

REPRESENTATION REGARDING EARLY CLOSURE OF CHUNG TRAVARRI CANAL.

475. Mian Sultan Mahmud Hotiana : Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that about fifty-two villages in tahsil Karnal are irrigated by the inundation canal named Chung Travarri ;

(b) whether it is a fact that previously the said inundation canal supplied water up to the 16th of October ;

(c) whether it is a fact that this year the water-supply was stopped before 20th September ;

[Mian Sultan Mahmud Hotiana.]

- (d) whether he and the Honourable Premier received any representation from the zamindars whose lands are irrigated by the said canal against the above irregularity and whether a deputation of the zamindars requested the Deputy Commissioner, Karnal, that the water-supply should continue up to 16th October ; if so, the action taken in the matter ?

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

(b) No. Only on one occasion has it been allowed to run after September 30th.

(c) No. Supply was stopped on 22nd September.

(d) Yes. On receipt of the representation supply was given from 8th to 17th October as a special concession to mature the standing rice crop.

OUTLET OF JHAKOLI RAJBAB ON R. D. NO. 3411, TAHSIL KAITHAL.

476. Mian Sultan Mahmud Hotiana : Will the Honourable Minister for Revenue be pleased to state whether it is a fact that outlet of Jhakoli Rajbah on R. D. No. 3411 which used to irrigate a large area of lands of village Harbu in tahsil Kaithal has been permanently closed ; if so, reasons therefor, and the action the Government intends to take to provide for the irrigation of the said lands ?

The Honourable Dr. Sir Sundar Singh Majithia : No. The outlet has not yet been permanently closed. As the outlet has a very small discharge the transfer of its area to another outlet as requested for by some shareholders is under consideration.

EARLY CLOSURE OF CHUNG TRAVARRI CANAL IN KARNAL DISTRICT.

477. Mian Sultan Mahmud Hotiana : Will the Honourable Minister of Revenue be pleased to state whether he is aware of the fact that on account of the early closure of Chung Travarri Canal in Karnal district crops of many zamindars have been ruined ; if so, the steps the Government proposes to take to give relief to the zamindars who have suffered loss on account of the said closure ?

The Honourable Dr. Sir Sundar Singh Majithia : Chautang Feeder is entitled to water from the Western Jumna Canal only when it is surplus to the requirements of the areas on the latter. On account of the early fall in river supplies the Chautang System was closed earlier but was re-opened for 10 days in October to mature the rice crop.

VICE-CHANCELLOR OF THE PUNJAB UNIVERSITY.

478. Chaudhri Krishna Gopal Dutt : Will the Honourable Minister of Education be pleased to state—

(a) the names of all the gentlemen who had applied for the post of Vice-Chancellor of the Punjab University ;

(b) whether the recent appointment of the Vice-Chancellor of the Punjab University was made at the recommendation, or with the consent of the Punjab Council of Ministers ?

The Honourable Mian Abdul Haye : The appointment of Vice-Chancellor is made by His Excellency the Chancellor by virtue of the powers vested in him under section 5 (1) of Act No. XIX of 1882 (An act to establish and incorporate the University of the Punjab). The Ministry as such has no responsibility in the matter.

VILLAGE SUDHAR COMMITTEES.

479. Chaudhri Jugal Kishore : Will the Honourable Minister of Development be pleased to lay a statement on the table of the House indicating the number of members of the village Sudhar Committees in each district of the province and also showing the number of Hindu, Muslim, Christian and scheduled castes members of each committee, apart from members of the Assembly and district authorities serving on the above-mentioned committees ?

The Honourable Chaudhri Sir Chhotu Ram : I regret that the answer to this question is not yet ready.

DEPUTY DIRECTORS OF AGRICULTURE.

480. Khan Bahadur Chaudhri Riasat Ali : Will the Honourable Minister of Development be pleased to state—

- (a) the number of Deputy Directors of Agriculture in the Agricultural Department in the Punjab ;
- (b) the grades of their pay ;
- (c) the number of circles and the names of their headquarters ;
- (d) the nature of their duties ;
- (e) the number of farms in each circle ;
- (f) the number of Extra Assistant Directors under each of these officers ?

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

(b) Four are on the Indian Agricultural Service time scale of Rs. 350—50—550 (2 years)—50—650/50—800 (2 years)—50—1,250.

One is on the old Class I, Punjab Agricultural service, scale of Rs. 360—40—720/40—800—50—1,000 (2 years)—50—1,150.

One is on the revised Class I Punjab Agricultural Service scale of Rs. 300—25—700/30—1,000.

(c) There are seven circles of Deputy Directors of Agriculture, and their headquarters are at (1) Gurdaspur, (2) Hansi, (3) Lyalpur, (4) Montgomery, (5) Rawalpindi, (6) Jullundur and (7) Multan.

(d) The main duties of the Deputy Directors of Agriculture are :—Research on crops, administration and propaganda work connected with the introduction of better farming ; demonstration of improved methods of cultivating the soil ; the use of improved seeds and implements ; the control of insect pests and disease ; other measures calculated to improve agricultural practice in the province.

(e) A statement giving the required information is laid on the table.

[Development Minister.]

(f) The number of Extra Assistant Directors of Agriculture under each Deputy Director of Agriculture is as follows :—

Gurdaspur..	..	..	..	..	2
Hansi ..	..	..	..	..	3
Lyallpur ..	..	..	..	..	1
Montgomery	..	..	..	..	1
Rawalpindi	..	..	..	..	2
Jullundur ..	..	..	..	..	3
Multan ..	..	..	..	..	2

Statement showing the number of farms in each circle.

Circle.	Experimental.	Seed.	District.	Other Farms.	Total.	REMARKS.
1	2	3	4	5	6	7
Gurdaspur ..	1	..	3	..	4	
Hansi ..	1	..	3	2 { (1) Sirsa Botanical Research Sub-Station. (2) Rohtak Dry Farming Research Sub-Station.	6	
Lyallpur ..	1	1	1	1 Rice Farm, Kala Shah Kaku.	4	
Montgomery ..	1	3	..	..	4	
Rawalpindi ..	1	3	3	..	7	
Jullundur ..	1	..	2	..	3	
Multan ..	1 and seed combin- ed.	1	..	..	2	
Total ..	7	8	12	3	30	

AGRICULTURAL FARMS.

431. **Khan Bahadur Chaudhri Riasat Ali :** Will the Honourable Minister of Development be pleased to state—

- the districts in which agricultural farms "C class" are established in the province ;
- the annual expenditure on each of them and income from it, if any ;

- (c) the dates on which such farms were established in the Lahore division ;
 (d) the total strength of staff in the farms mentioned in (c) above ;
 (e) the area attached to each farm in the Lahore division ;
 (f) the area given on lease in the case of each of the farms in the Lahore division ?

The Honourable Chaudhri Sir Chhotu Ram : Presumably by "C class" farms, district farms are meant. If so, a statement showing the required information is laid on the table. The figures of income and expenditure shown are for the financial year 1937-38.

Statement giving information regarding Agricultural Farms.

	Districts in which "C Class" farms viz., district farms are estab- lished in the pro- vince.	*ANNUAL EX- PENDITURE *AND INCOME.		Dates on which such farms were estab- lished in the Lahore Division.	Total strength of staff in the farms in the Lahore Division.	Area attached to each farm in the Lahore Division.	Area given on lease in the case of each of the farms in the Lahore Division.
		Expenditure.	Income.				
	(a)	(b)		(c)	(d)	(e)	(f)
		Rs.	Rs.			Acres.	Acres.
1	Amritsar :—						
	Attari farm ..	3,534	1,340	Septem- ber, 1929.	Mukaddam .. 1 Engine driver 1 Mali .. 1 Beldars .. 6 Total .. 9	101	11
	Beas farm ..	8	205	April, 1921.	..	36	28
2	Gujranwala ..	3,115	1,280	Septem- ber, 1927.	Mukaddam .. 1 Mali .. 1 Beldars .. 8 Total .. 10	107	42
3	Gurgaon ..	508	927				
4	Ambala ..	392	1,025				
5	Karnal ..	5,111	1,765				
6	Jhang ..	87	1,009				
7	Gujrat ..	192	352				
8	Campbellpur ..	2,181	373				
9	Mianwali ..	436	865				
10	Ludhiana ..	2,975	812				
11	Ferozepore ..	1,561	1,734				

*The figures relate to the year 1937-38.

AGRICULTURAL FARM AT GUJRANWALA.

482. Khan Bahadur Chaudhri Riasat Ali : Will the Honourable Minister of Development be pleased to state—

- (a) the total amount of improved seed sold by the agricultural farm at Gujranwala during the year 1937-38 ;
- (b) the total income by such sale ;
- (c) the total number of visits paid by the Agricultural Assistants attached to the said farm during the said year to the various villages and the nature of such visits ;
- (d) whether there is any garden attached to this farm ; if so, whether improved species of nurseries are sold to the public ;
- (e) the number of plants of each species sold in the year 1937 ;
- (f) the total number of demonstrations of improved methods of agriculture given during the said year outside the farm ;
- (g) the nature of such demonstrations ;
- (h) the number of *mukaddams* and *beldars* attached to the farm ;
- (i) the means of irrigation and the number of cattle maintained for the work ;
- (j) the price of the manure used during the said year ?

The Honourable Chaudhri Sir Chhotu Ram : (a) Wheat 441 maunds.

Sugarcane crop of 3 kanals.

(b) Rs. 449 were received from the sale of Government share of the above seeds.

(c) 221. Such visits were in connection with—

- (1) Holding of shows, exhibitions, and produce competitions ;
 - (2) Purchase, distribution of improved seeds, recovery of dues from commission agents and checking their accounts ;
 - (3) Crop cutting experiments ;
 - (4) Control of crop pests and other diseases, and estimates of damage caused to crops by natural calamities ;
 - (5) Propaganda for improved methods of agriculture, improved seeds and implements ;
 - (6) Rural development work ;
 - (7) Attendance at various meetings and formation of village farmers' associations ;
 - (8) Selection and inspection of demonstration plots.
- (d) (1) Yes.
(2) Yes.

(e) Malta blood red	610
Malta Valencia late	17
Malta pine apple	2
Sangtra	58
Lemon Eureka	224
Sweet Lime	58
Grape Fruit	2
Pomelo	2
Grape Vine (Sultana)	281
Grape Vine (Muscat)	197
Grape Vine (black prince)	401
Rose	20

(f) 198.

(g) Demonstration of improved varieties of crops, improved methods of sowing, working of improved implements, control measures of various insects and pests, and improved methods of gur making.

(h) Mukaddam	1
Beldars	8

(i) Well irrigation. Lifting of water is done by two camels and in addition the bullocks at the farm maintained for cultivation purposes are also utilised whenever required. There are five pairs of bullocks for the farm and one pair for the garden and nursery work.

(j) Rs. 360 inclusive of Rs. 275 on account of the cost of manure applied to the garden and nursery and paid out of the Government of India grant for rural reconstruction.

TRAVELLING ALLOWANCES DRAWN BY M. L. AS.

483. Chaudhri Nasir-ud-din: Will the Honourable Premier be pleased to lay on the table a statement showing the total amount of travelling allowance which (including daily and subsistence) each of the Assembly members (excluding the Honourable Ministers) has drawn from 1st April, 1937, to 31st October, 1938?

The Honourable Major Sir Sikander Hyat-Khan: The statement is laid on the table.

Statement showing the total amount of travelling allowance, etc., which each of the Assembly members has drawn from 1st April, 1937 to 31st October, 1938.

NAME.	Rs.	A.	P.
1. Abdul Aziz, Mian	3,019	14	0
2. Abdul Hamid Khan, Sufi	3,895	8	0
3. Abdul Haye, The Honourable Mian			
4. Abdul Rab, Mian	3,797	8	0
5. Abdul Rahim, Chaudhri (Gurdaspur)	3,809	9	0
6. Abdul Rahim, Chaudhri (Gurgaon)	5,639	8	8
7. Afzalali Hasni, Sayed	4,753	13	0
8. Ahmed Yar Khan Daulatana, Khan Bahadur Mian	3,166	14	0
9. Ahmed Yar Khan, Chaudhri	2,688	8	0
10. Ajit Singh, Sardar	4,435	12	0
11. Akbar Ali, Pir	5,208	6	0
12. Ali Akbar, Chaudhri	3,637	13	0
13. Allah Baksh Khan, Khan Bahadur Nawab Malik	1,358	5	0
14. Amjad Ali Shah, Sayed	3,345	8	0

[Premier.]

NAME.	Rs.	A.	P.
15. Anant Ram, Chaudhri	5,324	15	0
16. Ashiq Hussain, Captain	3,477	5	0
17. Badar Mohy-ud-Din Qadri, Mian ..	2,722	7	0
18. Balbir Singh, Rao Bahadur Captain Rao ..	6,401	10	0
19. Baldev Singh, Sardar	1,687	5	0
20. Balwant Singh, Sardar	3,791	1	0
21. Barkat Ali, Malik	2,769	12	0
22. Bhagat Ram Choda, Lala	4,058	3	0
23. Bhagat Ram Sharma, Pandit	4,664	1	0
24. Bhagwant Singh, Rai	2,950	9	0
25. Bhim Sen Sachar, Lala	3,099	6	0
26. Bindra Saran, Rai Bahadur	4,551	6	0
27. Chaman Lal, Diwan	3,175	0	0
28. Chanan Singh, Sardar	4,175	1	0
29. Chhotu Ram, The Honourable Chaudhri Sir ..			
30. Dasundha Singh, Sardar	1,525	1	0
31. Deshbandhu Gupta, Lala	2,775	12	0
31-A. Dev Raj Sethi, Mr.	1,002	13	0
32. Dina Nath, Captain	3,242	4	0
33. Duni Chand, Lala	3,733	15	0
34. Duni Chand, Mrs.	2,052	5	0
35. Faiz Muhammad, Khan, Rai	2,833	14	0
36. Faiz Muhammad, Shaikh	4,147	14	0
37. Faqir Chand, Chaudhri	4,453	2	0
38. Faqir Hussain Khan, Chaudhri	4,119	14	0
39. Farman Ali Khan, Subedar Major Raja ..	3,584	15	0
40. Fateh Jang Singh, 2nd Lieutenant Bhai ..	2,257	2	0
41. Fateh Khan, Khan Sahib Raja	4,268	10	0
42. Fateh Muhammad, Mian	3,297	14	0
43. Fateh Sher Khan, Malik	3,864	5	0
44. Fazl Ali, Khan Bahadur Nawab Chaudhri ..	3,187	11	0
45. Fazal Din, Khan Sahib Chaudhri	3,537	12	0
46. Fazal Karim Bakhsh, Mian	3,985	4	0
47. Few, Mr. E.	3,107	0	0
48. Gauba, Mr. K. L.	2,310	14	0
49. Ghazanfar Ali Khan, Raja	3,771	8	0
50. Ghulam Hussain, Khawaja	3,091	6	0
51. Ghulam Mohy-ud-Din, Maulvi	4,282	1	0
52. Ghulam Qadir Khan, Khan Bahadur	1,498	10	0
53. Ghulam Rasool, Chaudhri	3,846	2	0
54. Ghulam Samad, Khawaja	3,913	5	0
55. Girdhari Das, Mahant	2,799	5	0
56. Gokul Chand Narang, Dr. Sir	3,075	13	0
57. Gopal Das, Rai Bahadur, Lala	2,729	13	0
58. Gopal Singh (American), Sardar	3,745	10	0
59. Gopi Chand Bhargava, Dr.	2,953	5	0
60. Gurbachan Singh, Sardar Sahib Sardar ..	3,146	0	0
61. Habib Ullah Khan, Malik	3,927	11	0
62. Haibat Khan Daba, Khan	3,454	9	0
63. Hans Raj, Bhagat	4,398	5	0
64. Hari Chand, Rai	4,124	14	0
65. Hari Lal, Munshi	2,325	15	0
66. Hari Singh, Sardar	3,538	14	0
67. Harjab Singh, Sardar	4,013	6	0
68. Harnam Das, Lala	4,261	8	0
69. Harnam Singh, Captain Sodhi	3,947	11	0
70. Het Ram, Rai Sahib Chaudhri	4,277	5	0
71. Indar Singh, Sardar	3,749	9	0
72. Jafar Ali Khan, M.	950	15	0
73. Jagjit Singh Bedi, Tikka	6,892	6	0
74. Jagjit Singh Man, Sardar	3,450	9	0
75. Jalal-ud-Din Amber, Chaudhri	3,769	12	0
76. Jogindar Singh, Man, Sardar	3,577	12	0
77. Jugal Kishore, Chaudhri	4,247	3	0
78. Kabul Singh, Master	4,059	1	0
79. Kapoor Singh, Sardar	4,058	7	0

	NAME.	RS.	A.	P.
80.	Karamat Ali, Shaikh	4,328	5	0
81.	Kartar Singh, Chaudhri	4,407	8	0
82.	Kartar Singh, Sardar	4,125	5	0
83.	Khizar Hayat Khan Tiwana, The Honourable Nawab-zada Major.			
84.	Kishan Das, Seth	3,910	6	0
85.	Kishan Singh, Sardar	2,547	7	0
86.	Krishna Gopal Dutt, Chaudhri	2,165	2	0
87.	Lal Singh, Sardar	3,512	9	0
88.	Manohar Lal, The Honourable Mr.			
89.	Maqbool Mahmood, Mir	3,636	3	0
90.	Mazhar Ali Azhar, Maulvi	1,046	1	0
91.	Mohy-ud-Din Lal Badshah, Pir	926	9	0
92.	Mubarik Ali Shah, Sayed	3,834	2	0
93.	Muhammad Abdul Rahman Khan, Chaudhri	3,903	5	0
94.	Muhammad Akram Khan, Khan Bahadur Raja	3,535	14	0
95.	Muhammad Alam, Dr. Shaikh	1,546	14	0
96.	Muhammad Ashraf, Chaudhri	3,904	4	0
97.	Muhammad Azam Khan, Sardar	2,406	3	0
98.	Muhammad Faiyaz Ali Khan, Nawabzada	3,042	2	0
99.	Muhammad Hassan, Chaudhri	3,834	11	0
100.	Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar	3,403	1	0
101.	Muhammad Hassan, Khan Bahadur Makhdom Sayad	1,895	9	0
102.	Muhammad Hayat Khan Noon, Nawab Malik Sir	3,155	12	0
103.	Muhammad Hussain, Sardar	3,911	10	0
104.	Muhammad Hussain, Chaudhri	2,987	9	0
105.	Muhammad Iftikhar-ud-Din, Mian	2,325	15	0
106.	Muhammad Jamal Khan Leghari, Nawab Sir	1,437	13	0
107.	Muhammad Nawab Khan, Major Sardar	2,320	4	0
108.	Muhammad Nurullah, Mian	2,743	14	0
108-A.	Muhammad Qasim, Chaudhri	519	2	0
109.	Muhammad Reza Shah Jeelani, Makhdomzada Haji Sayed.	4,282	1	0
110.	Muhammad Saadat Ali Khan, Khan Sahib Khan	3,675	6	0
111.	Muhammad Sadiq, Shaikh	1,009	14	0
112.	Muhammad Sarfraz Khan, Chaudhri	3,832	9	0
113.	Muhammad Sarfraz Khan, Raja	3,735	7	0
114.	Muhammad Shafi Ali Khan, Khan Sahib Chaudhri	4,178	12	0
115.	Muhammad Wilayat Hussain Jeelani, Makhdomzada Haji Sayed.	4,651	4	0
116.	Muhammad Yasin Khan, Chaudhri	4,566	1	0
117.	Muhammad Yusuf Khan, Khan	4,615	10	0
118.	Mukand Lal Puri, Rai Bahadur Mr.	3,479	15	0
119.	Mula Singh, Sardar	4,183	15	0
120.	Muni Lal Kalra, Pandit	4,082	12	0
121.	Mushtaq Ahmad Gurmiani, Khan Bahadur Mian	3,993	5	0
122.	Muzaffar Ali Khan Qizilbash, Sardar	2,698	12	0
123.	Muzaffar Khan, Khan Bahadur Captain Malik	3,447	11	0
124.	Muzaffar Khan, Khan Bahadur Nawab	5,834	4	0
125.	Narendra Nath, Diwan Bahadur Raja	3,160	12	0
126.	Nasir-ud-Din, Chaudhri	3,428	2	0
127.	Nasir-ud-Din, Shah, Pir	2,114	4	0
128.	Nasrullah Khan, Rana	3,354	6	0
129.	Naunihal Singh Mann, Lieutenant Sardar	3,239	12	0
130.	Nawazish Ali Shah, Sayed	3,593	10	0
131.	Nur Ahmad Khan, Khan Sahib Mian	3,780	5	0
132.	Partab Singh, Sardar	3,774	10	0
133.	Pir Muhammad, Khan Sahib Chaudhri	3,126	8	0
134.	Prem Singh, Chaudhri	4,833	10	0
135.	Prem Singh, Mahant	4,087	12	0
136.	Pritam Singh Sidhu, Sardar	3,876	12	0
137.	Raghuir Kaur, Shrimati	4,122	14	0
138.	Ram Sarup, Chaudhri	4,616	3	0
139.	Ranpat Singh, Chaudhri	4,326	4	0
140.	Rashida Latif Baji, Begum	2,753	10	0
141.	Risat Ali, Khan Bahadur Chaudhri	5,827	15	0
142.	Ripudaman Singh, Thakur	3,386	13	0

	NAME.	RS.	A.	P.
143.	Roberts, Sir William	2,666	12	0
144.	Rur Singh, Sardar	3,936	14	0
145.	Sahib Dad Khan, Khan Sahib Chaudhri	3,781	0	0
146.	Sahib Ram, Chaudhri	1,984	11	0
147.	Sampuran Singh, Sardar	4,111	13	0
148.	Santokh Singh, Sardar Sahib Sardar	1,385	6	0
149.	Sant Ram Seth, Dr.	3,635	15	0
150.	Satya Pal, Dr.	1,010	7	0
151.	Shahadat Khan, Khan Sahib Rai	3,494	14	0
152.	Shah Nawaz, Mrs. J. A.	3,081	0	0
153.	Shah Nawaz Khan, Nawab Khan	2,592	9	0
154.	Sham Lal, Rai Bahadur Chaudhri	3,890	13	0
155.	Shri Ram Sharma, Pandit	4,208	12	0
156.	Sikander Hayt-Khan, The Honourable Major Sir			
157.	Singha, Mr. S. P.	4,167	15	0
158.	Sita Ram, Lala	2,770	14	0
159.	Sobal Lal, Rai Sahib Lala	1,292	7	0
160.	Sohan Singh Josh, Sardar	4,035	10	0
161.	Sudarshan, Seth	3,919	12	0
162.	Sultan Mahmood Hotiana, Mian	3,940	12	0
163.	Sumer Singh, Chaudhri	5,150	5	0
164.	Sunder Singh Majithia, The Honourable Dr. Sir			
165.	Suraj Mal, Chaudhri	5,559	6	0
166.	Talib Hussain Khan, Khan	3,768	15	0
167.	Tara Singh, Sardar	3,664	2	0
168.	Teja Singh, Sardar			
169.	Tika Ram, Chaudhri	2,971	13	0
170.	Ujjal Singh, Sardar Bahadur Sardar	4,250	6	0
171.	Uttam Singh Dugal, Sardar	2,426	3	0
172.	Wali Muhammad Sayyal Hiraj, Sardar	2,824	8	0

Ex-members of the Legislative Assembly.

	NAME.	RS.	A.	P.
1.	Mr. Ahmad Baksh Khan	989	10	0
2.	Rai Sahib Lala Atma Ram	992	8	0
3.	Rai Bahadur Sardar Basakha Singh	855	10	0
4.	Mr. C. Rai	665	7	0
5.	Khawaja Ghulam Murtaza	251	12	0
6.	Chaudhri Jahangir Khan	2,539	5	0
7.	Sardar Narotam Singh	1,180	5	0
8.	Mrs. Parbati Jai Chand	563	1	0
9.	Seth Ram Narain Virmani	1,864	0	0
10.	Dr. Saif-ud-Din Kitchlew	715	10	0
11.	Lala Shiv Dyal	192	5	0
12.	Chaudhri Umar Hayat Khan	1,359	3	0

EXPLANATION BY KHAWAJA MUHAMMAD AZAM OF LUDHIANA.

484. Sardar Hari Singh : Will the Honourable Minister of Public Works be pleased to state—

(a) whether it is a fact that the Deputy Commissioner of Ludhiana sent a memorandum No. 1758-L.F.E., dated 4th March, 1938, to Khawaja Muhammad Azam, member, municipal committee, Ludhiana, calling upon him to tender an explanation in writing in regard to two charges of alleged utterances by him of certain expressions after the general meeting of the said municipal committee, on 27th April, 1937, and in its meeting held on 15th May, 1937 ;

- (b) if answer to (a) above be in the affirmative, the exact words used by Khawaja Muhammad Azam ;
- (c) the explanation, if any, tendered by the said Khawaja Muhammad Azam ;
- (d) whether it is further a fact that the said Khawaja Muhammad Azam has been removed from membership of the municipal committee under orders of the Local Government dated 22nd June, 1938 ;
- (e) if answer to (d) above be in the affirmative, the grounds on which and the section under which the said action has been taken ;
- (f) whether before issuing the said order, the Government had consulted its legal adviser as to the legality and the constitutionality of its action in the matter ;
- (g) whether he will lay copies of the documents referred to in (a), (c) and (d) above on the table of the House ?

The Honourable Nawabzada Major Malik Khizar Hyat Khan :

Tiwana: (a) Yes.

(b) The expressions used were defamatory and not fit to be repeated.

(c) A lengthy explanation was given by Khawaja Muhammad Azam ;

(d) and (e) He was removed under section 16 (1) (e) of the Punjab Municipal Act, 1911, for having flagrantly abused his position as a member,—*vide* Punjab Government Notification No. 1563-G-38/22135, dated the 22nd June, 1938.

(f) Yes.

(g) In the public interest, Government are not prepared to lay these documents on the table.

PETITION-WRITERS.

485. Pir Akbar Ali : Will the Honourable Minister of Finance be pleased to state—

- (a) the number of petition-writers in each district of the Punjab community-wise ;
- (b) whether there are any communities which have not their due share in this branch of administration ; if so, what steps have so far been taken by the Government to make up any such deficiency ; if no steps have so far been taken in this direction, reasons for the same ?

The Honourable Mr. Manohar Lal : (a) The most recent printed list of petition-writers in the Punjab is laid on the table.

(b) Petition-writers are not Government servants but are licensed to practise under rules issued by the High Court.

**POPULATION OF GONDAL COMMUNITY AND THEIR NUMBER IN VARIOUS
CADRES RANGING FROM PATWARSHIP TO EXTRA ASSISTANT
COMMISSIONERSHIP.**

486. Chaudhri Ahmad Yar Khan : Will the Honourable Minister of Revenue be pleased to state—

- (a) the population of the Gondal community in the Gujrat and Shahpur districts ;
- (b) the number of Matric., F. A., and B.A. Gondals in the above-named districts ;
- (c) the number of Gondals in the various cadres of the Revenue Department ranging from Patwarship to Extra Assistant Commissionership ;
- (d) if the Gondals are inadequately represented in the cadres mentioned in (a) and are generally very backward, the steps Government propose to take to give them proper representation and ameliorate their condition ?

The Honourable Dr. Sir Sundar Singh Majithia : The amount of time and labour involved in the collection of information sought, will not be commensurate with the advantages to be gained and Government, therefore, regrets that it is not prepared to undertake the enquiry.

**VERIFICATION OF NOTIFIED AGRICULTURISTS BY APPOINTING AUTHORITIES
IN VARIOUS GOVERNMENT DEPARTMENTS.**

487. Khan Sahib Chaudhri Fazal Din : Will the Honourable Premier be pleased to state whether the appointing authorities in the various Government Departments while making appointments verify in the case of applicants claiming to be notified agriculturists that they are really so ; if not, reasons therefor, and the steps the Government propose to take in this connection ?

The Honourable Major Sir Sikander Hyat-Khan : The honourable member is referred to the reply given to starred question No. 1846¹ put by Mian Abdul Aziz on 1st March, 1938.

**AUCTION OF LORRY STANDS BY BUREWALA, VIHARI, KHANEWAL AND MIAN
CHANNU NOTIFIED AREAS AND MUNICIPAL COMMITTEES.**

488. Sardar Hari Singh : Will the Honourable Minister of Public Works be pleased to state—

- (a) the time since when Burewala, Vihari, Khanewal and Mian Channu notified areas and municipal committees in Multan district have been auctioning motor lorry stands, respectively ;

- (b) the total amount realized by each of the above-mentioned local bodies by auction during that time separately for each year ;
- (c) the amount spent by each of the above-mentioned local bodies each year for providing facilities such as shed, light, waiting room and water, etc., to the travelling public and motor lorry owners and drivers ;
- (d) the fees charged by each of the contractors from motor lorries parking in the lorry stands of the said notified areas and committees for picking up passengers, per trip ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The required information is supplied in the appended statement.

[Minister for Public Works.]

Statement.

1	2	3	4	5	6
Name of the Local Body.	Approximate date on which the stand was first auctioned [part (a)].	Amount realised each year from the auctioning of the lorry stand [part (b)].	Amount spent on providing facilities at the lorry stand. [Part (c)].	Fees charged by the contractors for use of the lorry stand [part (d)].	REMARKS.
BUREWALA ..	1929-1930 ..	Rs. A. P.		Re. 0-0-6 per passenger.	
		1929-30 ..	1931-32 ..		
		1930-31 ..	1936-37 ..		
		1931-32 ..	1937-38 ..		
		1932-33 ..	1938-39 ..		
		1933-34 ..			
		1934-35 ..			
VIHARI ..	1931-32 ..	1935-36 ..		Re. 0-10-0 per lorry per trip.	
		1936-37 ..			
		1937-38 ..			
		1938-39 ..			
		1931-32 ..	1937-38 ..		

1932-33	..	580 0 0	The Committee also incurs expenditure in connection with the provision of light and a sweeper, etc., at the stand. No separate account is kept of this expenditure.	*1936-37	Rs. 2,373 on providing a shelter. Rs. 39 on the construction of a platform.	2 ton lorries Re. 0-12-0 per trip 14 ton lorries Re. 0-10-0 per trip. 1 ton lorries Re. 0-3-0 per trip. 3 ton lorries Re. 0-6-0 per trip, motor car Re. 0-3-0 per trip.	*These figures relate to the stand which is used by both lorries and tongas.
1933-34	..	470 0 0					
1934-35	..	1,300 0 0					
1935-36	..	885 0 0					
1936-37	..	3,000 0 0					
1937-38	..	1,715 0 0					
1938-39	..	2,027 8 0					
*1929-30	..	207 0 0					
1930-31	..	830 0 0					
1931-32	..	918 0 0					
1932-33	..	825 0 0					
1933-34	..	600 0 0					
1934-35	..	805 0 0					
1935-36	..	1,175 0 0					
1936-37	..	1,200 0 0					
1937-38	..	1,000 0 0					
1938-39	..	900 0 0					
1st November, 1929							
			The Committee also incurs annual expenditure of Rs. 156 in connection with the maintenance of a gas lamp at the stand.				

MIAN CHANNUN

[Minister for Public Works.]

Statement—concl.

1	2	3	4	5	6
Name of the Local Body.	Approximate date on which the stand was first auctioned [part (a)].	Amount realised each year from the auctioning of the lorry stand [part (b)].	Amount spent on providing facilities at the lorry stand [part (c)].	Fees charged by the contractors for use of the lorry stand [part (d)].	REMARKS.
KHANEWAL ..	June, 1930 ..	Rs. A. P.	Rs. A. P.		
		* 1930-31 ..	437 10 0	1931-32 ..	
		1931-32 ..	1,452 0 0	1934-35 ..	
		1932-33 ..	960 0 0		
		1933-34 ..	1,560 0 0		
		1934-35 ..	660 0 0		
		1935-36 ..	960 0 0		
		1936-37 ..	2,304 0 0		
		1937-38 ..	2,160 0 0		
		1938-39 ..	3,120 0 0		
			Separate figures showing the amount spent on providing a water tap at the stand are not available.		
				Re. 0-10-0 per lorry of 1½ and 2 tons and Re. 0-8-0 per lorry of 1 ton for a period of 12 hours or less.	* These figures cover both the lorry and bullock-cart stands which are auctioned together.

MOTOR LORRY STAND AT VIHARI.

489. Sardar Hari Singh : Will the Honourable Minister of Public Works be pleased to state whether it is a fact that—

- (a) motor lorry stand at Vihari was auctioned at Rs. 8,815 this year as compared with Rs. 1,700 of the last year ;
- (b) the Punjab Motor Union severely criticised the action of Vihari notified area for auctioning the *adda* at such a heavy sum and the attitude of the contractor and his agent in harassing the motor drivers for the purpose of collecting fees ;
- (c) whether the matter has been brought to the notice of the Government ; if so, the action taken ?

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

(b) The case of the Vehari stand was one of those mentioned in the general representation of the Punjab Motor Union, dated the 30th April, 1938, to which a reference was made in the reply to the honourable member's question *2776.¹ No complaint was made in regard to the conduct of the contractor and his agents.

(c) A statement showing the action taken on the Union's general complaint is being supplied to the honourable member in answer to one of his later questions. .

**CHECKING OF LOCAL BODIES' RECEIPTS FROM AND EXPENDITURE
ON LORRY STANDS BY THE DEPUTY COMMISSIONER,
MULTAN.**

490. Sardar Hari Singh : Will the Honourable Minister of Public Works be pleased to state whether it is a fact that the Punjab Government, under letter No. 6877-H.-37/37180, dated 29th October, 1937, instructed the deputy commissioners of the Province to check the local bodies' receipts from and expenditure on motor lorry stands ; if so, the action taken by the Deputy Commissioner, Multan, in his district ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : Yes. Enquiries made by the Deputy Commissioner, Multan, indicate that so far as Multan City is concerned the expenditure that will have been incurred by the local body by the end of this financial year will greatly exceed the total receipts. As regards the other local bodies in the district he is examining the position.

JOURNEY ALLOWANCES DRAWN BY MINISTERS.

Mr. Speaker : Sardar Hari Singh has given the following notice under rule 12 (b) of the Rules :—

I hereby give notice of my intention to ask for leave of the House under rule 12 (b) to raise a debate for half an hour on the subject of started question No. 3347² put by me to-day.

I want to know whether the honourable member has the leave of the House ?

(Leave was not given).

¹Vol. V, page 169.

² Page 13 ante.

PRIVILEGE MOTIONS.

TREATMENT OF M. MUHAMMAD IFTIKHAR-UD-DIN BY CUSTOMS OFFICIALS
AT BOMBAY.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) (*Urdu*): Sir, let me bring a very serious matter to your notice and that is that on his return from England, Mian Muhammad Iftikhar-ud-Din, an honourable member of this House and the Secretary to the Congress Party here, was subjected to insult by the Customs Department at Bombay so much so that even his person was completely searched. The officials did not even spare his wife and children. I know that the ready made answer to this would be that the Punjab Government is helpless in this matter. That is true. But this disgrace should not go unnoticed. No doubt it is an affair of the Central Government. But the Provincial Government has every right to bring such objectionable matters to the notice of the Central Government. I believe the Honourable Premier knows full well that when passengers alight on the soil at Bombay only such passengers are put to trouble and disgrace whom the Government looks upon with suspicion. It is really very objectionable that a member of this House should be put to such disgrace. I, therefore, consider it the duty of this Honourable House to vehemently protest against this incident. With these words I place the matter before you.

Premier (The Honourable Major Sir Sikander Hyat-Khan) (*Urdu*): Sir, I really feel grateful to the honourable member for inviting the attention of the House to a very unpleasant affair. I had neither learnt of it from the newspapers nor was it brought to my notice by the Leader of the Opposition. Even my honourable friend Mian Muhammad Iftikhar-ud-Din himself did not care to communicate it to me. It is a matter of great regret that he suffered insult and disgrace at the hands of the Customs officials at Bombay, and even Begum Iftikhar was not spared. I feel it my duty to express sympathies with him on behalf of the House. And so far as the question as to why this unpleasant event took place is concerned, I feel grateful to the honourable Dr. Gopi Chand for his honest expression of opinion that the Punjab Government has nothing to do with the matter. The Custom rules are framed by the Central Government. It is the latter who could be held responsible for their application. It is only the Government of India that can issue instructions on the subject.

The honourable members who have been to England would bear me out that even the members of highly respectable English families are often put to trouble at the English Customs offices. Unfortunately the arrangements that exist at the customs houses are such that from a rich man like my honourable friend Mian Iftikhar-ud-Din down to a poor fellow like myself (*laughter*) all have to put up with these unavoidable hardships. I do admit that in my official capacity I may be reckoned as a rich man but so far as my personality is concerned I am undoubtedly a poor man. (*Interruption.*)

Anyhow I shall make inquiries into the matter and refer it to the Central Government. I think the honourable Leader of the Opposition would do well to send the matter to me in writing. I may point out in the end that under these circumstances the question of privilege does not arise.

DISCLOSURE OF RECOMMENDATION OF SELECT COMMITTEE.

Dr. Gopi Chand Bhargava (Urdu): Sir, a select committee was appointed under the chairmanship of the Honourable Minister for Development to report on the Punjab Agricultural Produce Markets Bill. One of the recommendations made by the committee was that two-thirds of the members of the proposed market committee shall be selected from amongst the growers. The general practice is that unless the report of any select committee is published the recommendations or alterations made by it in the Bill are considered to be strictly confidential. As long as such a report is not presented to the House it is not open to anybody to make it public wholly or partly. But it is a matter of surprise to me that when the Honourable Minister for Development in the company of the Honourable Premier paid a visit to Hariana he unhesitatingly declared from the public platform that the Government intended to offer two-third of the seats on the market committee to the growers and only one-third to the licensees. I, in all sincerity, ask the Minister through you, Sir, whether it was fair and proper on his part to discuss the various aspects of the provisions of the Bill on public platform especially when he himself was the Chairman of the select committee? Could he be expected to disclose prematurely those points which are justly held confidential by every law-abiding person? Since it was not open to him to do so he is undoubtedly responsible for a breach of privileges of the members of the House.

Premier : Sir, before I proceed with my speech I would like to point out at the very outset that no such speech, as referred to by the Honourable Leader of the Opposition, was ever made by my honourable friend Chaudhri Sir Chhotu Ram at Hariana. If at all any such speech was made by him it was incumbent on my honourable friend opposite not to repeat its contents here. If he accuses the Honourable Minister on the score of a breach of privilege I hold him equally responsible for the same. If my honourable friend on the right had made any mistake at all by disclosing the contents of the proposed amendment the learned Doctor should have refrained from repeating the same on the floor of the House. And if the latter has derived this information from some newspaper it is also guilty of a similar offence. I again assure my honourable friends on the opposite benches that no such speech was ever delivered by my honourable friend Chaudhri Sir Chhotu Ram. It is just possible that the knowledge of such a speech having been delivered was disclosed to him by some divine or supernatural agency through *ilham*.

Now I will deal with the matter from a different point of view and discuss it entirely on its merits. It is difficult for me to recollect all the details; nevertheless it is a fact that the Honourable Chaudhri Sir Chhotu Ram did say on different occasions and at different places.

[Premier.]

that the Government intended introducing a Marketing Bill in which this principle *inter alia* would definitely be maintained that the majority of the members on the market committees established thereunder should consist of the growers. He has not made this statement to-day. He has been saying the same thing long before the Bill was actually introduced in the House. I am not definite about it but it was at Hoshiarpur, perhaps, that in the course of his speech he remarked that at least two-thirds of the seats on the market committees would be offered to the rural representatives. But that was only an interpretation of a provision of the original Bill.

Dr. Gopi Chand Bhargava : Please read out the original Bill.

Premier : The proviso to section 6 (2) reads as follows :—

‘At least two-thirds of the members of the committee shall be selected from persons who are growers in the district in which the notified area is situated and persons licensed under section 4 in that area.’

(Interruptions.) Sir, I was submitting that if the Honourable Minister for Development has done so he had no intention of disclosing the recommendations of the select committee. Such a disclosure would have been of no use to him. With these words I assure you, Sir, that my friend on the right has not been guilty of any breach of privilege of this House.

Mr. Speaker : I have got the letter in which the Honourable Leader of the Opposition says :—

The Honourable Sir Chhota Ram, Minister for Development, in charge of Agricultural Produce Markets Bill, told in a public meeting at Hariana, district Hoshiarpur, that the Government had decided to pass such a Bill and the Market Committee shall consist of two-thirds of representatives of growers and one-third of license-holders. In the original draft no such provision is made. This change has been suggested in the Select Committee Report.

The Report of the Select Committee is confidential till its formal presentation to the House. Therefore, a statement by the Honourable Minister is a breach of the privilege of the House.

I would like to know whether a copy of the draft of the select committee's report was communicated to him. If not, where did he get the information from?

Sardar Sampuran Singh : Before proceeding further on that point, I submit that when one point of privilege is before the House that must be decided first before a second point of privilege can be raised.

Mr. Speaker : That is not my point. What I want to know is whether the report of the select committee had become public property? If so, how is the Minister responsible for it?

Diwan Chaman Lall : The Minister made it public property. The point raised is a very simple one. The allegation made against the Honourable Minister is this that he referred to the proceedings of the select committee at a public meeting; and it is a very curious position that we are in. The gentleman who is charged with the breach of privilege himself does not say one single word. He contents himself with shaking his head several times during the course of speeches of other honourable members in justification of his conduct. Now my honourable friend there actually started by stating that the breach of privilege had not been committed by Sir Chhota Ram and in so doing he made counter-allegations against the Leader of the Opposition. That point I shall deal with presently. But there is one

particular characteristic that I often admire in my honourable friend Sir Chhotu Ram and that is that he has always been willing to take his punishment if he has done anything wrong. He does not hide behind sophistries, behind all sorts of mysterious statements or behind all sorts of excuses. If he commits a wrong he comes forward and says so.

Mr. Speaker : What is the honourable member now discussing? He has no right to speak at this stage.

Diwan Chaman Lall : I submit that the Honourable Minister should be asked to stand up and say whether the allegation is right or not.

Mr. Speaker : That is for the House to decide and not for the honourable member. Let me clarify the position first. I wish to know where the Leader of the Opposition got the information from.

Dr. Gopi Chand Bhargava : During the Hariana Conference it was given out that two-thirds of the members of the market committee would be representatives of growers. As this decision was taken by the select committee, it ought to have remained a secret till the publication of the report of that body.

Mir Maqbool Mahmood : May I submit that according to the procedure in Parliament it is for you, Mr. Speaker, to decide whether a *prima facie* case has been made out or not.

Mr. Speaker : I do not think the honourable member is right.

Dr. Gopi Chand Bhargava : How is that point of order relevant?

Mr. Speaker : I do not wish to press that point after the honourable member's explanation, but the honourable member has not made any complaint, nor has he brought forward any motion. All he says is that he wants to raise a discussion. If he wants to move a regular motion of breach of privilege against the Honourable Minister, he is welcome to do so even now. Either the honourable member should make a complaint of a breach of privilege in which case the House will decide whether the act complained against amounts *prima facie* to a breach of privilege or not. If it decides in the affirmative, then it will proceed to appoint a committee of privileges to make enquiries, or it may proceed at once to call upon the honourable member to defend himself. In any case it is for the House to decide and not for me.

Diwan Chaman Lall : No, Sir. It is for the Chair to decide whether a *prima facie* case has been made out or not. May I refer in this connection to the latest case of breach of privilege, the case known as Sandys' case (page 1916 of the House of Commons Debates, 1937-38, Volume 387). There Mr. Sandys raised a similar matter of privilege and the Speaker said as follows :—

In giving my answer to the honourable member on the case put before me, the House must fully realise that in coming to a decision I do not decide whether a breach of privilege has taken place. All I have to do is to decide whether the honourable member on his statement alone made out a *prima facie* case. I do on this occasion say that he has made out a *prima facie* case.

Therefore it is for you, Mr. Speaker, to decide whether a *prima facie* case has been made out or not.

Mr. Speaker : It is for me to decide whether the act complained of amounts *prima facie* to a breach of privilege or not.

Dr. Gopi Chand Bhargava : Sir, I wanted a discussion only because this question was raised last year and at that time the Honourable the Premier said that the Honourable Minister was here and it should have been enquired of him whether he uttered those words. I only wanted to confirm first, and, therefore, I did not give a formal notice of a motion. However, if a regular notice is necessary, I hereby give it.

I beg to move a motion of privilege, namely, to draw the attention of the House to the breach of privilege committed by the Honourable Minister of Development in his speech at Haryana in disclosing the decisions of the select committee on Agricultural Produce Markets Bill.

Mr. Speaker : According to the practice of this House, to publish the evidence or the report or proceedings of select committees before they are formally presented to the House, is considered to be rather very undesirable. More than once this matter has been directly discussed and that view expressed. In the light of the past practice the motion which has been now moved by Dr. Gopi Chand Bhargava is a complaint of the breach of privilege by the Honourable Rao Bahadur Chaudhri Sir Chhotu Ram. Now it is for the House to ask him to explain if he likes, and then the House may proceed to decide the matter straightaway or appoint a committee and in the long run decide on the report of that committee. But I think the matter is a very simple one and as usual Chaudhri Sahib will make a straightforward statement.

Premier : The question of appointment of committee arises only if the House decides upon it.

Mr. Speaker : Of course.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) (Urdu) : Sir, the honourable Leader of the Opposition, Dr. Gopi Chand Bhargava, has moved a motion to the effect that in the course of my speech at a public meeting held at Haryana I made some remarks amounting to a breach of privilege of the House. In support of this allegation he has stated that I "told in a public meeting at Haryana that the Government has decided to pass such a Bill and the market committee shall consist of two-thirds of representatives of growers and one-third of license holders. In the original draft no such provision is made. This change has been suggested in the select committee's report." I cannot be expected to remember and repeat the exact words used by me in the said meeting, but I can assure you that I simply could not have used the words which have been attributed to me. The reason for this is very simple. Ninety-five per cent. of the audience gathered at that meeting could not comprehend the meaning of either select committee, or *chidā committee* or *majlis-i-muntakhabah*, etc. I did not refer to the recommendations of the select committee or to the contents of the report of the select committee. What I said was that the Government had decided that there should be a committee for every market and that two-thirds of the members of a market committee will be selected from amongst the growers and one-third will be the representatives of the people doing business in the market. There is thus no reference to the select committee in that speech.

Now, so far as I can judge, this does not constitute a breach of the privileges of this honourable House. On the other hand my honourable friend Dr. Gopi Chand's last sentence is a clear breach of privilege. He has said :—

"In the original draft no such provision is made. The change has been suggested in the select committee."

It will be seen that there is no ambiguity about these words. He has made a clear and definite statement in his last sentence.

Diwan Chaman Lall : That is not the point.

Minister : He has not even qualified his words by the word 'probably.' Hence his words constitute a clear breach of privilege. Sir, although his guilt cannot be a defence or justification for any offence of mine if I have committed one, yet the fact still remains that he has been guilty of a breach of privilege.

Diwan Chaman Lall : May I ask my friend just to throw a little more light on the subject? Did the Honourable Minister ever before the select committee decided this matter in this particular manner, did he ever before that, make reference to this particular matter on any occasion? Before the select committee took this decision that this shall be the composition of the committee, did the Minister in any speech, refer to this particular matter?

Minister : So far as my personal views are concerned I have always held that three-fourths of the members of the committee should be representatives of growers, and in any case they must not be less than two-thirds.

Diwan Chaman Lall : Has the Honourable Minister ever said that the Government has decided that this shall be so before the decision was taken by the select committee?

Minister : I cannot recall any specific occasion on which I spoke of such a composition of the committee. All that I can say is that I have always held these views and if ever an occasion did in fact arise to refer to the subject in a public meeting I must have given expression to them.

Diwan Chaman Lall : The case, Mr. Speaker, is this that the Honourable Minister has admitted that he has used this expression, but the point is whether he used this expression before the decision of the select committee or not—the expression being that the Government has decided, the decision of the Government being dependent on the decision of the select committee. If he did use this expression, then a breach of privilege has obviously been committed, but, on the other hand the Honourable Minister says that he does not remember that he ever used the expression. But it is a fact that he did say so at Haryana after the decision of the select committee, but whether he did say or did not say so before that we have nothing on record but we have it on record that he did say so after the decision of the select committee.

Dr. Sir Gokul Chand Narang : Sir, may I ask one question of the Honourable Minister for Development? If the Honourable Minister was not referring to the decision of the select committee, to what other decision was he referring when he said that the Government had decided? Let him answer that, then the decision would be clear.

Premier : Does the honourable member think that Government and select committee are synonymous ?

Dr. Sir Gokul Chand Narang : Not at all. Let him say that the Government had come to this decision in their executive capacity. Is that a fact ? So far as we are aware the only decision arrived at on this point was the decision arrived at in the select committee.

Premier : I am not in a position nor is my honourable colleague in a position to say that the decision was taken by the Government. My honourable friend himself seems to be hesitant, because formerly he said "*tagriban wahi ilfaz*" but now he has changed his language.

Dr. Gopi Chand Bhargava : I never said so.

Premier : So far as his second suggestion is concerned he is correct. The select committee recommended this—

"Every market committee shall consist of not less than 8 and not more than 10 members.

Of these members not more than two may be appointed by Government from among salaried servants of the Crown by virtue of their office."

There is nothing confidential about it and I therefore suggest to my honourable friend that he should not press this question after what my honourable friend has said. After all he should take his word that he did not mean any breach of privilege nor any divulging of any secret.

Dr. Gopi Chand Bhargava : In breaches of privilege intention is not at all to be seen. We have to see whether a particular breach was committed or not.

Mr. Speaker : The matter appears to be very simple. It is now for the House to decide whether any further action or notice is necessary.

Lala Bhim Sen Sachar : The Minister has been indiscreet and let him express regret for the indiscretion.

Mr. Speaker : May I take it that the House does not press for any further action ?

Diwan Chaman Lall : It is understood that no such breach of privilege will be committed again.

Mr. Speaker : Of course it is understood. Then the sense of the House is that the matter may be dropped. (Voices : Yes).

SARDAR TEJA SINGH SWATANTAR.

Diwan Chaman Lall (East Punjab, Non-Union Labour) : I have another privilege motion to place before the House. This privilege motion relates to a very serious matter and it relates to so serious a matter as to warrant the attention of this House, the most careful attention of this House and of yourself, Mr. Speaker. One of the members duly elected to this legislature is under detention by order of the executive authorities and I submit that as long as this member is under detention by order of the executive a continuing breach of privilege is being committed by the executive. I refer to the detention of Sardar Teja Singh Swatantar, a member of this Assembly. The rules relating to privilege, the history of privilege, the convention relating to it and the law relating to it all point to one thing

and that is this that this particular matter was brought to the forefront in British politics in the House of Commons at a time when the executive authorities were supreme and was acting in the same manner in which my honourable friend has acted in ordering the detention of Sardar Teja Singh.

Mr. Speaker : May I ask the honourable member when Sardar Teja Singh's detention commenced and whether this matter has been discussed before ? I think it was and the question of privilege was raised.

Rai Bahadur Mr. Mukand Lal Puri : This motion is for a continuing breach of privilege.

Mr. Speaker : The question is whether there is any breach of privilege.

Sardar Hari Singh : It was never discussed. The matter was sought to be discussed by means of an adjournment motion but it was disallowed.

Mr. Speaker : According to criminal law all citizens of the Empire, whether members of parliament or not are equal. No member of this House or of any other parliament in the British Empire can claim any exceptional privilege only because he is a member of parliament so far as criminal law is concerned.

Mian Abdul Aziz : Only offenders and not non-offenders.

Diwan Chaman Lall : If you will permit me to place before you very briefly.....

Mr. Speaker : I cannot allow this motion, as a privilege motion has to be raised at the earliest possible opportunity. The question is when he was detained and when the alleged breach of privilege took place. I disallow the motion.

Diwan Chaman Lall : If this is your decision, I bow to it. If notice is to be given I will quite willingly give that notice. But may I point out that as far as privilege is concerned these motions are of two kinds, one arising suddenly and the other ordinarily, as far as those motions are concerned a notice is not necessary, but I bow to your ruling and I will give you notice.

MOTIONS FOR ADJOURNMENT.

EXTERMENT OF COMRADE IQBAL SINGH.

Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural) :

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, order to quit the Punjab by the first available train served on 21st August, 1933, at Hoshiarpur, on Comrade Iqbal Singh of village Dhadiat, district Jullundur, and his consequent exterment from the Punjab for one year.

If any objection is taken to leave being granted, I shall answer the objections.

Mr. Speaker : Not at this stage.

Sardar Hari Singh : With your permission I will bring one or two things, in connection with this motion, to your notice. In the first place, this is the first case of its kind when a resident of the Punjab, born of a Punjabi mother and son of a Punjabi father, has been extermed from the

[Sardar Hari Singh.]

Punjab under orders of the Punjab Government and no provision for his maintenance has been made while he is starving outside the boundaries of the Punjab province wherein he was born. In the second place, you have allowed similar adjournment motions regarding the externment of Professor Ranga and externment of Mr. A. K. Ghosh from the Punjab. Those gentlemen were outsiders and this one is a Punjabi.

Mr. Speaker : The first point to be considered is whether the gentleman concerned is so prominent a person that an adjournment motion about him should be allowed. *Prima facie* he appears to be an ordinary person. The question is whether the matter is of public importance. Public importance, of course, must be commensurate with the position and status of the person concerned. That is one point. Further, this motion raises only an issue of a trivial nature. May I ask whether an adjournment motion is to be allowed on the internment or externment of anybody and everybody? I personally do not think so, as with all persons who may be interned or externed the public is not equally concerned. Comrade Iqbal Singh is an ordinary villager. I have no objection to adjournment motion No. 6 being moved as it relates to a gentleman who is the General Secretary, District Congress Committee, Hoshiarpur, and has attained some position of political importance. But I am exceedingly doubtful about the motion proposed to be moved about Comrade Iqbal Singh who has no past history in political life and who is not so important and conspicuous a man that an adjournment motion should be allowed about him.

Dr. Sir Gokul Chand Narang : Does it mean that if injustice is done to a poor man, no notice thereof be taken?

Mr. Speaker : But every individual does not possess the same status in society and, therefore, is not entitled to have an adjournment motion moved about him. Mr. Ranga and Mr. A. K. Ghosh, were eminent men of all-India reputation. So, their case was entirely different from the case of this gentleman. I have not heard his name before. Therefore, unless the honourable member can satisfy me that he is a man of such a high status that the public is interested in him, I am afraid, I cannot allow the motion.

Sardar Hari Singh : May I say a few words about the public position of this gentleman?

Dr. Gopi Chand Bhargava (Urdu) : Sir, I have stood up to point out how the policy of the Government is involved in the matter with respect to which this adjournment motion is sought to be moved. The Government has externed a political worker simply because he was doing political work in the province. He is not the only person who has been so treated by Government. Previously Government externed three persons whom they had released from prisons. But their case was different. They had been sentenced to certain terms of imprisonment for certain offences. But this man, Iqbal Singh, was never punished for any offence.

Premier : How do you know that he was never punished?

Dr. Gopi Chand Bhargava : The Government, if it had any proof against the man, ought to have prosecuted him in a court of law. But it has done nothing of the kind. It has simply used one of the repressive laws against a political worker. Perhaps Government thought that he was working against their party. But working against a party or an individual in the manner in which the person concerned worked, cannot be made the basis for using a repressive law against him. If he had committed any crime, he ought to have been hauled up before one of the courts of law in the land. It is with a view to raising this question that the present adjournment motion is moved.

Premier : The point which one should keep in view in deciding the relevancy of this particular motion is this. My honourable friend, the Leader of the Opposition, said that it was the policy of the Government to intern or extern political workers. My honourable friend should then move a substantive motion.

Sardar Hari Singh : That is not the intention.

Premier : He cannot resort to a short cut by bringing in an adjournment motion. It must be a matter of urgent public importance. Action taken by the Government under this law is taken under a special provision of the law of the land passed by this Legislature and whether it is taken by the district magistrate or any other officer of the Government is immaterial. Action is taken under the powers vested in the executive by this House. (*Voices from Opposition benches :* Misuse of the powers.) My honourable friend can bring a substantive motion.

Mr. Speaker : May I take it that in the case of every political worker, when he is externed, an adjournment motion can be moved? May I further take it that that is the argument of the honourable member?

Diwan Chaman Lall : It is a matter of public importance.

Mr. Speaker : The question is whether an adjournment motion is to be allowed whenever a political worker is dealt with under that law.

Chaudhri Kartar Singh (Hoshiarpur West, General, Rural) : Sir, I wish to clarify the situation in view of your ruling. Comrade Iqbal Singh is not an ordinary man. He is a man of international reputation. He is known all the world over from Moscow to America. All people who have the love of their motherland in their heart and feel keenly on all questions of national honour, know him fully well. I take it as the first "glorious" deed of this Punjab Government of the zamindars that a peasant of the Punjab has been externed from the province.

Mr. Speaker : The honourable member is now discussing the merits of the case.

Chaudhri Kartar Singh : I am explaining in the light of your ruling, that Comrade Iqbal Singh holds a prominent position. He is well known for carrying on correspondence with people in other countries in order to serve India and to bring about its emancipation. I would request you therefore, to allow this adjournment motion.

Premier : My point is this that it is the executive responsible to this House which is trying to administer the law as passed by this House. If

the House wants to impeach the policy of the executive in administering the law, then a substantive motion should be brought forward. If on the other hand, as you pointed out just now, it is a question of action taken against a prominent man under the Act which is likely to create sensation among the public or might result in untoward incidents on account of action taken by Government then he would be perfectly in order. For instance, if action is taken by Government against a person like my honourable friend, the Leader of the Opposition, then he would be justified in saying that a prominent member of the House or a prominent member of the public or of the Congress party has been more or less confined under the Act and therefore it is a matter of public importance. There is a very subtle difference and I submit that there is a difference and a distinction between the two cases. I, therefore, suggest that you should keep that in view in giving your ruling.

Mr. Speaker : May I ask if for every person detained under the Act the honourable member is entitled to have an adjournment motion allowed ?

Sardar Hari Singh : Sir, let me say a few words in reply to what the Honourable the Premier said that my intention is not to impeach the policy of the Government. The policy of the Government cannot be discussed by means of an adjournment motion. That I know perfectly well and every member of this House knows the rules under which we have to work. The object of the adjournment motion is to censure a particular action of the executive under the Act, i.e., the externment of a Punjabi from the Punjab by an executive action and there lies no appeal.

Mr. Speaker : But that is an individual grievance.

Sardar Hari Singh : That is a matter of high public importance, because this man Sardar Iqbal Singh is a highly educated youngman. He was educated in Canada and he spent almost the whole of his life from his childhood in Canada and he possesses certain foreign educational qualifications and degrees. He finally came back to his native land and had not been more than 8 months in his district when he was externed from the Punjab by an executive fiat of this Ministry. Mr. Iqbal Singh is not a man of ordinary public position : he is a man of prominent public position especially in the socialist politics, he is a man of high reputation and is well known all over India. He may not be known to you : he may not be known to certain members of this House but he is well known to the Premier and is well known to members of the House on this side particularly ; and the very fact that he has been externed from the Punjab under the ordinary law shows that he is a man of high position in the political life of this province and this country, otherwise, he would not have been externed.

Mr. Speaker : An adjournment motion must raise a larger issue than a merely individual grievance.

Sardar Hari Singh : The liberty of a subject is involved in this case.

Mr. Speaker : The honourable member's argument is that whenever any person is interned or externed under the Act, his case can be discussed by an adjournment motion.

Sardar Hari Singh : Every person is not going to be externed from the Punjab.

Mr. Speaker : Yet assuming that to be the case.

Sardar Hari Singh : No Punjabi should be externed.

Mr. Speaker : The honourable member's position is that no Punjabi should be externed and if one is externed an adjournment motion can be moved about him. If the law is so bad, it should be amended.

Sardar Hari Singh : The law has been misused.

Dr. Gopi Chand Bhargava : The law may be bad and we have the right to repeal it but—

Mr. Speaker : Then have it amended.

Dr. Gopi Chand Bhargava : The point is, even if the law is bad the executive should not abuse it.

Mr. Speaker : Should the executive treat it as a dead letter ?

Dr. Gopi Chand Bhargava : My point is, have they used a bad law in turning out or externing a man who was a political worker but not an ordinary criminal ?

Mr. Speaker : Does the honourable member mean that this law has no application to political workers ?

Sardar Hari Singh : The law has been misused : it ought not to have been used in the case of Sardar Iqbal Singh who is a man of prominent position.

Premier : Sir, my honourable friend, the Leader of the Opposition, made a remark during his first speech perhaps that the gentleman was working against my party. I assure him that there is no substance whatever in that assertion. As a matter of fact I will read out to my honourable friend what the gentleman himself publicly declared in a court of law and he will know whether he was working against my party or not.

Sardar Hari Singh : Where did he make that statement ?

Premier : Before the Presidency Magistrate, Bombay.

Sardar Hari Singh : I doubt the admissibility of that statement.

Premier : He said—

The party denounces the Indian National Congress including the leftists and it regards it as an enemy of the workers and peasants. It enjoins on all communists to join the Indian National Congress and by a flank movement to oust all these persons.

This is what he said.

Sardar Sohan Singh Josh : That is not his position now.

Premier : This statement was made before a judicial court.

Lala Deshbandhu Gupta : The position taken up by the Premier makes it clear that he is a prominent man. Therefore that objection does not stand and we would request you to admit the motion.

Mr. Speaker : That is not the objection I am taking. My objection is that this motion relates to an individual grievance.

Diwan Chaman Lall : May I draw your attention to an individual case where in the Central Legislature—

Mr. Speaker : There are many.

Diwan Chaman Lall : The question, therefore, is whether it is a matter of public importance or not? Has or has not action been taken by the executive against this individual? Is that a matter of public importance or not?

Mr. Speaker : Not in my opinion.

Diwan Chaman Lall : It concerns the liberty of the public. As you were very pleased to remark a little while ago, in the eyes of the law there is no question of inequality—high, low or middle class people mean nothing so far as the law is concerned. My honourable friend has referred to the measure that has been passed by this Legislature empowering Government to take such action. Why rob a man of his liberty? Why rob the liberty of movement of a man by merely relying on certain reports received from the Criminal Investigation Department? That is a matter of vital public importance, to be discussed on the floor of the House.

Mr. Speaker : I agree, but the remedy is to so amend the law as to make an adjournment motion admissible about every individual.

Dr. Gopi Chand Bhargava : Sir, we want to expose the actions of the Government to the public so that the public may bring pressure upon them and force them to change their procedure.

Diwan Chaman Lall : It is up to the Government to justify that action in public. When we want to discuss this matter why should they shirk it? Why are they afraid? Let them come forward and accept this challenge. Why should the Honourable Premier take such action in the darkness of his cabinet room?

Mr. Speaker : Did the honourable mover ask why he had been externed? What had he done? Why that information was not given?

Sardar Hari Singh : The information would be in public interest. We cannot disclose the information.

Diwan Chaman Lall : Let us have a debate on this subject. Why do they shirk responsibility?

Lala Duni Chand : The question is why rob a man of his precious human right? The question of an individual is not being taken into consideration. It is a question that affects the general public.

Mr. Speaker : Then have the law changed.

Lala Duni Chand : This Act robs a man of his precious human rights.

Mr. Speaker : There is not a single instance in which the Government is not said to have abused the law.

Mir Maqbool Mahmood : I am afraid there appears to be a great deal of confusion of thought in regard to the legality of this adjournment motion. We are not concerned in this motion whether the Criminal Law Amendment Act is a good Act or a bad Act. If there are any objections to the Act as it

stands, obviously the member concerned should move an amending Bill. So far as the application of that Act by the executive is concerned I would invite the attention of my honourable friends opposite to the statement of no less a person than Mahatma Gandhi, who in defending the application of this very Act in Madras *inter alia* observed as follows :—

I have never studied it, but I see from Rajaji's public declarations that it contains a few sections which suit the new situation that the Congress is facing. If such is the case, Rajaji will be foolish if he does not make use of them.

The matter embodied in the motion is not of urgent public importance so as to make an adjournment motion admissible.

Dr. Gopi Chand Bhargava : Sir, reference has been made to Mahatma Gandhi's writing. May I put a question through you, to clear the position, whether they take shelter under that article to defend this action or they take shelter under the law on this point? We want to prove that whatever Mahatma Gandhi writes, they are not acting on it or on what he wants them to act. They are acting against the expressed wish and against the instructions he may give to the Ministers.

CRIMINAL ASSAULTS, LOOTING AND GENERAL HOOLIGANISM AT ROHTAK.

Mr. Speaker : My objection against the next two adjournment motions^{*} is that each of them is drafted in general terms and does not deal with a particular case. Besides, neither of them is based on any corroborated report. Did the Police make any investigation? Were any complaints lodged?

Pandit Shri Ram Sharma : Yes, many.

Mr. Speaker : Are they pending or have been decided?

Pandit Shri Ram Sharma : I do not know whether they are pending or have been decided.

Mr. Speaker : If many complaints were lodged, both the adjournment motions are out of order.

Diwan Chaman Lall : It is not a *sub-judice* matter at all. There is nothing in the court. No action has been taken. Nothing has been done in regard to it. The matter remains exactly where it was.

Mr. Speaker : Has no action been taken by the aggrieved party?

Diwan Chaman Lall : No, no. If any complaints have been filed, the police have not taken any action. The matter is not *sub-judice*. The only point that arises is whether the matter is *sub-judice* or not? I say deliberately that the matter is not *sub-judice*.

Mr. Speaker : If the Police have not challaned any person nor has any aggrieved person filed any complaint in a court of law, I think the matter is not of urgent public importance and, therefore, I hold the motion to be out of order.

Pandit Shri Ram Sharma (Urdu) : I beg to submit that there cannot be a more definite matter of urgent public importance than the one under consideration. It is a matter of common knowledge that numerous persons

^{*}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 local authorities and the police in affording protection to innocent persons from criminal assaults, looting and general hooliganism on the 7th of October, 1938, at Rohtak on the procession of the Hon'ble Sir Sikandar Hyat-Khan, the Premier and Sir Chhotu Ram the Minister of Development.

[Pandit Shri Ram Sharma.]

were rudely beaten. I may also add that no case is *sub-judice*. In these circumstances there is no justification for ruling out this motion.

MESSAGE OF THE PREMIER TO THE VICEROY IN CONNECTION WITH
OUTBREAK OF WAR IN EUROPE.

Mr. Speaker : I rule ²motion No. 4 out of order as it is against the Honourable Premier.

5 P.M.

Dr. Gopi Chand Bhargava : There is nothing against the Honourable Premier.

Mr. Speaker : It is against him indirectly, if not directly.

Premier : I am prepared to give time to my honourable friend for this purpose.

Dr. Gopi Chand Bhargava : I am not prepared to ask for anything like that.

Mr. Speaker : No discussion. I have ruled it out of order.

INTERNMENT OF SARDAR BALWANT SINGH DUKHIA.

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 notice served on the 29th October, 1938, on Sardar Balwant Singh Dukhia, General Secretary, District Congress Committee, Hoshiarpur, under section 3 of the Punjab Criminal Law (Amendment) Act, for one year, asking him to remain within the revenue limits of Bains Kalan, his village, not to take part or join in any procession or meeting, other than a purely religious procession or meeting, of five or more persons in any public place in his village and not to take any part in political movement by speech or by writing, or to make any communication to any newspaper without the permission of the District Magistrate.

Mr. Speaker : Sardar Hari Singh asks for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the notice served on the 29th October, 1938, on Sardar Balwant Singh Dukhia, General Secretary, District Congress Committee, Hoshiarpur, under section 3 of the Punjab Criminal Law (Amendment) Act, for one year, asking him to remain within the revenue limits of Bains Kalan, his village, not to take part or join in any procession or meeting, other than a purely religious procession or meeting, of five or more persons in any public place in his village and not to take any part in political movement by speech or by writing, or to make any communication to any newspaper without the permission of the District Magistrate.

Does any honourable member object ?

Parliamentary Secretary (Mir Maqbool Mahmood) : Sir, I beg to object.

¹Expunged as per decision of the Assembly, —vide the debates of 30th November, 1937.

²Leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the implications of the message sent by the Punjab Premier to His Excellency the Viceroy on the eve of the expected outbreak of War in Europe to the effect that the Punjabis would make every sacrifice for the King Emperor if war broke out in Europe.

Mr. Speaker : Has the honourable member leave of the House?
(*As more than the requisite number of members stood up in their seats, the leave was given.*)

Mr. Speaker : The leave being given, the motion will be taken up at 6-30 P.M. to-day.

ADJOURNMENT OF THE HOUSE.

Premier (The Honourable Major Sir Sikander Hyat-Khan): Sir, I beg to propose that as several members have to break their fast, the House should adjourn for twenty minutes at 5-40 P.M. to-day.

In consultation with the House Mr. Speaker agreed.

STATEMENTS LAID ON THE TABLE.

Secretary : I beg to lay on the table a statement showing action taken by Government on Resolutions passed and cuts made in original and supplementary demands by the Punjab Legislative Assembly since January, 1938.

Statement showing action taken by Government on resolutions passed by the Punjab Legislative Assembly since January, 1938.

Serial No.	Terms of resolutions passed.	Volume number and page of Legislative Assembly Debates	Action taken.
1	2	3	4
1	This Assembly recommends to the Government to appoint a committee to suggest necessary amendments in the Northern India Canal and Drainage Act and the rules made thereunder.	Volume II, dated the 20th January 1938, pages 610—627.	The terms of reference for the committee have been approved and the committee is likely to commence its sittings shortly.
2	This Assembly recommends to Government that a notification under section 61 of the Civil Procedure Code be issued forthwith.	Volume II, dated the 20th January 1938, pages 627—647.	A notification under section 61 of the Civil Procedure Code has been issued declaring that in the case of agriculturists, the judgment-debtor's entire fodder crops including gram, oats, chhari, maize and guara, one-third or 20 maunds, whichever is greater, of food grains, and one-third of all other crops shall, subject to the provisions of clauses (b) and (p) of sub-section (1) of section 60 of the Civil Procedure Code and of the proviso to section 70 of the Land Revenue Act, be exempted from liability to attachment or sale in the execution of a decree, for the purpose of providing, until the next harvest, for the due cultivation of the land and for the support of the judgment-debtor and his family.

Serial No.	Terms of resolutions passed.	Volume number and page of Legislative Assembly Debates.	Action taken.
1	2	3	4
3	This Assembly recommends to the Government that prohibition be introduced in five districts of the province on an experimental basis.	Volume III, dated the 4th March, 1938, pages 405—422.	The matter is under active consideration of Government and it is proposed to introduce prohibition in five districts with effect from the 1st April, 1939.
4	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.	Volume IV, dated the 8th April, 1938, pages 827—852.	A copy of the resolution was transmitted to the Government of India for information.
5	This Assembly do resolve that it is desirable that the following matters, being matters, enumerated in the Provincial Legislative List, should be regulated in this province by an Act of the Federal Legislature, namely :— (1) Statistics of employment ; (2) Offences against, and the jurisdiction and powers of courts with respect to the said Act of the Federal Legislature.	Volume V, dated the 21st June, 1938, pages 41—45.	A copy of this resolution was forwarded to the Government of India, Department of Labour.
6	This Assembly recommends to the Government that along with the consideration of the recommendations of the Darling Committee and Resources of Revenue Committee, they should take up the question of the abolition of the Chahi rates particularly so far as they are applicable to the small cultivators in the Province who till lands themselves.	Volume V, dated the 1st July, 1938, pages 510—535.	This will be considered on receipt of the recommendation of the Punjab Land Revenue Committee and the Sources of Revenue Committee.
7	This Assembly recommends to the Government to press strongly upon the attention of the Government of India the necessity of securing in the personnel of the Tariff Board due representation of the interests of growers and consumers through representatives who are not personally associated with industrial interests.	Volume V, dated the 1st July, 1938, pages 536—542.	A copy of this resolution has been forwarded to the Government of India, Department of Commerce, with the remarks that the Punjab Government fully share the views expressed in the Assembly during the course of the debate.

Statement showing action taken by Government on cuts made in original and Supplementary demands made by the Punjab Legislative Assembly since January, 1938.

Nil.

PRIORITY OF GOVERNMENT BUSINESS.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : I move—

That Government business shall have precedence this day (Thursday, the 10th of November) and on Thursday, the 17th of November, 1938.

As there are only five minutes before the House adjourns for the breaking of fast, I hope you will forgive me and the House will forgive me if I do not make a long speech. There are some important Government measures which we want to get through as quickly as possible. I was under the impression that the procedure for the business of this House during this session would be governed by the old rules, but subsequently I was reminded that the new rules would come into force from the 1st October.

Chaudhri Krishna Gopal Dutt : I rise to a point of order. Under rule 13 "On Thursday's business of private members shall have precedence. On all other days no business other than Government business shall be transacted except with the consent of the Leader of the House." My point is that as I understand this rule today's business should have been non-official business and if there was some emergency, precedence could have been given to Government business. This does not mean that from the very beginning this day could be allotted for official business. The word 'precedence' is quite clear, and my contention is that this motion cannot be moved. It is quite clear that on Thursdays business other than Government business shall have precedence. This does not mean that the ordinary routine business on that day will be official business. There will be non-official business before the House but precedence will be given to Government business if there is some extraordinary thing, or heavens have fallen, and the Government wants some time to discuss the important question. But that means that non-official business should have been before the House. I, therefore, contend that this motion is out of order.

Mr. Speaker : If I have understood the honourable member aright the objection is that today being, according to the rules, a non-official business day, that business should have been on the agenda, and in any case this motion cannot be taken up today.

Diwan Chaman Lall : The real objection is (1) relating to one day's notice, and (2) relating to rule 13 regarding non-official business. Rule 13 says, that on Thursdays business other than Government business shall have precedence. But there is a proviso added to this :—

Provided that on a motion made after a day's notice by a Minister this rule may be suspended and the Assembly may transact Government business on a Thursday.

The proviso does not mean that non-official business is to disappear. The agenda must include non-official business also. All it means is this

[Diwan Chaman Lall.]

that the non-official business on the agenda will not have precedence over Government business.

Further, it means that under the rule there is no strict prohibition regarding Government business being transacted on Thursday. The proviso permits Government business being transacted on a Thursday, but there can be no complete and proper agenda for the business of this House unless on this Thursday or any other Thursday non-official business is also included in the agenda. I submit that there is no non-official business included in the agenda.

The second point is, if there is no non-official business on this agenda, the result is that the agenda is invalid. There is no proper agenda in the House for the purpose of discussing the business of the House.

The next point is about a day's notice. A day's notice must mean a day of the sitting of the House.

At this stage the Assembly adjourned for twenty minutes to enable Muslim members to break their fast.

The Assembly re-assembled at 6 p.m. Mr. Speaker in the chair.

Diwan Chaman Lall : I was dealing with a technical objection that I had raised in connection with the motion made by my honourable friend over there. The last part of my objection relates to the merits of the motion itself. I would be within my rights I suppose in discussing the merits of the motion. (*Interruption*). Very well. I shall then content myself with raising my objection on technical grounds. On the merits of the motion I shall speak when the motion is allowed.

Mr. Speaker : The honourable member said two things : (i) That the agenda of non-official business should have been in today's list. That is altogether a separate point. This motion has nothing to do with it. (ii) The 2nd objection is that to-day being a non-official business day can a Government member move a motion that this day be appropriated for official business? That is the real point of order, if I have understood the honourable member rightly. (*An honourable member : Quite so.*) We shall come to the question of agenda later.

Chaudhri Krishna Gopal Dutt : My point was that there was no non-official business before the House. There should have been non-official business before the House and then only can the question of precedence arise.

Mr. Speaker : That point does not arise until we proceed to the business.

Diwan Chaman Lall : You are perfectly correct in stating that the point of order in regard to the precedence of business does not arise until we enter upon the business. Now, I submit that as far as the technical objection is concerned, my point is first that on Thursdays business other than Government business shall have precedence. There is the proviso that if a motion is made by an honourable member on a day's notice being given, this rule could be suspended and Government business, could be transacted on a Thursday. What I wish to say is that there is a definite or

complete bar to the transaction of any other business except non-official business on a Thursday. That bar can be removed only by moving a motion after giving a day's notice. First of all a day's notice has not been given. What is a day's notice? It is a sitting day's notice. It has been so construed in the past.

Mr. Speaker : Not, so far as I know.

Diwan Chaman Lall : I am speaking in regard to this matter only. Why is this rule there? It is intended to protect the rights of non-official members of this House, that is to say, to protect the rights particularly of the opposition of those members of the Government benches who do not find satisfaction out of the agenda as prepared under instructions.

Mr. Speaker : Does not a day's notice mean notice of a day counted from the time it is handed over to the office?

Diwan Chaman Lall : That is to say, Mr. Speaker, you are construing it again from the moment the notice is sent to the office. Is that what you are considering?

Mr. Speaker : Yes. There is no instance to the contrary so far as I know.

Diwan Chaman Lall : I submit that in a matter like this the notice should be construed to mean notice of a sitting day. The second point was this. If the rule says that it should have precedence, then precedence over what? It cannot have precedence over a vacuum. It must have precedence over something. Then that something is the non-official business. If you merely say that you exclude from the agenda altogether non-official business and fill the agenda with official business, then you are not strictly complying with this rule, because the wording of the rule is 'precedence of business'. I think you will find that it is the same thing as far as the House of Commons is concerned. There of course the general method is a little different. There certain days are definitely allotted for the transaction of non-official business and honourable members, unless a very serious emergency arises—and no such serious emergency has arisen here—are very loathe indeed to permit the Government to trespass upon their rights and appropriate to itself the time that is allotted for the purpose of conducting non-official business. Now I submit that from that point of view it is absolutely necessary that the agenda which would give the authority to my honourable friend to transact Government business on a Thursday should have been an agenda of non-official business including official business, and official business would then on his motion, if it is accepted, have precedence over non-official business. Otherwise there is absolutely no sense in this rule that on Thursdays business other than Government business shall have precedence. If the proviso is accepted then it shall not have precedence; something else will have precedence and that something else is official business which my honourable friend wishes to transact. Now if you will permit me to deal with the greater problem now, I am prepared to deal with it now. But if you wish I can deal with that later when my honourable friend moves the motion. On the point of order this is the objection I have to raise.

Mr. Speaker : Will the honourable member please sum up his statement ?

Diwan Chaman Lall : My argument is very brief : that the agenda should have been an agenda for non-official business.

Mr. Speaker : Why go to the agenda ? The Honourable Premier's motion is a Government business motion and therefore the honourable member says that it cannot be taken.

Diwan Chaman Lall : That is the second point. When we come to that point, if the motion is accepted, the agenda is there. What I am saying is this. First of all, notice of the motion has been given. The motion is not yet passed. Until that moment no authority is there for deleting non-official business on the agenda.

Chaudhri Krishna Gopal Dutt : May I draw your attention to the letter addressed to all the members of the Punjab Legislative Assembly, No. 4776-Cir., wherein it is stated that "His Excellency the Governor of the Punjab has been pleased to allot Thursday, the 17th November, 1938, for the presentation of Supplementary Estimates to the Punjab Legislative Assembly". It is not for His Excellency to do so. Under rule 30 of the Rules, Thursday cannot be allotted for official business unless on a motion moved before the House after a day's notice.

Mr. Speaker : Governor's rules are still in force.

Diwan Chaman Lall : My honourable friend is perfectly right. But I am not concerned with that now. What I am worried about at the present moment is this, that as the rule reads it is quite definite. The office has prepared an agenda absolutely excluding non-official business on Thursday without the authority of the House. I submit the office could not have done so. The office could only follow the rules as given, namely, that Thursday is a definite day allotted for this purpose. But on Thursday a day's notice is to be given by my honourable friend for the moving of the motion. Unfortunately to-day happens to be Thursday. Suppose it happened to be Wednesday; he could have given notice to-day that to-morrow Thursday would be utilised for the purpose not of non-official business but of official business. But that is not so and I submit that my honourable friend is absolutely out of order in moving this motion. Then it is without proper notice and it relates to an agenda which is not before the House and any agenda now before the House would be illegal.

Chaudhri Krishna Gopal Dutt : It may be very technical but there it is. The point is that the wording is 'a day's notice'. It is not 'at least a day's notice'. We received the notice three days ago.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : Sir, I have listened to the interesting argument of my honourable friend Diwan Chaman Lall. I submit that he seems to be under several misapprehensions. First with regard to the actual period of notice and the duration of notice, he says that the notice should be given on a sitting day. If we construe the rules according to that interpretation, it would be impossible for any non-official member to give notice of non-official business, for according to my honourable friend notice must be given on a sitting day. If a

member wants to give notice of a resolution or of an amendment of a standing order, then it must be done on a sitting day. According to that if he would just carefully go into the question, he will find that a contingency may arise when a non-official member of this House will not be able to make any motion except with regard to the procedure of the House and according to his interpretation it would not be possible for that member ever to attend this House because you have only one day in the week for non-official business and to give notice on that sitting day would be impossible, for the next day would be an official business day and you would not be able to discuss any business. Does my honourable friend follow my point? I should like my honourable friends to carefully follow. It would mean that it would bar out all non-official motions and particularly with regard to resolutions. Supposing we have a week's session. Does my honourable friend mean that private members shall be debarred from bringing non-official motions on non-official days? In view of this I hope that he would not press that point.

Dr. Gopi Chand Bhargava : I would request the Honourable Premier to repeat his argument because we have not been able to follow him.

Premier : My argument is this that according to the rules there are periods of notice laid down for different motions, for instance, for resolutions it is a fortnight and similarly with regard to Bills it is 7 days and with regard to amendments it is 3 days and so on. My honourable friend Diwan Chaman Lal made a point that the period of notice should begin only on a sitting day, that is to say, when the House is in session and then and only then the notice should be given and the period should begin to run from that day. I was submitting that supposing we have a week's session and the notice required is of a fortnight, in that case non-official members will not be able to avail themselves of the non-official day because according to him the notice shall be given on a sitting day and therefore it would not be within the period prescribed. That is the point and I hope I have made myself clear. The next point is that since there is no agenda there is no business of the non-official members and therefore this motion is out of order. Thirdly, he says that it is not possible to suspend that business or take away the time of the House and to divert it from the non-official to official business. Apart from the technical merits of the case, I was trying to point out to the House when I was interrupted by the point of order, that the real reason for that, though I am responsible for it, is this that as I submitted previously I was under the impression that since the Governor's rules had not been framed therefore we would be governed by the old *interim* rules and according to the old rules it is the Leader of the House who lays down the business for various days and my honourable friends who have studied these rules will bear me out that there it was for me to lay down the list of business of the various days to be allotted for the business of non-official members. Under these old *interim* rules I wrote to the Secretary of the Assembly, or rather my secretary wrote to the Assembly Secretariat that the Government would take up the following days and since the session begins on the 10th, that is a Thursday we thought it might be inconvenient to hold a ballot for non-official business and therefore we would put official business there and at the end of the session if there was time and if the members were anxious to continue the session, I would be prepared to allow

[Premier.]

time for non-official business. That was the reason why there is no non-official business on the agenda to-day.

Chaudhri Krishna Gopal Dutt : You have not followed our point.

Premier : If the members had had time to give due notice for these motions and they had been balloted there would have been something on the agenda.

Chaudhri Krishna Gopal Dutt : The point is this that this motion of yours is a Government business and it cannot be moved on a non-official day. You cannot move it to-day.

Premier : That is a new point and I would meet that just now. What I was at the moment saying was that there could be no non-official business on the agenda because no ballot had taken place with regard to resolutions or Bills and therefore it was not possible for the Secretary to place any business on the agenda and it was for that reason that you find that non-official business is not there on the list. But my motion so far as it relates to the next Thursday, my honourable friends would have seen, is in order because the next Thursday is seven days hence and according to him 7 days notice is necessary and I have given that notice and we would be able to discuss that motion to-morrow, if the Chair holds that it is not in order to discuss it to-day. My object in taking away that day was two-fold. One was that non-official business could not be ready in view of the circumstances which I have related to the House.

Lala Deshbandhu Gupta : Do you mean to say that there was no notice of non-official resolutions ?

Premier : No. They could not be balloted in time for the simple reason that I have told you that I was under the impression that we would be governed by the old rules and Thursday had not been allotted for non-official business, we used to allot Friday or some other day in the week.

Sardar Sohan Singh Josh : Why should we suffer for your mistakes ?

Premier : It is not due to me, but it is only due to circumstances beyond the control of anybody, it is neither due to the Secretary but to these particular circumstances. The more important reason why I have made this motion is that important Government business is coming before the House. There are one or two important Bills, one of them has been hanging fire merely on account of a technical ground, the Bill which has been referred back and of which notice has been given and which we find on the order paper one of these days, with regard to the appointment of official receivers.

Mr. Speaker : The Honourable Premier is discussing not only the point of order but also the merits of his motion.

Pandit Muni Lal Kalra : The point is whether such a motion could be moved and is in order. We should therefore first finish this before we enter on the discussion of the merits.

Premier : That is what I am trying to do. The other point of order, if I may dispose it of first, raised by my honourable friend, Chaudhri Krishna Gopal Dutt, was that since it was a non-official day therefore no Government motion could be moved. By no stretch of imagination can you call

this particular business a Government business merely because it has been moved by a Minister. My submission is that the resolution is concerned with the procedure of this House. Take another instance, from the point of view of private members. If that point of view were to prevail it would be almost impossible, next to impossible for a private member to make any procedural motion in this House for the simple reason that according to this interpretation of the rule you would not be able to make any motion except on a non-official business day. Out of six days there is only one non-official day and since according to my honourable friend Diwan Chaman Lall a motion must be moved on a sitting day and if a member wants to give notice or make a motion on a Government day, he cannot do so, he must give notice on a Wednesday but Wednesday is an off day according to the rules and therefore he must give notice of it on Tuesday if he wants to discuss a certain motion. There can be several emergencies and private members may like to move for the suspension of the standing orders. Now this contingency can arise, it is conceivable that it can arise, but according to my honourable friend it would be impossible for any member to move any such motion.

Chaudhri Krishna Gopal Dutt : You could have begun the session yesterday.

Premier : My honourable friend wants to get over this difficulty by devious methods. I am only facing the situation. It is a non-official day and if you want to make a procedural motion you will never be able to do so. It therefore follows that a procedural motion cannot be moved by a private member on a Government business day.

Diwan Chaman Lall : All that it means is following the procedure of the House of Commons where notice is given during the sitting of the House—all notices—whether oral or written—are given during the sitting of the House. Notices are handed over at the table. It is done at the sitting itself and to-day is the sitting.

Premier : The difficulty is due to the interpretation of our own rules. My honourable friend has pointed out that in the House of Commons a Minister or a private member may hand over a notice at the table.

Dr. Gopi Chand Bhargava : It is half past six.

Premier : I might point out to my honourable friend that in Parliament a similar motion was moved on a Friday which is not an official day. (*Voices :* It is half past six and the adjournment motion should be taken up.)

Mr. Speaker : Sardar Hari Singh will now move his adjournment motion. (*At this stage Mr. Deputy Speaker took the Chair.*)

MOTION FOR ADJOURNMENT.

INTERMENT OF SARDAR BALWANT SINGH DUKHIA.

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

That the House do now adjourn.

[S. Hari Singh.]

The subject matter of my adjournment motion is very important involving an encroachment, undue encroachment, improper encroachment, and attack on the liberty of an important public man of the Punjab. The words of the order which has been served upon Sardar Balwant Singh Dukhia, General Secretary of the District Congress Committee, Hoshiarpur, are before me at the moment. Certain restrictions have quite unjustifiably been laid upon him. The restrictions laid on him are under section 3 of the Criminal Law (Amendment) Act, which is an extraordinary measure in the repressive armoury of the Government. Those restrictions are that an innocent person has been shut up in his village without rhyme or reason. He has been gagged. He cannot speak in public, he cannot participate in a meeting of more than five persons. Furthermore, his pen has been gagged so that he may not write any article for the papers without the permission of the district magistrate. Thus severe limitations and restrictions have been imposed upon an innocent person without any cause and I shall presently prove that there is no justification for issuing a notice under section 3 of the Criminal Law (Amendment) Act on Sardar Balwant Singh Dukhia, General Secretary of the District Congress Committee of the District to which I have the honour to belong. No one can claim to know Sardar Balwant Singh Dukhia more intimately than I do either as a private person or a public man or a political worker. He has been associated with me for the last one or two years more closely than anybody else and I have been present at almost all the public meetings addressed by him. He has been a very close friend and an intimate associate of mine for the last many months. Sardar Balwant Singh Dukhia, who has been dealt with under section 3 of the Criminal Law (Amendment) Act, is an important public man of the Punjab. He was elected Chairman of the Reception Committee of the Punjab Political Conference held last year at Gardhiwala which was an unprecedented success. No conference could rival that conference in the magnitude of the gathering. Before the conference was held, Sardar Balwant Singh Dukhia, was, on false reports made by a police head constable, hauled up under section 302 and section 115 for a certain speech alleged to have been made by him on the Andaman Day at Gardhiwala. It resulted in his conviction by the trying magistrate. He was sentenced to rigorous imprisonment for three years but on appeal to the sessions judge he was honourably acquitted. The sessions judge wrote in his judgment that the head constable, the chief prosecution witness in the case, who had submitted the report of the speech of Sardar Balwant Singh Dukhia, had made a deliberate false statement before the magistrate and that he had submitted a false diary. Thereupon, Sardar Balwant Singh Dukhia, was acquitted. I put certain questions in the Assembly. I moved the Government that action might be taken against the head constable who had been the cause of undue imprisonment, undue trial of a prominent person of the Punjab. While waiting that certain action would be taken—a certain deterrent action would be taken and the head constable punished—before we could have news of that nature—we find that Sardar Balwant Singh Dukhia, who is an aggrieved person, who was the victim of police tyranny last year, who was sentenced to three years' rigorous imprisonment as a result of a false diary, mis-statement, deliberate false statement, has been again shut up in his village. For one year his mouth has been gagged, his pen has been gagged, his movement

restricted and his liberty has been snatched away from him. When the Punjab Criminal Law (Amendment) Act was introduced in the Punjab Legislative Council in the year 1935, Mr. D. J. Boyd, who introduced this Bill, gave four main grounds in his speech as to why this measure was needed in the Punjab. You will find the speech in Volume XXVII of the Punjab Debates. I have brought the Volume with me. On going through his speech very carefully I find that he based the necessity for this legislation on four grounds. The first ground mentioned by him was that there was danger of the revival of the civil disobedience movement and, therefore, this measure was needed and that, therefore, there was necessity for re-enactment of this measure which was going to expire. Sardar Balwant Singh Dukhia cannot be accused of reviving civil disobedience movement in Hoshiarpur district or anywhere else. The second ground mentioned by Mr. D. J. Boyd was that there were many acts of terrorism in the province in November, 1932, and that, therefore, this Bill was needed to prevent recurrence of terrorism in the Punjab. No one can accuse Sardar Balwant Singh Dukhia of any terrorism, of organising any terrorist gangs, or of any terrorist tendency. The third ground mentioned by Mr. D. J. Boyd on that occasion was :—

There is another evil which section 3 of the Bill is needed to cope with, that is the evil of communism.

He also said on that occasion—

Youngmen are trained in Moscow in ways of communist propaganda and return to the Punjab with the object of subverting not only the Government but the whole social system.

No one can say that Sardar Balwant Singh Dukhia is a communist. He has never been a member of any communist or socialist group. He has not been to Moscow and even Sir Sikander cannot accuse him of subversive communist activities.

The fourth ground he gave was that there was danger of a communal disturbance and that the communalists were trying to set one community against another and therefore this measure was needed to prevent a recurrence of communal trouble like the riot at Lahore. Now I can positively state that Sardar Balwant Singh is not a communal firebrand and cannot be accused of exciting bitter communal feelings. Therefore, on all these grounds on which this enactment was based and on which the Punjab Criminal Law (Amendment) Act is based, on all these grounds we cannot justify the action taken under section 3 of the Criminal Law Deputy (Amendment) Act by the Punjab Government against the said Sardar. Mr. Speaker, on that occasion Sir Chhotu Ram delivered a speech opposing the enactment of the Punjab Criminal Law (Amendment) Act. I shall refer the honourable House to the speech of Sir (then Chaudhri) Chhotu Ram, the august Development Minister of the Punjab Government, who is responsible for taking this action against Sardar Balwant Singh Dukhia. On that occasion he made a very fine speech, a speech which even now could be acclaimed. He said opposing this measure—

I refuse to believe that those instances were instances which indicated terrorism.

The Government member who introduced the measure quoted certain instances of terrorism to justify the enactment of the measure and

[S. Hari Singh.]

Chaudhri Chhotu Ram said he could not believe those reports ; he said—mark the words—

After all the reports that you receive are very tainted reports.

I assure my honourable friend that there is now the same police which existed in the year 1935. There is the same C. I. D. The characteristics of the police and the C. I. D. have not changed. It is the same black C. I. D. and the black police working under my friend, Sir Sikander. There is not the least change in their mentality, the least change in their working. He went on to say—mark the words—

The risks of a legislation of this kind to the ordinary citizens are very very great indeed. One instance was quoted by the honourable member from Amritsar as to how a gentleman of very eminent position in this province was without a word of enquiry from him, suspected of an action which he could not possibly be guilty of. Another instance was quoted by the honourable member for Hoshiarpur relating to the incident of the arrest of Mr. Bannerji. Another instance I can quote from my personal knowledge. An official of a very low rank, a constable of the Criminal Investigation Department sought to divert suspicion in a murder case from the real culprit to absolutely innocent persons, and in order to achieve his object, he made a report that such and such persons were really at the bottom of that crime. In order to give his theory an appearance of circumstantiality he pretended to have picked up from the place of occurrence a letter addressed to one of the persons whom he desired to implicate. Fortunately the real culprit was arrested along with his alleged companions. One of these companions made a confession throwing full light on the actual perpetration of the crime. The actual murderer himself confessed that he was the murderer. Yet, this is the sort of information on which the Government so often bases its action and claims that it receives very reliable information from its Police Department.

I daresay that whoever took action against Sardar Balwant Singh has been similarly misled by false reports. 'This is what happens every day' said Chaudhri Chhotu Ram ; and this is what happens even now in the year 1938 when he is backing the Ministerial Government. 'These two or three instances' he said—mark the words—

These two or three instances have shaken my faith in the infallibility or integrity of the Criminal Investigation Department very much.

I think he has not changed his views about the C. I. D. now. Further—

This constitutes to my mind a fresh danger which will accentuate the evils of the working of a measure of this kind.

The evils to which Chaudhri Chhotu Ram referred when the measure was placed on the statute book or was going to be placed, those evils have come in the train of this measure, and the action taken against Sardar Balwant Singh under this extraordinary law is one of the evils. I can say on personal authority and personal knowledge and I can say conscientiously that this action is wholly unjustified, highly improper and inexpedient. With these words, as my time of 15 minutes is up, I close my remarks.

Mr. Deputy Speaker : The motion moved is—

That the House do now adjourn.

Tikka Jagjit Singh Bedi (Montgomery East, Sikh, Rural) (*Urdu*) : So far as the case of Sardar Balwant Singh Dukhia is concerned, I may be allowed to observe that he is personally known to me and I consider it to be a great privilege to have this acquaintance with him. But here we are not concerned with personalities and their acquaintances. We stand face to face with the broad policy of the Government which is no respecter of persons.

Let us, therefore, rise above our personal prejudices and consider the whole matter dispassionately. In this connection, I would first of all deal with the objection that has been levelled against the policy of the Government so far as it relates to the Punjab Criminal Law (Amendment) Act. It is pointed out that the Punjab Government should not bring this law into motion as it is a very repressive measure. But these honourable members very conveniently forget that the Punjab is not the only province where action under this section is taken. Even the Congress provinces use this measure if an occasion arises. And I may point out that several such occasions have recently arisen in Madras.

Chaudhri Kartar Singh : How many such cases have occurred in Madras ?

Tikka Jagjit Singh Bedi : I will mention it presently. I was going to submit that the honourable members of the Opposition go on criticising the Punjab Government for the sake of criticism.

Chaudhri Kartar Singh : As it is your duty to support the Government at all costs.

Tikka Jagjit Singh Bedi : The Punjab Government is not the only Government to make use of the Criminal Law (Amendment) Act. It is being used in all other provinces by their respective Governments. And I am sure that it will continue to be used like this. My honourable friends on the opposite benches should at least consider one thing dispassionately and that is this. The Act is being used now by the representatives of the people who use it with due consideration to the welfare of the people whom they have been called upon to represent. The present Government is not like the Government which it has succeeded. The previous Government consisted of people of a different type. This Government is fully conscious of its duties towards the people whom it has the honour to represent. We on these benches are perfectly sure that the Honourable Premier being our representative will use the Act where it is most essential to use it. He will never use it in such a way that the Opposition may legitimately feel aggrieved. He is not going to give such an occasion to the Opposition.

An honourable member : Why not ? He has given an occasion in the present case.

Tikka Jagjit Singh Bedi : You cannot altogether eliminate the use of the Criminal Law (Amendment) Act. I shall presently quote from the opinion of no less a person than Mahatma Gandhi to show that on certain occasions the use of the powers under the Act is most essential.

Sardar Sohan Singh Josh : Quoting scriptures or what ?

Tikka Jagjit Singh Bedi : He expressed the opinion referred to by me in reply to the propaganda carried on by certain people against the Premier of Madras for having used his powers under the Act. The Opposition here consists mainly of Congress members, and their criticism of the Punjab Government is very well understandable. But there in Madras the opposition offered to the Premier was from Congress members themselves. But Mahatma Gandhi replying to the Congress critics says : mark his words—

“ If such is the case, Rajaji will be foolish if he does not make use of it.”

that is, of the Criminal Law (Amendment) Act.

An honourable member : Read the whole article.

Tikka Jagjit Singh Bedi : I am prepared to read it out here only if the Honourable Deputy Speaker permits me to do so. I want to point out that the Punjab Government is prepared to punish everybody who commits an offence. He may be a member of the Government party or of any other party, that does not matter. The Government takes action where it feels that it is bound by duty to act. We all know that Pir of Makhad was prosecuted in spite of the fact that he was an influential member of the ministerial party. The Government did not render him any help.

Mr. Deputy Speaker : Please speak to the motion.

Chaudhri Kartar Singh : That case is *sub-judice*. The honourable member should be made to withdraw his words.

Tikka Jagjit Singh Bedi : I cited the case only to prove that the Punjab Government is not swayed by party considerations.

Chaudhri Kartar Singh : But the case of the Pir of Makhad is under consideration. (*An honourable member :* Is it really under consideration?) I mean to say it is *sub-judice*.

Tikka Jagjit Singh Bedi : With these words, Sir, I beg to oppose this motion.

Master Kabul Singh (Jullundur East, Sikh, Rural) (*Punjabi*) : Sir, what I have understood my honourable friend, Tikka Jagjit Singh, to mean is simply this that the Government make use of their powers under the Criminal Law (Amendment) Act just to keep it going as they apprehend that by falling into disuse it will get rusty and out of gear. I wish they had been less anxious for the frequent use of their pet measure. Now look at the irony involved in the oft-repeated claim of the Government that theirs is a Government of the Kisans. They have shut up so many Kisan youngmen behind the prison-bars that their claim to be a Government of the Kisans seems to be devoid of all reality. They have interned dozens of such youngmen who have dedicated their lives to the service of their motherland. I wish to make it clear here on the floor of this House that these youngmen are a great asset to our country. Their countrymen hold them in high esteem. If the Honourable Ministers sitting opposite, who owe their present position decidedly to the sacrifices made by these young men and their comrades, were to seek election against them, nobody would vote for the Ministers. After all, what is the fault of these youngmen? Their only fault seems to be that the Government consider them to be dangerous for their own political aims. They constitute a great obstacle in the way of the peculiar political aspirations of Government. I am reminded of an assurance which the Honourable Premier is never tired of giving. He is in the habit of saying at the meetings of the zamindars that he is always willing to pull out even a small thorn in the feet of the zamindar. I am afraid he uses the word thorn in a figurative sense, well-known in the Punjab. He treats the zamindar as a thorn in his side and wishes to pull out that thorn once for all. I am inclined to hold this opinion when I find how he treats politically-minded kisan young men whose only fault is that they are politically-minded. I want to bring to your notice the fact that the person in question was first challaned on the basis of fabricated police reports of speeches alleged to have been delivered by him. But he was acquitted. Now, he

has been interned in a vindictive spirit. This so-called Government of the zamindars should think a thousand times before they harass valiant youth of the Punjab. I want the Honourable Premier to realise that by depriving young men of this country of their liberty he is only pleasing the enemies of our freedom. He is not thereby doing anything for our good. On the other hand no action is taken by the Government against those people who incite other people to violence. The Government takes drastic steps only against those gentlemen who wish to organise the masses on economic basis. We all know that the Premier of Bengal came to the Punjab and delivered speeches which were calculated to create mischief among kisans and labourers and to turn them against one another. (*An honourable member* : When did he come to the Punjab?) He was at Simla and Simla is in the Punjab. My honourable friend should learn the geography of his province. The Premier of Bengal made inciting and inflammatory speeches but no action was taken against him.

Mr. Deputy Speaker : The honourable member should speak to the motion.

Master Kabul Singh : Sir, I was saying that the zamindar members of the so-called zamindar Government on the eve of their elections issued a manifesto to the effect that if they come

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into power the people would have full freedom of speech and thought. But to our utter disappointment we find that our comrades, the kisans do not enjoy even the shadow of it. Their liberty is restricted so much so that they cannot join more than five people at one place.

There is still another point which I want to make and that is that if a person like Maulana Zafar Ali Khan is interned he is granted a maintenance allowance of Rs. 50 a month or so. But in the case of our comrades no maintenance allowance, no facilities of any kind are granted. This is the year 1938, this is the twentieth century, a century of liberty and freedom when such acts of high-handedness cannot be tolerated. The harder you strike a ball against the ground the higher it rises into the air. Similarly the more you suppress the kisans the greater will be their voice of protest against you.

Parliamentary Secretary (Raja Ghazanfar Ali Khan) (*Punjabi*) : Mr. Deputy Speaker, I have listened to the speech of Sardar Kabul Singh with rapt attention. If one carefully examines the motion now before the House, he can draw only two conclusions. Either the law under which action has been taken against Sardar Balwant Singh Dukhia is defective or it has been abused. So far as the law is concerned, I am sure no person with a sense of responsibility would condemn it. Let us turn to the Congress provinces and see what they have done there in this connection. If they have repealed these laws, well and good, but if they have not, it shows that this special law is needed. So far as my information goes, the Congress, the so-called guardian of the civil liberties of the people, have not deemed it advisable to repeal these laws.

An honourable member : Question.

Raja Ghazanfar Ali Khan : Now look at the other aspect of the question; that is, if the law is not defective, it may be said that it has been misused. Surely it would be an abuse of law if it is applied to a peacefu

[Raja Ghazanfar Ali Khan.]

citizen who refrains from taking part in subversive movements or inciting people to violence. None of my friends over there have so far judged Sardar Balwant Singh Dukhia from this point of view. If his activities are prejudicial to the peace of the country one should have no sympathy with him in view of the larger interests of the country.

Let me take this opportunity to assure the honourable members opposite that under popular governments a Premier cannot afford to displease the people. He would think a hundred times before he takes a step, likely to create disaffection among the people. If our Premier has taken action against an individual, surely the latter must have been at fault. Whenever a person is arrested, my friends raise a great hue and cry that a well-wisher of the zamindars has been arrested. (*A voice : Not zamindars, but kisans*). I can see no distinction between a zamindar and a kisan, but if there is any, it is a very minute one. The interests of zamindars and those of kisans are all alike. Ninety per cent. of kisans are both owners of land and tenants. These delicate arguments are fallacious. If our Government is inimically disposed towards kisans, it should first of all arrest Chaudhri Sir Chhotu Ram (*hear, hear*). Let me request the honourable members to consider the matter dispassionately. Can any one with any show of reason call a government which has been responsible for the enactment of agrarian laws in the last Simla Session, an anti-kisan Government? If it is an anti-kisan government, Heaven knows what on earth a pro-kisan government means. I would like to request the Opposition to exercise their influence for creating a peaceful atmosphere in the province and exert for the good of the poor zamindars.

The activities of Sardar Balwant Singh appear to be the index of his mind. It seems as if he intends to fan the flames of communism in the country. I most earnestly request him, to abstain from creating any disorder in the country, rather let her take rest at least for a year or so. I honestly admit that only one argument advanced by my honourable friend, Master Kabul Singh, appears to be weighty to some extent. In the course of his speech he made a complaint that in the days of his internment Maulana Zafar Ali Khan was granted a maintenance allowance of Rs. 50 or Rs. 60 per month, but nothing is being paid to Sardar Balwant Singh although his financial condition is equally bad. I would like to invite the attention of the Honourable Premier to the soundness of this proposal. But at the same time I would request the Opposition party that instead of moving an adjournment motion in the House they should better send a deputation to the Honourable Premier in order to urge upon him the necessity of making inquiries in the matter. I think it would go a long way in removing their legitimate grievances. It is not proper on their part to waste the precious time of the House by moving unnecessary adjournment motions which serve no useful purpose at all. It does not behave the Opposition party to raise a hue and cry on such trifling matters.

I may point out here that being a true Punjabi or a respectable Indian I do not lag behind any honourable member on the opposite benches to demand freedom of thought and action, and a free country to live in. But we on this side of the House do not believe in such tactics as are employed

by the so-called patriots. It really gives me pain to see that the Congressites by their acts and deeds are indirectly compelling the old Mahatmaji to issue statements in favour of the application of the Criminal Law (Amendment) Act. Not only this, they are also affording us an opportunity for quoting extracts from such statements on the floor of the House in favour of measures adopted by us with a definite purpose of maintaining law and order throughout the length and breadth of the country. But anyhow it is a matter of satisfaction that only a handful of persons are engaged in subversive activities at present and the political situation of the country is improving day by day. I am definitely of the opinion that the Honourable Premier deserves our hearty congratulations on taking necessary and timely action in cases of emergency. With these words I whole-heartedly oppose the motion now before the House.

Chaudhri Kartar Singh (Hoshiarpur West, General, Rural) (*Urdu*) : Although the Parliamentary Secretary has made a parade of his oratorical eloquence, yet he has failed to throw light upon the question involved as to whether the Government was justified or not in bringing certain sections of the Punjab Criminal Law (Amendment) Act into operation against Sardar Balwant Singh Dukhia. My honourable friend Sardar Hari Singh has remarked in the course of his masterly speech that before the enactment of the said measure the then Home Member tried to recount the reasons for passing this Bill into law. He pleaded in the most earnest tone that the immediate enactment of the measure was necessary on the following grounds. He remarked that civil disobedience movement was the popular cult of the day ; anarchical and revolutionary movements were prevalent at that time ; communalism had worsened the political atmosphere of the country and last but not least the budding youths upon whom the future hopes of India lay were taking part in subversive activities. Further more, he gave a definite assurance to the effect that such a measure would only be used against a person who would be found guilty of taking part in any of the said movements. I challenge the Government to provide proof to the effect that Sardar Balwant Singh had been taking part in any of the alleged movements, for which his internment has been deemed indispensable. I may point out here that Sardar Sahib is an avowed votary of Mahatma Gandhi's cult of non-violence. His only fault is that he had been establishing Congress committees at different places in the Hoshiarpur district. He cannot be held responsible for creating communal tension in the province. He does not believe in civil disobedience. He is neither in league with the terrorists nor does he take part in subversive activities. I, therefore, ask the Government in all sincerity, if no such charge can possibly be laid against him then why was an order under section 3 of the Criminal Law (Amendment) Act served on him ?

So far as this question is concerned as to why we do not seek interviews with the Honourable Premier and talk personally to him on such subjects, I shall deal with it later. We are prepared to discuss with him only such matters which relate to provincial legislation. It is a fact that had we failed to move the adjournment motion now before the House we would have violated the commitments given to the poor kisans whom the Government also hold in great esteem.

[Ch. Kartar Singh.]

My honourable friend, Tikka Jagjit Singh has remarked that this matter relates to the policy of the Government. It means that the Government intends to crush the Congress during the next 4 years. I would like to inform the House that if it is determined to do so it should not resort to such under-hand means against us but should use the self-same weapons which were once popular with the white bureaucracy. Let them openly declare that they are out to end the Congress and we on our part will accept this challenge. My honourable friend, Tikka Jagjit Singh has said that the Government has prosecuted Pir Lal Badshah—a member of its party. My humble submission is that it is well-known that the Honourable Premier has himself launched this prosecution for personal reasons, and the rivalry during the elections to District Board, Campbellpur, also had to do something with it. It is no longer a secret now that the Government has interned Sardar Balwant Singh with a definite view to win as many seats as possible on the District Board, Hoshiarpur, during its next elections.

Mr. Deputy Speaker : The honourable member is not speaking to the motion.

Chaudhri Kartar Singh : Sir, I myself once had to undergo an internment for 2 years. During those days Sbrimati Lekhwati Jain put certain questions in the old Council, and the Government justified its action under the plea that I was a terrorist and used to take part in subversive activities. But recently when I asked the Honourable Premier as to whether the Government was justified in interning me, he was pleased to reply that the old order had now been changed and a new Government had come into power which did not consider me as a terrorist. If I am not a terrorist now, then why does the Government take my comrade for a terrorist and think it fit to intern him within his village? I challenge the Honourable Premier and the Parliamentary Secretary who preceded me that if they think that Sardar Balwant Singh has committed any political offence they should lay it before the House. And if it is only the question of policy then I make bold to say that the Government may try its best to destroy the Congress root and branch. We would gladly welcome all such drastic measures which the present Government would adopt in this respect. The Government may rest assured that in this case we would not move any adjournment motion in this House. And so far as this question is concerned that we do not care to talk to the Premier on such matters I shall make it a point to see him personally at least in connection with the case of Sardar Jalwant Singh of Arifwala.

We have been advised not to interfere with the administration of the province. I would only make one remark about this advice. It was under this very administration that communal riots broke out at Multan. There the release of the ring-leaders was demanded and the Government at once released them. (Premier : No, no). The wrath of the Government is visited only on those whom the Ministry considers dangerous for its existence, and the internment of Sardar Balwant Singh Dukhia is due to this very reason. The elections to the Hoshiarpur District Board are due to be held very soon, and the Government do not want Mr. Dukhia to participate in them and become a member of the Board.

The Government has not given any definite reason for his internment. It is the duty of a responsible Government to let a person know the reasons for any action taken against him. I once again want to make it clear that if the Government is out to stop all activities of the Congress and to end the existence of that august body in this province, let it say so openly. In that case we shall neither put a question nor make any other request to the Government. We know how to withstand attacks on the Congress and whenever need arises we will fight for its existence and honour to the last man.

My honourable friend, Sir Chhotu Ram, is never tired of saying that the Punjab should be governed by zamindars. I also want a zamindari government in this province. (*Hear, hear*). But there is this difference that I want this zamindari Government not under Sir Sikander Hyat-Khan but under the Indian National Congress.

In the end I wish to warn the Government that if these are the weapons it wants to use against us, Doaba is prepared to fight the battle of the Congress. Doaba is at the back of the Congress and it knows how to fight its enemies. I am confident that we shall inflict a crushing defeat on you in the elections to the Hoshiarpur District Board. I challenge you to use all the weapons in your armoury. We are sure to win.

Honourable members: Question may now be put.

Closure motion was put and carried.

Sardar Hari Singh: Mr. Deputy Speaker, it is to be regretted that neither the member-in-charge of law and order who is responsible for taking this action, unjustified action, under section 8 of the Criminal Law (Amendment) Act nor his sweet-tongued Parliamentary Secretary, nor the heavy weight Parliamentary Secretary, has opened his lips in support or in justification of the action against Sardar Balwant Singh Dukhia. Therefore, I have only to refer to the speeches made by the honourable member from Montgomery and the Parliamentary Secretary to the Revenue Minister. Their speeches could have convinced nobody but themselves. They said that the Criminal Law (Amendment) Act still exists in the armoury of the Congress governments and they adduce no other argument in justification of the action taken against Sardar Balwant Singh Dukhia beyond saying that the law was necessary, that it still exists in the Congress provinces. They adduced not a fragment of argument in justification of this particular action against Sardar Balwant Singh Dukhia, which is the subject matter of the adjournment motion. The reasons why this action, indefensible action, has been taken against him are to my mind the following. Not because he was a danger to public peace, a danger to law and order, but because, the police wanted to take revenge against him on account of the failure of a false case against him started last year to which I have already referred in my previous speech. The case had failed. He was at liberty again. He was criticising the police. He was criticising the Punjab Ministry. He was criticising the district authorities. He was carrying on Congress work in the remotest villages of the Hoshiarpur district. He was the life and soul and inspiration of Congress activities and movement in the Hoshiarpur district which is responsible for organising 531 Congress committees, that is to say one Congress committee for every four villages in that district. That is a record number of Congress committees. That is

[S. Hari Singh.]

the record of Sardar Balwant Singh Dukhia and that is why action has been taken against him under an extraordinary law. He could have been prosecuted for his speeches if they were violent. But they did not fall within the mischief of section 124-A or section 108 or any other section of the Indian Penal Code. The police had no ground to prosecute him. They sent his speeches to the legal advisers of the Government who said that no action could be taken against him, that prosecution against him, if started in a regular court of law, would fail, as it failed last year. That is why action has been taken against him, not in an open court of law but in the cabinet room of the Premier. It is based on the Criminal Investigation Department's reports and police reports which are entirely false. Then again, this action has been taken, as stated by Chaudhri Kartar Singh, because the district board elections are impending in that district only three months ahead and Sir Sikander's party, the Unionist party men want to capture the district board and they know that the earth is slipping from under their feet and the Congress is gaining ground every day in Hoshiarpur district. They know they would lose control of the district board. Therefore, they want to put restrictions on all the active workers of the district and I fear that there will be more internments in that district. Again, if action is justifiable under section 3 of the Criminal Law (Amendment) Act against anybody, I think the first person on whom the axe of this section should fall should be the Honourable Premier of the Punjab and the next person the Honourable Chaudhri Sir Chhotu Ram, the Development Minister, and the third person too, from among those benches. Sir Sikander delivered a speech at Hariana conference in reply to an address from the so-called zamindara league of that district in which it was mentioned that Bolshevik propaganda was being carried on in the district. These words were inserted in the address purposely, with a set purpose, in order to justify the action which was going to be taken later on under section 3 of the Criminal Law (Amendment) Act. They were inserted there at the instigation of the local authorities who wanted to take action against certain Congress workers and Sir Sikander in his reply said that he knew that the public was against the Congress, that the Hoshiarpur public was feeling resentment at the activities of the Congress workers and that even he would not be able to save the Congress workers from public resentment. That was an indirect incitement to violence against the Congress workers. As a result of that speech, what has happened in the village of an honourable member of this House, who is a member of the Unionist Party, is that violence was committed on Congress workers who happened to visit the village and it is alleged that the honourable member himself used violence against certain Congress workers who happened to visit that village. That is the direct outcome of the speech of the Honourable Sir Sikander Hyat-Khan that Congress workers were beaten severely in a certain village which is the stronghold of the Unionist Party, the village of a Unionist member of this House and because that is the outcome of the speech therefore I say that the first man who should be dealt with under the Criminal Law (Amendment) Act should be Sir Sikander Hyat-Khan himself and he should be shut up in his village of Wah.

Premier : I wish you could do it.

An honourable member : Wait and see.

Sardar Hari Singh : The local police as stated was revengeful. It wanted to take revenge against Sardar Balwant Singh Dukhia, because he is a strong critic of the Superintendent of Police of the district who has been so often mentioned in the speeches in this House and who has been so severely criticised so many times in the House. He wanted to take revenge on Sardar Balwant Singh Dukhia, because the prosecution against him had been a miserable failure and had not only failed but had brought a blot on the administration of his district and when Sardar Harjab Singh, an honourable member of this House, happened to see the present Superintendent of Police one day and talked to him about the head constable who had submitted a false report and about whom the Sessions Judge had passed strictures, and asked why no action had been taken against him, the Superintendent of Police said that he was a Khalsa and the constable was a Khalsa, and he should not press for action against him. This is inspite of the fact that the sessions judge stated that the constable had made a deliberate false statement. Inspite of an unimpeachable judicial pronouncement, Sir Sikander Hyat has been sleeping and his Government has been sleeping and no action has been taken against that head constable who was responsible for sending Sardar Balwant Singh to jail, but Sardar Balwant Singh is again shut up in his village on a false report. If the Honourable Premier had spoken in justification of the action taken against Sardar Balwant Singh I would have been in a better position to rebut the arguments in favour of his order against him, but I regret to say that I am not in a position to rebut what he might have to say after me.

Lala Bhim Sen Sachar : Before the Honourable Premier makes his statement I just want to draw your attention to the fact that the question of closure cannot arise in so far as a motion for adjournment is concerned. In a motion for adjournment the only question that can be put is "that the House do now adjourn" and then we have it that unless the debate is finished within two hours it shall automatically come to an end. It means that it must go on for two hours which is the duration fixed for the debate and we cannot cut it short. Two hours have been fixed for adjournment motion and the only question that can be put is "that the House do now adjourn" and no question of closure therefore arises.

Mr. Deputy Speaker : The rules are absolutely clear on the point. These rules are not open to any such interpretation. If the discussion is fixed for two hours the motion automatically terminates after that, otherwise, votes are taken on the motion.

Lala Bhim Sen Sachar : I submit that if this view were to prevail then the majority would always be able to stifle discussion. It has been laid down that 35 members should rise in their seats before time can be claimed for the discussion of the adjournment motion. This is the right of the minority and the majority cannot step in and curtail the time which has been fixed under the rules and has been, as it were, wrenched from the majority by the minority.

Lala Duni Chand : May I explain the rule? The rule is that if the debate continues up to the last minute of two hours then the motion is talked out and if the debate comes to an end at any time before the expiry

[L. Duni Chand.]

of the two hours, then it is put to the vote of the House. If there is any desire on the part of any member of the House to continue the debate up to the last minute of the two hours you cannot prevent him from doing so.

Mr. Deputy Speaker : The honourable member is under a misapprehension. This rule should be read along with rule 62 relating to closure.

Sardar Hari Singh : Does it mean that closure can be moved even at the end of one speech ?

Lala Deshbandhu Gupta : Then the very object of bringing forward adjournment motions will be defeated.

Mr. Deputy Speaker : If the honourable member were to read the rule relating to adjournment motion, with the rule relating to closure, the honourable member will come to the same conclusion.

Chaudhri Krishna Gopal Dutt : Rule 47 clearly states that the debate shall be for two hours and rule 52 says—" a matter requiring the decision of the Assembly is decided by means of a question....." But this is not a matter requiring the decision of the Assembly at all, because the rule lays down that the debates shall be for a couple of hours. I think we should follow the letter and spirit of rule 47.

Mr. Deputy Speaker : That is not the case.

Chaudhri Krishna Gopal Dutt : Rule 47 reads—

Provided that if the debate is not concluded within two hours from the time at which it was commenced, it shall automatically terminate and no question shall be put.

There is no provision that the debate can be terminated earlier than two hours. That is the point.

Mr. Deputy Speaker : The honourable member should read rule 47 with reference to rule 62 relating to closures.

Lala Bhim Sen Sachar : May I be permitted to say that rule 62 refers to closure which means that the decision of the House has got to be taken with respect to a certain question. In the case of an adjournment motion there is no question of a decision of the House, for there is no question before the House, all that has to be done is that the House stands adjourned.

Mr. Deputy Speaker : Rule 62 applies to all motions.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : Sir, I am at a disadvantage because the time at my disposal is short and I can only briefly refer to the arguments advanced by my honourable friends. However, I shall try to do my best. To begin with I would refer to the statements made by my honourable friend, the mover of the adjournment motion with regard to the object which actuated the Government of the time to put this particular law on the statute book. He said that the law was meant to be used against terrorists or to stop terrorism. He said that those conditions were not in existence to-day and asked, why put the machinery of law in action now ?

Sardar Hari Singh : I never said so. I said that Sardar Balwant Singh Dukhia was not a terrorist and he could not be accused of terroristic activities.

Premier : What was said was that he was not a terrorist and, therefore, this law should not have been put into force. Is that your point ?

Sardar Hari Singh : Yes.

Premier : My honourable friend perhaps believes that there would be no preventive measure taken. He only believes in 'give up.' He believes in the disease being allowed to develop and develop to a pitch when stronger measures are necessary. He will not allow a small drug like the quinine being administered to avoid that rather drastic measure being taken later on. If that is my honourable friend's point, I do not see eye to eye with him. I might concede straightaway that I agree with him that this law is generally meant to prevent terrorism. My honourable friend would be surprised—I am sure he will at least express surprise—when I tell him that our action in this particular case and in two other cases was taken with a view to stop recrudescence of that very malady in this province and I am constrained to remark that some of the irresponsible speeches, I understand, made by some of my friends opposite outside on the public platform are to some extent responsible for creating an atmosphere which might be conducive to breeding the germs of that fatal malady again in this province. It is for that reason that the hands of the Government are forced occasionally to take action under this law which nobody likes. I can assure my honourable friend opposite that I detest this law and I wish that the atmosphere in the province had been such that it would have been possible for any one of us not even to think of using that law. But, unfortunately, that is not the position and my honourable friends opposite cannot, if they put their hands on their hearts, say that that atmosphere is being created in this province. (Voices : By you.) They said that we had taken action for no act of or incitement to violence. With your permission I would just quote a few facts for the information of this House which would conclusively prove that Mr. Balwant Singh Dukhia, for several months past, had been making most intemperate and highly objectionable speeches at political meetings praising the crime of violence committed by terrorists. He had been supporting the idea of destruction of Government by violent means.

Diwan Chaman Lall : May I ask him whether those speeches do or do not come within the purview of the ordinary law of the land—either section 121-A or section 124-A ? If they do, then why was action not taken against him under the ordinary law ?

Premier : If my honourable friend would have patience I will read that portion later on and he will find the reasons why that action was not taken.

Diwan Chaman Lall : Are these reports police reports ?

Premier : Yes. (Voices : Hear, hear).

Diwan Chaman Lall : Since this matter of corroboration took a lot of time of the House this afternoon, may I ask him what corroboration has my honourable friend got to these charges ?

Premier : This is a report from different quarters.

Diwan Chaman Lall : Corroboration when it comes on behalf of the Leader of the Opposition and members of this House is not sufficient but corroboration when it comes from petty hirelings of the Government is quite sufficient.

Premier : It is not based on hearsay.

Mr. Deputy Speaker : Order, please.

Munshi Hari Lall : Are you reading the full report of the police or the short notes ?

Sardar Hari Singh : Letter of the Superintendent of Police. Lincoln's letter, is it not ?

Mr. Deputy Speaker : All these questions should be put through the chair.

Premier : If they want to question, they should question at the end of my speech. I will then try to answer their questions.

Sardar Balwant Singh first came to public notice in 1923 and has since been prosecuted on numerous occasions for his speeches which frequently contained incitement to violence. He has been convicted by the ordinary law courts on no less than four different occasions.

Sardar Hari Singh : Certainly.

Lala Deshbandhu Gupta : Perhaps every one sitting on this side has been convicted more than once.

Premier : In August, 1937, he was convicted by the lower court with regard to a speech — a case to which my honourable friend referred. It contained incitement to murder. This speech was delivered at a conference held at Gardhiwala in Hoshiarpur district.

Sardar Hari Singh : And that was a false statement. He was sentenced to three years' rigorous imprisonment but was acquitted by the sessions court. What did the sessions judge say in the judgment ?

Premier : I speak from memory and subject to correction but what the sessions judge said was that the reporter's statement in the court did not tally with the report and it was physically impossible to repeat *verbatim* that speech at the time he gave his statement.

Diwan Chaman Lall : Is it or is it not a fact that he said that it was a deliberately false statement ? Did the sessions judge use that remark ?

Premier : My recollection is that he said that it was impossible for him.

Sardar Hari Singh : He said that it was a deliberate false statement.

Diwan Chaman Lall : My honourable friend can take it from me that I was briefed in that case. What my honourable friend is saying is correct.

Premier : I have no quarrel with that.

Diwan Chaman Lall : The point is this. If the police can deliberately concoct false statements against a man, what reliance can be placed on this statement which my learned friend is reading out ?

Premier : I hope you will allow me to finish. After his acquittal in this case Balwant Singh had been prominent in organising public meetings and making terrorist speeches containing incitement to violence which had a most harmful effect. I have received the reports both from

official and non-official sources. (*Interruptions.*) My honourable friend referred to an address which was presented to me by about forty thousand zamindars of the Hoshiarpur district in which reference was made to this terrorist propaganda. Speaking at a public meeting at Khairwind in the Hoshiarpur district on the 1st September, 1938, Balwant Singh described the police as an individual suffering from an infectious disease and described officers of Government as worse than dogs. Throughout his career he has shown himself to be utterly incapable of appreciating the difference between liberty and licence and is determined to create violence, and thus has made it imperative for the Government to take action against him. My honourable friend has tried to impute motives to the Government. (*Interruptions.*) I might for the information of my honourable friend state that in the Gurgaon district where the Congress is supposed to have got the greatest hold over the people, out of 34 seats only one seat was won by a man who stood on the Congress ticket.

Diwan Chaman Lall : How many on the Unionist ticket ?

Premier : Thirty-three.

Diwan Chaman Lall : They all stood on the independent ticket and not on the Unionist ticket. Did Mr. Manohar Lal stand on the Unionist ticket ? Did the Honourable Minister for Public Works stand on the Unionist ticket ?

Premier : I was pointing out that all the seats were secured by the Unionists except one which was won by a man who posed to be a Congressman and came in because he is a Rajput, as there was a large number of Rajput votes he succeeded ; and the other seats were more or less won by the Unionist candidates. That is the position in a district which is more politically conscious and where the Congress claims a stronger hold over the people than in the Hoshiarpur district. But I may warn that there is danger outside this House of Congress losing very gradually since people have come to realise in this province that Congress people do not act up to the principles laid down by the Congress High Command. The other day an honourable gentleman who holds a very high position in the province tried to promulgate the orders of the Congress and was hooted out merely because he wanted to follow the Congress.

Diwan Chaman Lall : Who was he ?

Premier : I need not mention his name ; my honourable friend knows him perfectly well. We are not afraid of the real Congressmen, we are only afraid of those people who pose to be Congressites. They say they are Congressites, but do things which are absolutely contrary to the creed of the Congress and to the basic principles of the Congress itself. You may now be aware that several of my friends opposite whenever they go to villages say in their speeches on the platform and through statements in the press, "we strongly opposed these measures....."

Dr. Satya Pal : It is a damnable lie when the Premier makes that statement.

Diwan Chaman Lall : Mr. Deputy Speaker, is it first of all relevant to the debate? If it is not relevant, may I on a point of order draw your attention to the fact that the Premier is getting a little bit excited and has become a little bit irrelevant? It is your duty as Deputy Speaker to stop him when he is irrelevant.

Mr. Deputy Speaker : I would like the honourable member to state his point of order.

Diwan Chaman Lall : This is my point of order that irrelevance is being imported into his speech and you are sitting silent in your chair not directing the Honourable Premier to be relevant.

Mr. Deputy Speaker : The Honourable Premier was not, strictly speaking, relevant but because the honourable member put questions to the Honourable Premier direct and not through the chair, the Honourable Premier had to give answers.

Diwan Chaman Lall : May I draw your attention to the second point of order and that is this (*interruptions*). This afternoon in this House there was a serious discussion regarding the necessity of corroboration. My honourable friend is making a statement which he should corroborate and you should direct him to come out with a corroboration of his statement.

Raja Ghazanfar Ali Khan : May I submit that the words used by my honourable friend, Dr. Satya Pal that 'this is a damnable lie' are most objectionable and should be withdrawn?

Dr. Satya Pal : I have used the expression which the Premier used in the case of a statement made by a member on this side. I, therefore, took my lead from the Leader of the House.

Raja Ghazanfar Ali Khan : My submission is that what the Honourable Premier said was that what they say was not correct and he used the words damnable lie. My second point is this and I want your ruling thereon. Supposing I use an expression which is not parliamentary and if somebody else used that expression again, is it not open to you to give a decision whether that particular expression is unparliamentary or not? I would request you to give your definite ruling on this point. Is the business of the House going to be carried on in this way?

Mr. Deputy Speaker : The expression is really offensive, undignified and unparliamentary.

Raja Ghazanfar Ali Khan : Then he should withdraw.

Sardar Sampuran Singh : This has become parliamentary since this afternoon, because Mr. Speaker did not ask the Leader of the House to withdraw it. So I am afraid unless this confusion is removed, *i. e.*, unless it is admitted that the words used by the Honourable Leader of the House were also unparliamentary and he withdraws them, it is going to be the rule of this House to use these words.

Premier : My honourable friend is perhaps too muddle-headed not to have understood what I said last time and he is trying to impute to me something which I never said. What I said was that the version of the honourable member was based on a statement which was a damnable lie.

Dr. Satya Pal : I have used these words in the same spirit in which they were used by the Premier.

Premier : I say if the report is published in the newspaper, it is incorrect and is a damnable lie.

Raja Ghazanfar Ali Khan : May I submit that you have ruled that the expression used by Dr. Satya Pal is undignified, offensive and unparliamentary? If you have given this ruling then he should withdraw that expression.

Chaudhri Krishna Gopal Dutt : May I point out that it is regrettable that the word 'damnable' has been used on the floor of the House. It was I who pointed out when the Honourable Premier used it that this word should be withdrawn but the Speaker held his own and kept quiet. May I say that you may decide that the word 'damnable' is unparliamentary, undignified and offensive and should not be used on the floor of the House; and in the interest of the dignity of the House and purity of debate here, I would appeal to the Honourable Premier to withdraw that expression and then Dr. Satya Pal should also withdraw.

Mr. Deputy Speaker : The Honourable Premier at that time explained it satisfactorily that he did not use that expression concerning any honourable member of the House.

Chaudhri Krishna Gopal Dutt : The word 'damnable' should not be used on the floor of the House. This has never been used so far as I know in any legislature. Those from whom we have borrowed this word have never used it in their legislature. It is only our Premier who first used this phrase—And yet Brutus is an honourable gentleman.

Mr. Deputy Speaker : The Honourable Premier did not use that expression in reference to any honourable member.

Chaudhri Krishna Gopal Dutt : There cannot be one ruling for Dr. Satya Pal and another for the Honourable Premier.

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Diwan Chaman Lall : As you said that the Honourable Premier has explained that he did not mean what he actually said and that he meant something else, in the same manner Dr. Satya Pal has explained that it was a repetition that he was guilty of a lie. He did not concoct it but it was a repetition of the words "damnable lie". If a report in a newspaper is incorrect, it is a damnable thing.

Dr. Satya Pal : My reply is just the same as the Honourable Premier gave in the case of Rai Bahadur Mr. Mukand Lal Puri.

(*Loud voices :* Withdraw, withdraw.)

Chaudhri Krishna Gopal Dutt : May I make a very serious and humble appeal to the Honourable Premier and it is this that he should see that such words should not be used in the interest of the dignity of the House and that he should voluntarily withdraw them. May I appeal to you that you should ask him to withdraw those words?

Mr. Deputy Speaker : The point is a simple one. The Honourable Premier made it clear more than once that he did not use that expression concerning any honourable member.

Dr. Satya Pal : I have made it clear half a dozen times that I used those words in the same—

(*Loud voices :* Withdraw, withdraw.)

No, I will not. I have used those words exactly in the same sense in which the Honourable Premier used them.

Premier : My honourable friend, Sardar Sampuran Singh, is smiling, because he thinks that he has won the point. I can assure him that he has not. (*Interruptions*).

Mr. Deputy Speaker : I would request the honourable members not to interrupt.

Raja Ghazanfar Ali Khan : The honourable member should explain that he did not refer to any statement made by the Honourable Premier. If he is prepared to give that explanation, we will be satisfied and if he does not do so, we will insist upon him to withdraw those words.

Premier : Another point which my honourable friend, Sardar Hari Singh, made, was this — and he quoted the speech of my honourable friend Sir Chhotu Ram made some years ago when this Bill was before the House — he said along with other things that some of those reports which were received from the police were tainted and that he was very doubtful in regard to the expediency of a measure of this kind to be placed on the statute book. My honourable friend is aware that Sir Chhotu Ram is a member of the Cabinet and a member of a responsible Government. My honourable friend should know that we do not treat those reports in the same spirit or with the same carelessness as it used to be in old days. Unfortunately I cannot divulge the figures and cannot show the files, but I can assure my honourable friends that probably out of every hundred cases that come to me, only in one case such action is taken and if my honourable friend goes through it, he would be satisfied that without passing an order of that kind there would be real danger and menace to the peace and tranquillity of the province as a whole. I think my honourable friend will concede that we must do our best to avoid an atmosphere which may lead towards creating lawlessness. I am at one with those several big people in this country, who think and talk of non-violence and my objective is the same as that of Mr. Gandhi. If my honourable friends were to co-operate with me, instead of trying to embarrass the Government, I am sure we would be able to create a good atmosphere in the province. I am sorry to find that violent speeches are made by irresponsible persons which are conducive to raising a spirit of violence and which are a menace to the whole province.

Diwan Chaman Lal : I rise on a point of order. The rules of debate detail that an adjournment motion shall be discussed strictly within the terms of the motion itself. Not one word this way or that way. If you look up the precedents, I will give you one. When an adjournment motion on the Reserve Bank was moved in the Central Legislature in 1927, no debate was possible because few speakers could go beyond the scope of the motion. My honourable friend has roamed over the entire field of politics in India, he has roamed over the entire field of Criminal Law in India, and he has roamed over the entire field of present Punjab politics,

I submit that if you are going to uphold the Rules of this Assembly, you must call him to order and keep him within the strict terms of the motion.

Mr. Deputy Speaker : The honourable member should have risen earlier. The last argument is relevant.

Premier : One of the arguments given was that we are not sympathetic towards kisans and that my honourable friends opposite have got more sympathy for them than we have. I may inform him that kisans are reported to have assembled in large numbers at Lyallpur in connection with the Zamindara Conference of my friends opposite there. I will also name a few other kisans. One of those kisans, Mr. Bhula Bhai Desai, a close friend of mine and for whom I have great respect, came from the Bombay presidency. Another kisan, who presided over that meeting, came from the North-West Frontier Province and who I am told has not got an inch of land there.

Diwan Chaman Lall : How many inches of land has the Honourable Sir Chhotu Ram got?

Premier : 86 bighas. (*Laughter*).

Diwan Chaman Lall : Are they all *benami* transactions? (*Laughter*).

Premier : No, no. He has never had an opportunity of mixing with those gentlemen.

Diwan Chaman Lall : He had an opportunity when he wanted to stand for election. We have evidence in our possession.

Premier : Now, Sir, my honourable friend, Pandit Muni Lal Kalia, was another big kisan. I must concede that their decency always was to say that those Bills were based perfectly on a right principle.

Diwan Chaman Lall : Is this relevant?

A Voice : The Honourable Premier is a kisan. Mr Manohar Lal is a kisan.

Diwan Chaman Lall : A *bania* a kisan? How can a *bania* be a kisan? (*Laughter*).

Premier : My friend Mr. Hari Lal has also been once a kisan.

Munshi Hari Lal : I did not follow the remark about myself.

Premier : If that is what is meant by kisan, then I concede that they are more sympathetic towards kisans than we on this side.

Dr. Gopi Chand Bhargava : When is the Honourable Premier going to stop? Where was the necessity of fixing a time limit? The rules are merely meant to gag the Opposition.

Premier : If the honourable members will let me speak then I will finish in a couple of minutes. I was merely pointing out that my main object is to save these kisans from being duped. Formerly the word 'kisan' was being used only in the United Provinces, now my friends must thrust that word in the Punjab also in place of the word 'zamindar'. I want to save not only these poor peasants but all peace-loving people in the province and preserve the peace and tranquillity of the province.

Diwan Chaman Lall: If that is what you want to do, then why not lock up the Minister for Development? (*Laughter.*)

Sardar Hari Singh: The Honourable Premier is delivering an absolutely irrelevant speech.

Mr. Deputy Speaker: Such arguments were used on this side also.

Premier: My honourable friend thinks that we on these benches are devoid of all sense of proportion and propriety. Does he believe that? If so, he is welcome to hug that view as closely as possible. That is at least not the view of those who have put us on these benches. I repeat again with all the emphasis that I can command that my object in taking such action is to create a peaceful atmosphere. I feel that the lead which the province has taken over other provinces in various spheres should be maintained and that nothing should be done which would retard the progress of the province. The action taken is in the interest of the zamindars and other peace-loving citizens throughout the province.

Lala Duni Chand: I want to put a question to the Premier which will strike at the very root of the case. The question is whether he will be pleased to state whether it is not a fact that the speeches as given by him are not the version of the speeches as given by Sardar Balwant Singh and that they are the report of a third party, namely, some police officer. If so, will he please disclose the name of the police officer?

Mr. Deputy Speaker: The question is—

That the House do now adjourn.

(*The Assembly divided: Ayes 27; Noes 61.*)

AYES.

Ajit Singh, Sardar.
Bhagat Ram Sharma, Pandit.
Bhim Sen Sachar, Lala.
Chaman Lall, Diwan.
Deshbandhu Gupta, Lala.
Dev Raj Sethi, Mr.
Duni Chand, Lala.
Gopi Chand Bhargava, Dr.
Hari Lal, Munshi.
Hari Singh, Sardar.
Harjab Singh, Sardar.
Kabul Singh, Master.
Kartar Singh, Chaudhri.
Kartar Singh, Sardar.

Kishan Singh, Sardar.
Krishna Gopal Dutt, Chaudhri.
Mula Singh, Sardar.
Muni Lal Kalia, Pandit.
Partab Singh, Sardar.
Rur Singh, Sardar.
Sahib Ram, Chaudhri.
Sampuran Singh, Sardar.
Sant Ram Seth, Dr.
Satya Pal, Dr.
Shri Ram Sharma, Pandit.
Sohan Singh Josb, Sardar.
Sudarshan, Seth.

NOES.

Abdul Haye, The Honourable
Mian.
Abdul Rab, Mian.
Afzaalali Hasnie, Sayed.
Ahmad Yar Khan Daulatana, Khan
Bahadur Mian.

Ahmad Yar Khan, Chaudhri.
Akbar Ali, Pir.
Ali Akbar, Chaudhri.
Allah Bakhsh Khan, Khan Bahadur
Nawab Malik.
Amjad Ali Shah, Sayed.

Ashiq Hussain, Captain.
 Chhotu Ram, The Honourable
 Chaudhri Sir.
 Faiz Muhammad, Shaikh.
 Fateh Jang Singh, 2nd-Lieutenant
 Bhai.
 Fateh Muhammad, Mian.
 Fazl Ali, Khan Bahadur Nawab
 Chaudhri.
 Few, Mr. E.
 Ghazanfar Ali Khan, Raja.
 Ghulam Mohy-ud-Din, Maulvi.
 Ghulam Qadir Khan, Khan Bahadur.
 Gopal Singh (American), Sardar.
 Gurbachan Singh, Sardar Sahib Sar-
 dar.
 Hans Raj, Bhagat.
 Het Ram, Rai Sahib Chaudhri.
 Jagjit Singh Bedi, Tikka.
 Jagjit 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 Ba-
 hadur Raja.
 Muhammad Ashraf, Chaudhri.
 Muhammad Azam Khan, Sardar.
 Muhammad Faiyaz Ali Khan,
 Nawabzada.
 Muhammad Hassan Khan Gurchani,
 Khan Bahadur Sardar.
 Muhammad Hayat Khan Noon,
 Nawab Malik Sir.

Muhammad Jamal Khan Leghari,
 Nawab Sir.
 Muhammad Nawaz Khan, Major
 Sardar.
 Muhammad Nurullah, Mian.
 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 Cap-
 tain Malik.
 Muzaffar Khan, Khan Bahadur
 Nawab.
 Nasir-ud-Din Shah, Pir.
 Naunihal Singh Mann, Lieutenant-
 Sardar.
 Pritam Singh Siddhu, Sardar.
 Riasat Ali, Khan Bahadur Chaudhri.
 Ripudaman Singh, Thakur.
 Roberts, Sir William.
 Shah Nawaz Khan, Nawab Khan.
 Sham Lal, Rai Bahadur Chaudhri.
 Sikander Hyat-Khan, The Honour-
 able Major Sir.
 Singha, Mr. S. P.
 Sumer Singh, Chaudhri.
 Sundar Singh Majithia, The Hon-
 ourable Dr. Sir.
 Suraj Mal, Chaudhri.
 Tara Singh, Sardar.
 Tikka Ram, Chaudhri.
 Ujjal Singh, Sardar Bahadur Sar-
 dar.

The Assembly then adjourned till 2-30 P. M. on Friday, 11th November, 1938.

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PUNJAB LEGISLATIVE ASSEMBLY.

4TH SESSION OF THE 1st PUNJAB LEGISLATIVE ASSEMBLY.

Friday, 11th November, 1938.

The Assembly met at the Assembly Chamber, Lahore, at 2-30 p.m. of the clock. Mr. Speaker in the chair.

REFERENCES TO LATE MUSTAFA KEMAL PASHA.

Premier (The Honourable Major Sir Sikander Hyat-Khan): Sir, I think I owe a duty to myself and not only to the Muslim members of this House but to my countrymen as a whole to make a few remarks, with your permission, with regard to the death of one of the greatest soldier—statesmen which the present century has produced. I refer to the late Mustafa Kemal Pasha or Mustafa Kemal Ataturk as he was known in his own country. As you are aware his was a personality which was almost unparalleled in modern times both for his paritotic achievement both as a statesman and as a soldier. I think I am voicing the feelings of all here and of the people outside this chamber in requesting an adjournment of the House to-day as a mark of respect to that great personality and I suggest that you may be pleased to order accordingly and that we should meet to-morrow instead to conduct the business on the paper to-day.

Mr. Speaker: Do honourable members agree to the House being adjourned to-day?

Dr. Gopi Chand Bhargava (Lahore, General, Urban) (*Urdu*): Sir, I have stood up to lend my whole-hearted support to the suggestion made by my honourable friend the Premier. The late Mustafa Kemal was one of the few greatest statesmen of our times. He was the pride of all Asiatic countries. He came to power in Turkey at a juncture when the whole of Europe had their greedy eyes on his country and he inflicted such a humiliating defeat on Europe that she was disillusioned for ever. The European countries wanted to crush his motherland in order to find access to Asia but he defeated all their aims. He received no high education. His father passed away when Mustafa was only a child. The dutiful mother tried to send him to a school but perhaps Mustafa was not meant for a school. He sought admission to a military college and became a military man. Later on he was one of those who rebelled against the Government of the day, and he was awarded the highest penalty of law—a sentence of death. But he was not destined to end his life ingloriously. The same Mustafa Kemal who was sentenced to hang by the neck by the Government succeeded in completely overthrowing the self-same Government and was elected President of the Turkish Republic. He achieved all through his single-hearted devotion to the service of the poor and the needy of his country. He did not merely bring about a political revolution in the country. He brought about a

[Dr. Gopi Chand Bhargawa.]

social revolution also. He swept his country clean of all signs of slavery, mental or physical. He did away with Arabic and restored the Turkish language to its legitimate position in the land of its birth. He did not stop even at this. He brought about a change, a thorough change, in the dress of the people whose destinies he was called upon to control. He established such an ordered and efficient administration in Turkey that the European countries envy him. (*Hear, hear.*) One has only to reflect upon the fact with great sorrow that Turkey may not find again as great a leader as Kemal. By his death not only Turkey but Asia, nay, the whole world has been deprived of a truly great man. It is a patent fact that a man who has great influence in his own country influences other countries as well. His death, therefore, is the loss for the whole world.

Sardar Sahib Sardar Gurbachan Singh (Jullundur West, Sikh, Rural): Mustafa Kemal Pasha was a great man and a great personality. I need hardly go into his life history and repeat what has already been said by the previous speakers. I, on behalf of the Khalsa National party, fully associate myself with what has been said by the previous speakers and strongly support the suggestion made by the Honourable the Premier.

Dr. Satya Pal (Sialkot-Amritsar, General, Rural) (*Urdu*): The whole world has suffered a loss in the sad and untimely death of Mustafa Kemal. He brought about an unparalleled revolution in his country during his lifetime. His death has not only deprived the Mussalmans of a great leader but all the countries of the world have been deprived of an inspiring personality. The greatest loss is that of Asia one of whose greatest men of all times has passed away. The loss which India has suffered is not the least. He was a source of strength for us Indians. We were all watching his glorious career with a sense of pride. We have always felt that our country could derive great inspiration from the unparalleled revolution brought about by Kemal Pasha in his own country. I express my deep sense of grief at his death on behalf of the Congress. In fact we had intimated our request already to you, Sir, that the Assembly be adjourned as a mark of respect to his memory. He was a bright star of Asia which illumined the horizon with his brilliance and Asia has been plunged into darkness by his sad death.

Mian Abdul Aziz (Outer Lahore, Muhanmadan, Urban): Sir, I have to thank my honourable friend, the Premier for having brought forward this resolution which has given us an opportunity to express our deep sense of grief at the sad demise of so great a man as Mustafa Kemal. When he assumed the charge of administration in Turkey in the capacity of the President of her Republic the country was in a very depressed condition.

It goes without saying that Kemal Atatürk did not only raise himself to glory and renown in the world but also raised the whole of his nation to the pinnacle of glory and fame. He was, as his name Kemal signifies, a living embodiment of perfection. Nay, he perfected all other things that came in his way, with the touch of his personality. Thus we find that in every sphere, be it political, social, economic or religious, he was the man who could do all that was desired. He created modern Turkey out of the ashes, as it were, of the old decaying one. It was said that Turkey was a sickman on

death bed. Kemal Turk has disproved it and shown that Turk is as brave and honest as was proverbial. He was courageous and honest and a genius who had great insight into men and things. It is a pity that our press being not intimately connected with him or his country, could not give us a complete and up-to-date account of all his great deeds. But whatever little has reached us is sufficient to convince the inhabitants of this country that he was really the greatest man of his times. Particularly his mother-land and all that it contains is the mirror of the late Ataturk. Every thing in Turkey bears the stamp of his personality. Even the buildings of Ankara—the new capital of Turkey—which were erected under his inspiration stand out prominent not only in Turkey but in the whole of Europe. His sad demise has not only shocked the Muslims of this country but has also caused great sorrow to the Hindus and the Sikhs as is evident from the tributes paid by the Leader of the Opposition and the other renowned leaders of the province. I, therefore, offer my heartfelt gratitude to the Honourable Premier for having brought forward this condolence resolution before the Assembly. I lend my whole-hearted support to this resolution and also propose a modification in it to the effect that the House should meet to-morrow at 2-30 P.M., instead of 2 P.M. as is proposed in the original resolution.

With these words, Sir, I beg to support the resolution under consideration.

Sir William Roberts (European): Sir, I associate the European community with the resolution proposed by the Honourable Premier. Kemal Ataturk was a man who not only did very great work for his own country but he was a man of very great vision and has left an indelible impression on the world. Even countries with whom or against whom he fought during the Great War and afterwards have a very warm feeling towards him. I, therefore, gladly associate myself with this resolution.

Begum Rashida Latif Baji (Inner Lahore, Muslim Women, Urban) (Urdu): Sir, everybody has felt the shock of the sad demise of Ghazi Mustafa Kemal Pasha. But as woman is by nature more sensitive than man, you can very well imagine the extent of grief which my heart has felt. I wonder why no intimation was sent to our homes early this morning that the Assembly will not meet as a mark of respect to the memory of that great man who has passed away. I tried to see the Honourable Premier this morning in order to request him to move for the adjournment of the House to-day. I am glad that he has brought forward this motion of his own accord. Everybody knows that by the death of Mustafa Kemal not only Turkey and the Muslim world have sustained a great loss but the whole world has been plunged into mourning. He was a great fighter and an ardent advocate of the education of women and children. He dedicated his life to the service of women and children and set apart the major portion of his personal property to be utilised for the welfare of children and women. With these words I support the motion now before the House on behalf of the Punjab womanhood.

Chaudhri Krishna Gopal Dutt (North-East Towns, General, Urban): Sir, I do not want to take more time of this House than is absolutely necessary. I simply want to say that I associate myself with the tributes which have been paid to Kemal Ataturk. My main point is this which, I am a

[Ch. Krishna Gopal Dutt.]

afraid, has been ignored by all the speakers who have preceded me. The greatest service which Ataturk did to his own country was to free the country from an orthodox theological hierarchy under which Turkey was groaning. I may tell you that there are, so far as my knowledge goes, only seven biographies written on the life of Ataturk and I have read all these and the main and the central point of all these biographies has been what I have already stated. Last year, I should say in the beginning of this year, I was myself in Europe and I had a talk with one man in Europe who has specialized in biographies of great men and who has met and interviewed every great man in the world to-day and he is the chief correspondent of a London newspaper. He gave me his opinion that the world perhaps has not realized the worth of Ataturk and the time will come when Ataturk in his opinion will be acknowledged as not only one of the greatest but the greatest living statesmen of the world. Be that as it may, the greatest service that he did to political institutions, the greatest service that he did to the political welfare of the people at large, the greatest service in my opinion that he did to humanity at large was the secularisation of politics. And when we pay tributes to the great man we all hope, it may be a pious hope, and wish, that we here including the other side should try to follow in the foot-steps of Kemal Ataturk.

Sardar Sahib Sardar Santokh Singh (Eastern Towns, Sikh, Urban) : On behalf of the group of Independent members in this House, I associate myself with all that has been said on this occasion. Mustafa Kemal was no doubt the greatest statesmen of the day. The peace and happiness that he brought to his country was the envy of all. The world is distinctly poorer to-day by the passing away of this great man.

Lala Harnam Das (Lyallpur and Jhang, General, Reserved Seat) (Urdu) : Sir, much light has been thrown on the life of Mustafa Kemal by my honourable friends who have preceded me. Not only were the Muslims of Turkey proud of him but all Indians including Hindus, Muslims, Achhuts and the poor and backward classes took great pride in his achievements. He dedicated the better part of his life to the task of raising the status of backward sections of society. No wonder, therefore, that every section of people has felt equally shocked at his death. I express my deep sense of grief at his death on behalf of the backward classes of this country and I pray to God to create some man of personality from among Achhuts in this country to raise the Achhut community, so that the noble work of Kemal Pasha may be revived here. I pray for the repose of his soul in Heaven. As he was good to mankind, may God be kind to him. With these words, I lend my support to this motion.

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : Sir, no doubt the late Mustafa Kemal Pasha was so great a personality that not only Turkey or Asia but as a matter of fact the whole world can very well be proud of. We should be grateful to the Honourable Premier for bringing forward the resolution under consideration which has enabled us to express our heartfelt grief over the sad demise of Ataturk of the international fame. We feel further gratified to find that the Honourable Premier has issued

orders to close the Government offices in order to enable the Muhammadan Government servants to say 'ghaibana Janaza prayers.'

The late Mustafa Kemal was a man of exceptionally great qualities and if one has to make an attempt to give a brief account of his life, he will have to make a very long speech. To be brief he was the man who rejuvenated the Turkish nation—nicknamed the "sick man of Europe"—and his name will go down to posterity as the founder of the modern Turkey.

Premier : I formally move—

That the House stand adjourned to-day as a mark of respect and condolence on the death of Mustafa Kemal Pasha and that the condolence and sympathy of this House may be conveyed to the Turkish nation in their great bereavement.

I also move—

That the House meet to-morrow at 2 p.m. to transact to-day's business.

(Voices : Yes, certainly).

(The honourable members, at this stage, stood up in their seats and observed silence for a short while).

Mr. Speaker : The first question is—

That the House stand adjourned to-day as a mark of respect and condolence on the death of Mustafa Kemal Pasha.

The motion was carried.

Mr. Speaker : The second question is—

That the condolence and sympathy of this House be conveyed to the Turkish nation in their great bereavement.

The motion was carried.

AGRICULTURAL PRODUCE MARKETS BILL.

Minister of Development (The Honourable Chaudhri Sir Chhotu Ram): Sir, I beg to present the Report of the Select Committee on the Punjab Agricultural Produce Markets Bill.

Diwan Chaman Lall : When the motion for the adjournment of the House is carried, how can my honourable friend make a motion?

Mr. Speaker : The House has decided to adjourn but it has not adjourned yet. The report of the select committee is appearing in the *Government Gazette* to-day. It is, therefore, necessary that it be laid on the table of the House. I have, therefore, allowed the Honourable Minister for Development to present this report.

Diwan Chaman Lall: But after the business of the day is finished and the House is adjourned?

Mr. Speaker : Part 3 of the motion still remains. The third part of the motion is—

That the House meet to-morrow at 2 p.m. to transact to-day's business.

Khwaja Ghulam Samad: It has been decided by the House that on days other than Fridays, the meetings of the House will be held at 12-30. The House may, therefore, be adjourned till to-morrow and meet at 12-30 p.m.

Lala Deshbandhu Gupta : I think the Leader of the House will agree to the suggestion that we meet on Monday.

Premier : I very much regret that I cannot possibly meet the wishes of my honourable friend opposite in this particular respect.

Chaudhri Krishna Gopal Dutt : We made our engagements accordingly.

Premier : So did we make our engagements.

Mr. Speaker : Motion moved—

That the House meet to-morrow at 2 P.M. to transact to-day's business.

The motion was carried.

The Assembly then adjourned till 2 p.m., on Saturday, 12th November, 1988.

PUNJAB LEGISLATIVE ASSEMBLY.

4TH SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Saturday, 12th November, 1938.

The Assembly met at the Assembly Chamber at 2 p. m. of the clock. Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS.

MURDER OF KHUSHAL SINGH, SON OF DUNA SINGH OF VILLAGE
MIRAN SHAH.

***3404. Chaudhri Kartar Singh :** Will the Honourable Premier be pleased to state—

- (a) whether there is any punitive police stationed in village Miran Shah, district Montgomery ;
- (b) whether it is a fact that on 27th June, 1938, Khushal Singh, son of Duna Singh, was murdered in broad daylight and that the police have not been able to trace the culprit so far ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) :
(a) No. A proposal to locate a body of additional police in the village is under consideration.

(b) Yes. The two suspects in the case are absconding and have been declared proclaimed offenders.

Chaudhri Kartar Singh : Is the Parliamentary Secretary aware that there is a police picket posted by the Superintendent of Police in that village ?

Parliamentary Secretary : I am not aware of the fact.

Chaudhri Kartar Singh : Is it a fact that a murder was committed in broad daylight under the very nose of this picket ? If so, what action does the Government propose to take in the matter ?

Mr. Speaker : It is a hypothetical question and is, therefore, disallowed.

Chaudhri Kartar Singh : Is the question of the location of the punitive police in that village under the consideration of the Government ?

Parliamentary Secretary : The whole matter is under consideration.

Chaudhri Kartar Singh : Is the Parliamentary Secretary aware of the fact that such murders cause a sense of insecurity in villages ? If so, what action does the Government intend to take in the matter ?

Parliamentary Secretary : It is impossible to answer a question of that kind.

Mr. Speaker : The question is too general.

RECRUITMENT OF WOMEN FOR DETECTION OF CRIME AMONG WOMEN
AND CHILDREN.

***3419. Mrs. Duni Chand :** Will the Honourable Premier be pleased to state whether the proposal to recruit women for the purpose of detection of crime among women and children has ever been considered by the Punjab Government and if so, the conclusions or decision arrived at so far ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) : For some years past the Punjab Government have employed a woman Inspector at the Lahore Railway Station to be on the look-out for cases of molestation and to act as a searcher of female suspects. It is not proposed, for the present at any rate, to extend this system. I may add that so far as I am aware women police are not employed on investigating duty even in western countries.

Mrs. Duni Chand : Is the Government aware of the fact that in England women are generally recruited for the detection of crime among women and children ?

Parliamentary Secretary : Not that I am aware of.

SUICIDE BY WOMEN, AND REFORM IN MARRIAGE LAWS.

***3420. Mrs. Duni Chand :** Will the Honourable Premier be pleased to state—

- (a) the number of women who committed suicide during the year 1937-38 in the Punjab ;
- (b) how many such suicides were due to domestic unhappiness and how many to other causes ;
- (c) whether the present Government, since it came into office, has considered the question of bringing forward any legislation with a view to bringing about any change or reform in marriage laws ?

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

Mrs. Duni Chand : May I have the answer to this question in Urdu ?

Mr. Speaker : A member can speak in any language he or she likes but he or she cannot compel other members to speak in any particular language.

SCHOLARSHIPS AWARDED BY GOVERNMENT FOR TECHNICAL AND INDUSTRIAL EDUCATION IN FOREIGN COUNTRIES.

***3421. Mrs. Duni Chand :** Will the Honourable Minister of Development be pleased to state—

- (a) the number of scholarships recently awarded by the Government for technical and industrial education in England and in other foreign countries ;
- (b) the names and qualifications of the candidates selected ;
- (c) whether the Government will place on the table the names and qualifications of the candidates who applied for scholarships and whose applications have been rejected ;
- (d) the name of the authority by which the sanction was made ?

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

(b) *Two Silver Jubilee Scholarships of Rs. 150 per mensem—*

(i) *Amrit Kumar Bhalla—*

Training in Enamel work.

B. Sc., Lucknow University.

Diploma of Benares University in manufacture of pottery and porcelain.

Diploma of the same university in Metal Enamelling. He is now running a factory ' Porcelain Enamel Industries ' at Lahore Cantonment.

Has visited Japan before.

(ii) *S. Ishtiaq Ali Burney—*

Matriculate of the Punjab University, 1st Division, 1928. F. Sc., Aligarh.

Passed 1st and Final Grades examinations of the City and Guilds Institute, London.

Completed two years course in 1935 in the Government Central Weaving Institute, Amritsar.

Financial assistance to two candidates for technical training abroad in accordance with the Rules published with Punjab Government Notification No. 3313-D., dated the 20th July, 1927, a copy of which is laid on the table.¹

- (a) *Mr. Nasir Ahmad Sheikh.*—For training in manufacture of foodstuffs in England. He is studying for B.Sc. (Hons.) (Chemistry).
- (2) *Mr. Mehr Singh Garewal.*—For training in Electro Metallurgy-Smelting and rolling of steel and other metals. He is a B. Sc. and is working in a factory manufacturing tube-well strainers.
- (c) It is not in the public interest to lay this information on the table.
- (d) The Honourable Minister for Development.

¹Kept in the Assembly Library.

HINDU AGRICULTURIST DISTRICT INSPECTOR OF SCHOOLS.

***3423. Chaudhri Sumer Singh :** Will the Honourable Minister of Education be pleased to state—

(a) the number of Hindu agriculturist District Inspectors of Schools at the time when the present Government took over charge of the province ;

(b) whether it is a fact that the number of such District Inspectors has now gone down and if so, the reasons therefor and the steps that are proposed to be taken to increase this number ?

The Honourable Mian Abdul Haye : The honourable member is referred to the answer given to question No. *2143¹.

HINDU AGRICULTURISTS IN EDUCATION DEPARTMENT.

***3424. Chaudhri Sumer Singh :** Will the Honourable Minister of Education be pleased to lay on the table of the House a statement showing the total number of posts held at present by the Hindu agriculturists and non-agriculturists in the teaching and in the inspecting line men's branch separately in the subordinate service of the Education Department with the grade of each such post ?

The Honourable Mian Abdul Haye : The honourable member is referred to the answer given to question No. *2143¹.

HINDU AGRICULTURISTS AS ASSISTANTS IN OFFICE OF REGISTRAR, CO-OPERATIVE SOCIETIES.

***3425. Chaudhri Sumer Singh :** Will the Honourable Minister of Development be pleased to state whether any Assistant in the office of Registrar, Co-operative Societies, Punjab, has ever been appointed from amongst the Hindu zamindars (statutory agriculturist) from the Ambala division and if not, whether the Government contemplates appointing any such person from the Ambala division with a view to redress the grievances of these zamindars who have been denied their due share so far ?

The Honourable Chaudhri Sir Chhotu Ram : *First Part.* No.

Second Part. In matters of promotion, merit and seniority have been and will continue to be the guiding principles of decision.

FIGURES OF INCOME TO PROVINCIAL GOVERNMENT FROM FEROZEPORE DISTRICT.

***3439. Pir Akbar Ali :** Will the Honourable Minister of Revenue be pleased to supply tahsil-wise the figures of income to the Provincial Government from the Ferozepore district under the following heads :—

- (i) Revenue ;
- (ii) Water rate from all canals running in the Ferozepore district and
- (iii) Excise.

The Honourable Dr. Sir Sundar Singh Majithia : A statement is laid on the table.

Statement showing the figures of income from Ferozepore district tahsil-wise to Provincial Government from revenue, water rate and excise during the year 1937-38.

Name of tahsil.	Land revenue.	Water rate from all canals.	Excise.
1	2	3	4
	Rs.	Rs.	Rs.
Ferozepore	1,80,052	3,22,957	1,35,471
Moga	5,36,154	6,85,487	1,76,564
Zira	3,07,153	89,900	1,02,295
Muktesar	2,35,260	9,14,590	91,555
Fazilka	3,00,032	15,71,087	52,530
Total	15,58,651	35,84,021	5,58,415

GIRLS' HIGH SCHOOL, FAZILKA.

***3440. Pir Akbar Ali :** Will the Honourable Minister of Education be pleased to state whether any steps have so far been taken by the Government to open a Girls' High School at Fazilka ; if not, why not ?

The Honourable Mian Abdul Haye : A Government Anglo-Vernacular Middle and Normal School for Girls was opened at Fazilka with effect from 1st November, 1937. It is not proposed at present to raise it to the high standard. Incidentally a Government high school for girls has just been opened at Ferozepore and there is already such a school at Moga.

RURAL RECONSTRUCTION IN THE PUNJAB.

***3441. Pir Akbar Ali :** Will the Honourable Minister of Development be pleased to state the details of the scheme of rural reconstruction so far proposed by the Government to be introduced in the Fazilka tahsil of the Ferozepore district.

The Honourable Chaudhri Sir Chhotu Ram : The programme to be carried out in the Fazilka tahsil is under consideration.

REPRESENTATION OF MUSLIMS IN HODAL MUNICIPAL COMMITTEE.

***3451. Malik Barkat Ali :** Will the Honourable Minister of Public Works be pleased to state—

(a) The Muslim population and its proportion in the total population of Hodal Municipality, district Gurgaon ;

[Malik Barkat Ali.]

- (b) the voting strength of the Muslim community and its proportion in the total voting strength of the Hodal Municipality ;
- (c) the number of elected seats won in the last election by the Muslim community out of the total seats thrown open to election ;
- (d) the reasons, if any, for the Muslims not winning their proportion of seats according to the mean of their population and voting strength ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana :

(a) Muslim population	.. .. .	1,852
Its proportion to the total population of the Hodal Municipality	.. .. .	25.5%
(b) Voting strength of the Muslim community	.. .. .	524
Proportion to the total voting strength	.. .. .	27.1%
(c) Out of 10 elected seats only one was captured by the Muslims.		
(d) Government have no information.		

REPRESENTATION OF MUSLIMS IN HODAL MUNICIPAL COMMITTEE.

***3452. Malik Barkat Ali :** Will the Honourable Minister of Public Works be pleased to state if it is a fact that various representations have been sent to him on behalf of the Muslims of Hodal Municipality, district Gurgaon, demanding separate electorates ; if so, the action taken or proposed to be taken on them ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : Two such representations were received. They were, however, filed as Government do not propose to substitute separate for joint electorate at any place.

GRANT OF SEPARATE REPRESENTATION TO MUSLIMS IN HODAL MUNICIPAL COMMITTEE.

***3453. Malik Barkat Ali :** Will the Honourable Minister for Public Works kindly state—

- (a) if it is or it is not a fact that Sub-Divisional Officer, Palwal, recommended grant of separate electorates to Muslims as the only means of securing adequate representation of the Muslim community in the Municipal Committee of Hodal, district Gurgaon ;
- (b) if he intends to take any action on this recommendation ; if so, what ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) and (b) It is not the practice of Government to state the recommendations of its subordinate officers.

Lala Deshbandhu Gupta : Will the Honourable the Premier please state whether the convention that was set up that questions of a communal nature will not be replied has been given up?

Premier : We are still adhering to that convention which we set up, that is communal questions are treated as unstarred questions.

Lala Deshbandhu Gupta : But they are being replied on the floor of the House.

NAND LAL, PRISONER.

***3454. Dr. Sant Ram Seth :** Will the Honourable Minister of Finance be pleased to state—

(a) whether it is a fact that one Nand Lal of the Amritsar Shooting case was sentenced to a term of seven years' imprisonment under the Arms Act in 1931;

(b) whether it is also a fact that his mother Sh. Lal Devi recently sent a representation to the Honourable Premier for the release of his son (Nand Lal) as falling due somewhere in June, 1938; if so, the action taken or proposed to be taken on that representation.

The Honourable Mr. Manohar Lal : (a) No. He was sentenced to an aggregate term of 8 years and 8 months' rigorous imprisonment in four cases. This includes concurrent sentences of 7 years under section 307 of the Indian Penal Code and 3 years under the Arms Act.

(b) Yes. She was informed that her son was sentenced to an aggregate term of 8 years and 8 months' rigorous imprisonment and not 7 years as stated by her.

Dr. Sant Ram Seth : When is he due to be released?

Minister : 11 months and 13 days' remission was given to him up to 14th October, 1938, and his release is now due on 2nd March, 1939.

Dr. Sant Ram Seth : Was he awarded any punishment under the Jail Rules?

Minister : This particular prisoner has had a particularly bad jail record; he has had as many as 129 *peshis*.

Dr. Sant Ram Seth : Was he regularly prosecuted for the alleged offence?

Minister : Under section 52 of the Jail Manual he has had two sentences, one on 19th December, 1934, and the other on 23rd January, 1935. One for 8 months and the other for 1 year, that is, 1 year and 8 months in addition to his two concurrent sentences of 7 years and 3 years.

Sardar Sohan Singh Josh : Was he granted any remission?

Minister : I have just said that in spite of his extraordinary bad record in jail, he has had 11 months and 13 days' remission.

Dr. Sant Ram Seth : This means that he was actually sentenced to 7 years' imprisonment under the Arms Act and to one year and 8 months as jail punishment.

Minister : I have said that he has received remission to the extent of 11 months and 13 days ; otherwise he would not have been due to be released on 2nd March, 1939.

TOUR OF PREMIER AND MINISTER OF DEVELOPMENT AND *lathi* CHARGES.

***3455. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state---

- (a) the number of places visited by him and the Honourable Minister of Development from 1st August to 31st October, 1938 ;
- (b) the total amount of travelling allowance drawn by each Minister from 1st August to 31st October, 1938, respectively, for each month ;
- (c) the number of places where *lathi* charge was made during the visit of the Honourable Ministers in August, September, and October, 1938 ?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (b) A statement is laid on the table.

(c) It was alleged that a *lathi* charge had been made by the police at Ajnala in August last. On enquiry it was found that the police had to push back an unruly crowd and this had been exaggerated into a *lathi* charge.

Dr. Sant Ram Seth : Is it a fact that a *lathi* charge was made by the police on the occasion of the visit of the Honourable Premier and Minister for Development to Jhelum ?

Premier : What visit is the honourable member referring to ?

Dr. Sant Ram Seth : You ought to know it better than I. What I want to know is whether a *lathi* charge was made at Jhelum during the last three months ?

Mr. Speaker : The question is disallowed. The object of the original question, was only to collect information. If its object was to criticise the conduct of the Ministers, I should have disallowed it. Even now to that extent the honourable member may put any number of supplementary questions, but if he wants to attack the conduct of Ministers, he is out of order.

Chaudhri Krishna Gopal Dutt : He merely reminded him---

Mr. Speaker : Order, order.

Premier : I beg to say that I have not condescended to pay a visit to Jhelum. (Laughter).

Lala Duni Chand : May I know how many places out of those places were visited by the Honourable Minister for Development for normal Government business and how many for only propaganda work ?

Mr. Speaker : Disallowed. The next question.

Statement showing (a) the number of places visited by the Honourable Premier and Honourable Minister of Development and (b) the amount of travelling allowance drawn by each of them from 1st August to 31st October, 1938.

The Honourable Premier—

					Rs.	A.	P.
(a) 32.							
(b) August, 1938	..	..	..	..	178	7	0
September, 1938	..	..	..	..	433	0	0
October, 1938	..	..	..	..	1,175	5	0
				Total	1,786	12	0

The Honourable Minister of Development—

					Rs.	A.	P.
(a) 52.							
(b) August, 1938	..	..	..	..	717	12	0
September, 1938	..	..	..	..	516	0	0
October, 1938	..	..	..	..	1,285	8	0
				Total	2,519	4	0

DAKOITIES AND MURDERS COMMITTED IN PUNJAB IN 1938.

***3456. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state in respect of the whole province—

- the number of dacoities that took place in the province during the year 1938 up to 31st October district-wise ;
- the number of murders and attempts at murder during this period by the dacoits ;
- the number of cases of house-breaking in this year up to 31st October, 1938 ;
- the value of property stolen up to October, 1938 ;
- the total value of property recovered from the possession of accused ;
- the total value of property restored to the owners ?

The Honourable Major Sir Sikander Hyat-Khan : I regret that the answer to this question is not yet ready.

COMMUNAL REPRESENTATION IN THE STAFF OF GOVERNMENT COLLEGE,
LAHORE.

***3483. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister of Education be pleased to state—

- the communal proportion among the professors of the Government College, Lahore ;
- if the Muslims are not adequately represented on the staff, the reasons therefor ; and the action Government proposes to take in the matter ;
- whether it is a fact that a lectureship in Geography is about to fall vacant in the college ; if so, the manner in which Government proposes to fill those vacancies ?

The Honourable Mian Abdul Haye : (a) and (b) The honourable member is referred to the answer given to question *2148¹.

(c) The vacancy in question has been filled by the transfer of Mr. Farhat Ullah Khan from the Government Intermediate College, Gujrat. The resultant vacancy at Gujrat has also been filled by the appointment of Mr. Gauhar Ali.

GIRL STUDENTS AND STAFF OF THE GOVERNMENT COLLEGE, LAHORE.

***3484. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister of Education be pleased to state—

- (a) the number of married and unmarried lecturers and professors of each community working in the Government College, Lahore ;
- (b) whether it is a fact that the professors of the Government College, Lahore, invite girl students to their houses for lectures ;
- (c) whether he is aware of the fact that Mr. Parkinson, the ex-Director of Public Instruction issued a circular forbidding lecturers and professors to invite girl students to their houses for lessons ;
- (d) whether the circular mentioned in (c) above is still in force ; if so, the action Government proposes to take against those professors who disregard the strict instructions contained in the above-mentioned circular ;
- (e) whether Government proposes to issue any further instructions on the subject ; if so, what ?

The Honourable Mian Abdul Haye : (a)

			Married.	Unmarried.
Europeans	..	..	1	2
Christians	..	..	3	..
Hindus	..	..	19	2
Muslims	..	..	11	1
Sikhs	..	..	4	..

(b) (i) No professor has invited any girl students to his house for lectures.

(ii) In one case seminar classes, on certain subjects, have been held in the house of a professor. The reason for the holding of these classes in his house was that he was discussing a subject for which there were special books in his library which are probably not possessed by any other library and certainly not by the College Library. Among those that attended those seminar classes there were some women students. Attendance at these seminars were entirely optional and concerns post-graduate students only.

No women students by themselves, or alone have ever been invited either for lectures or for seminar work by any of the professors of the College,

nor have any complaints or representations been made by parents or guardians of women students.

(c) Yes.

(d) Yes, in view of the circumstances explained in the reply to (b) above Government does not propose to take any action.

(e) No.

PROSECUTED AND SUSPENDED OFFICIALS OF POLICE AND OTHER DEPARTMENTS.

***3485. Sardar Kartar Singh:** Will the Honourable Premier kindly state how many officials of the police and other departments have been suspended for corruption and how many have been prosecuted during the months of June, July, August, September and October, 1938, and with what results?

The Honourable Major Sir Sikander Hyat-Khan: A statement containing particulars of action taken against corrupt officials is supplied to honourable members every year. To collect the special figures asked for in this question would entail considerable expenditure of time and labour and I must ask the honourable member to be content with those in the statement, which gives the material facts.

PROGRESS IN INDUSTRIES.

***3486. Sardar Kartar Singh:** Will the Honourable Minister of Development be pleased to state—

(a) what progress industries have made during the period he has taken charge of the department particularly how many new factories have been started in the province;

(b) for how many new industries the provision of training has been made?

The Honourable Chaudhri Sir Chhotu Ram: (a) It is impossible to give an adequate account of the progress made by the Department of Industries during this period, briefly. The Annual Report of the Department for the period ending 31st March, 1938, is in the Press and will be reviewed by Government shortly. The honourable member can refer to it in due course.

(b) Two statements 'A' and 'B' are placed on the table.

Sardar Lal Singh: Does the Honourable Minister devote his entire time for development of industries?

Minister: No.

Sardar Lal Singh: If the Honourable Minister says that he does not spend all his time on industries, what right has he to draw his full salary?

Minister: I am a Minister not only for industries but for so many other departments.

Lala Deshbandhu Gupta : Have the Government considered the desirability of taking concerted action with other provinces so far as the question of starting major industries are concerned ?

Minister : That is not a supplementary question.

Pandit Muni Lal Kalia : How many places were visited by the Honourable Minister with the specific purpose of starting new industries in the Punjab ?

Minister : That is not a supplementary question.

Sardar Lal Singh : On a point of order, Sir. Is the Honourable Minister in order to decide whether it is a supplementary question or not ?

Mr. Speaker : No, when the Honourable Minister says that it is not a supplementary question, what he really means is to request the Chair to decide whether in its opinion the question is or is not a supplementary question.

Sardar Sohan Singh Josh : I think he has usurped your rights.

Lala Bhim Sen Sachar : In view of the fact that the Honourable Minister for Development is required to spend a great deal of time outside in propaganda, has he not considered it desirable to represent to the Cabinet that he should be relieved of this propaganda work ?

Minister : May I know how this question arises out of the answer I gave ?

Mr. Speaker : No. It does not.

Lala Duni Chand : Will the Honourable Minister for Development be pleased to say whether he does any work other than propaganda work ? *(Laughter).*

Mr. Speaker : Disallowed.

Lala Bhim Sen Sachar : May I know in what proportion the Honourable Minister for Development devoted his time between the Industries Department and other departments under his control ?

Minister : I have not calculated the amount of time which I devoted only to industries.

Lala Deshbandhu Gupta : Does the Minister for Industries devote more time to looking after the affairs concerning his Department of Industries than to other activities ?

Mr. Speaker : The question does not arise. All these questions clearly relate to the official conduct of the Honourable Minister.

Dr. Gopi Chand Bhargava : We are not attacking the Honourable Minister, but we want to find out whether this work is being done by him or not.

Chaudhri Krishna Gopal Dutt : May I ask the Honourable Minister whether he did any official business at Satrah on the 23rd of October ?

Mr. Speaker : The inference is that he was there not on official business and yet he charged travelling allowance. That is clearly an attack on the conduct of the Minister.

Minister : The visit was in itself official business.

Chaudhri Krishna Gopal Dutt : That is not an answer to my question. My question is whether he did any official work in respect of his department at Satrah.

Mr. Speaker : He says that the visit in itself was an official business.

Chaudhri Krishna Gopal Dutt : May I know whether there are any cottage industries which need development at Satrah ?

Minister : Is it a supplementary question ? It does not arise out of the answer I gave to the original question.

Chaudhri Krishna Gopal Dutt : When abusive speeches are delivered there, do they also form part of his official business ?

Mr. Speaker : That does not arise out of the question. Disallowed.

Pandit Shri Ram Sharma : May I know what official business the Honourable Minister transacted at Rohtak when he visited that place on the 7th of October, 1938 ?

Minister : May I know whether this question arises out of my answer to the original question, though I am prepared to answer all these questions ?

Mr. Speaker : This question does not arise out of the original question or the answer given to it.

Chaudhri Krishna Gopal Dutt : May I ask how many hours the Minister for Development spent in Satrah on the 23rd October ?

Mr. Speaker : The question goes rather too far.

Chaudhri Krishna Gopal Dutt : How can I bring a motion against him unless I possess all the information ?

Mr. Speaker : These supplementary questions are clearly out of order.

Chaudhri Krishna Gopal Dutt : These supplementary questions do not require any notice because he himself went there.

Minister : I do not consider it a supplementary question.

Lala Duni Chand : May I know whether it is within the scope of rights of the Honourable Minister for Development to visit places for purposes other than strictly official ?

Mr. Speaker : Disallowed.

Chaudhri Kartar Singh : Has the Honourable Minister for Development called any meeting of the Punjab manufacturers since his assumption of the charge of the Department of Industries.

Minister : I did not invite industrialists from the province as a whole to come to Lahore, but I have been attending to the business of promoting industries in various other ways.

Munshi Hari Lal : What are the other ways in which he has looked to the work of promoting industries ?

Minister : Wait for the Annual Report of the Department.

[Minister for Development.]

Statement A.—Showing the names of Industrial Schools and Institutes and the trades taught therein.

Serial No.	Name of Institution.	Crafts or trades taught.	REMARKS.
1	2	3	4
1	Government Institute of Dyeing and Calico Printing, Shahdara.	Dyeing and Calico Printing— 1. Foreman Dyers' Class. 2. Artisan Dyeing Class. 3. Calico Printing Class.	
2	Government Central Weaving Institute, Amritsar.	Handloom Weaving— 1. Higher Class. 2. Artisan Class.	
3	Government Hosiery Institute, Ludhiana.	Hosiery— 1. A Class. 2. B. Class. 3. Workmasters' Class.	
4	Mayo School of Arts, Lahore	1. Cabinet Work. 2. Iron Work. 3. Coppersmithy, Silversmithy and allied crafts. 4. Modelling in Clay and Plaster casting. 5. Lacquer Work. 6. Trade Painting and Decorating. 7. Fine Arts. 8. Goldsmithy, Jewellery and Enamelling.	
5	Government Demonstration Weaving Factory, Shahdara.	Powerloom Weaving— 1. Class A. 2. Class B. 3. Class C.	

Serial No.	Name of Institution.	Crafts or trades taught.	REMARKS.
1	2	3	4
6	<i>Government Wood-working Institute, Jullundur.</i>	Theoretical and practical training in woodwork by modern methods including the use of the latest power driven machinery. Two courses are provided— (1) Main course. (2) Special Artisan Course in Machine work and Machine Shop practice.	In addition, Boot Lasts making has been started in this Institute from 1st October, 1938.
7	<i>Government Metal Works Institute, Ambala city.</i>	Theoretical and practical training in metal work by modern methods, including the use of power machines and mechanical drawing. The practical course aims at the production of pumps, internal combustion engines and other allied objects and covers training in pattern making, forging and welding, fitting, turning, machining, erection, finishing and reconditioning and repairing of automobiles.	
8	<i>Government Metal Works Institute, Sialkot.</i>	Theoretical and practical training in metal work by modern methods, including the use of power machines and mechanical drawing. The practical course aims at the production of small machines for operation by hand or power and other allied objects and covers training in pattern making, moulding and casting, brass and iron forging, and welding, fitting, turning, machining, erection and finishing.	
9	<i>Government Tanning Institute, Jullundur city.</i>	Tanning— Class A. Artisan Class.	
10	<i>Government Technical School, Lahore.</i>	1. Electro-Mechanism. 2. Die Press Sheet Metal work.	
11	<i>Government Industrial School, Ambala Cantonment.</i>	1. Brass casting and utensil making. 2. Carpentry. 3. Smithy.	A new method of bronze and brass casting has been started at this school from 1st September 1937.

[Minister for Development.]

Serial No.	Name of institution.	Crafts or trades taught.	REMARKS.
1	2	3	4
12	<i>Government Industrial School, Amritsar.</i>	Tailoring and cutting.	
13	<i>Government Industrial School, Ferozepore.</i>	Urban cottage industries in wood and metal.	
14	<i>Government Industrial School, Gujrat.</i>	1. Carpentry. 2. Smithy. 3. Specialized mixture weaving.	
15	<i>Government Industrial School, Gujranwala.</i>	1. Heavy metal work as applied to tool making. 2. Carpentry.	
16	<i>Government Industrial School, Hoshiarpur.</i>	1. Weaving (art silk and mixture weaving). 2. Carpentry.	
17	<i>Government Industrial School, Jhelum.</i>	Woodworking, specialising in camp requisites and portable furniture.	
18	<i>Government Industrial School, Jhang.</i>	1. Carpentry. 2. Lock making.	
19	<i>Government Industrial School, Kasur.</i>	1. Leather work. 2. Carpentry. 3. Smithy.	
20	<i>Government Industrial School, Kulu.</i>	Wool spinning and wool weaving.	
21	<i>Government Industrial School, Ludhiana.</i>	1. Hosiery Machine Building. 2. Carpentry. 3. Smithy.	
22	<i>Government Industrial School, Lyallpur.</i>	1. Agricultural implement making. 2. Carpentry.	
23	<i>Government Industrial School, Rawari.</i>	1. Weaving (Fine cotton weaving such as sahris, turbans and dopattas). 2. Leather work.	

Serial No.	Name of institution.	Crafts or trades taught.	REMARKS.
1	2	3	4
24	Government Industrial School, Multan.	1. Silk weaving and tie cloth weaving. 2. Carpet weaving. 3. Carpentry. 4. Smithy.	
25	Government Industrial School, Rawalpindi.	1. Carpentry. 2. Smithy. 3. Basketry.	
26	Government Industrial School, Rohak.	1. Specialised coarse cotton weaving. 2. Carpentry. 3. Smithy.	
27	Government Industrial School, Muzaffargarh.	1. Wool spinning and weaving. 2. Iron work. 3. Tanning. 4. Leather work.	In addition the opening, carding and spinning of wool by power and the weaving of tweeds and blankets has been introduced in the school from October, 1937.
28	Government Industrial School, Panipat.	1. Wool spinning and wool weaving. 2. Woodwork and cabinet making.	
29	Government Industrial School, Dera Ghazi Khan.	1. Carpentry .. 2. Blacksmithy .. 3. Lacquer Turning ..	} Along with general education.
30	Government Industrial School, Montgomery.	1. Carpentry .. 2. Black smithy ..	
31	Government Industrial School, Sargodha.	1. Carpentry .. 2. Black smithy ..	
32	Government Industrial School, Hissar.	1. Wool spinning and weaving. 2. Carpet weaving.	

N.B.—In the institutions in italics recognised schemes of studies have been introduced from 1st April, 1937.

[Minister for Development.]

Statement B.—Showing the schemes which have been financed out of the Development Fund.

1. Wool Teasing, Carding and Finishing Station at Kulu.
2. Travelling Demonstration Party to help the village blacksmith.
3. Travelling Demonstration Party for glue makers in the Punjab.
4. Travelling Demonstration Party for Women in rural areas.
5. Travelling Demonstration Silk Cocoon Reeling Party.
6. Travelling Demonstration Tanning Party in the Punjab.
7. Travelling Demonstration Party for the betterment of vegetable and essential oil industry in the Punjab.
8. Development of willow plantations in the Punjab in order to start the basketry industry.
9. Travelling Demonstration Party for developing ban and rope-making industries etc., in rural areas.

OVER-ASSESSMENT OF PROPRIETORS OF VILLAGE AKALGARH, TAHSIL
LUDHIANA.

***3487. Sardar Lal Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that several proprietors of village Akalgarh, Hadbast No. 374, tahsil Ludhiana, have been over-assessed in land revenue during several years past by mistake ;
- (b) if so, why this was overlooked and are these villagers to be reimbursed ; if not, why not ;
- (c) who has been held responsible for the mistake that caused the collection of this undue revenue ;
- (d) whether any explanation has been called for from the man responsible for the error ; if not, why not ;
- (e) what action Government propose to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : It is regretted that the information sought is not readily available and will be supplied when ready.

FAILURE OF CROPS IN LUDHIANA DISTRICT.

***3488. Sardar Lal Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether he is aware of the fact that kharif crops in barani areas of Ludhiana have failed ; if so, what relief has the Government given or proposes to give to the peasants of these areas ;
- (b) whether he is aware of the fact that a large area of the standing kharif crops of maize and cotton in Ludhiana district were ruined by hail and winds about the 23rd of September last ; if so, what relief has the Government given or propose to give in this respect ;
- (c) whether he is aware of the fact that there is acute distress in Ludhiana as a result of all-round failure of crops and that fodder prices have become prohibitive and peasants find it impossible to maintain their cattle ; if so, what has the Government done so far or what does it propose to do in the matter ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): (a) Yes, on account of scanty rainfall this year. Suspension or remission of land revenue, if necessary, will be given, after the data now being collected, are available.

(b) Yes, some damage was caused in certain villages and the full extent is being ascertained.

(c) Yes, but the prices of fodder are not yet prohibitive. Necessary steps of obtaining concession in fodder rates from the Railway administration are being taken. The situation is being watched carefully and sympathetically.

Sardar Lal Singh: What does the Parliamentary Secretary mean by saying that inquiries are being made, when no traces of hail or rain are left now after so many months?

Parliamentary Secretary: I have said that Government are still inquiring into the extent of damage.

Sardar Lal Singh: But no inquiries can be made because there are no traces of hail or rain left now.

Parliamentary Secretary: I thank you for the information you have given.

Sardar Lal Singh: At what stage are those inquiries?

Parliamentary Secretary: I have already stated that Government are still inquiring into the extent of damage done and as soon as they have collected the full data they will take such necessary steps which the situation requires.

Dr. Gopi Chand Bhargava: May I know at what stage those inquiries are?

Parliamentary Secretary: The Collector is collecting the necessary figures from the subordinate revenue officers.

Dr. Gopi Chand Bhargava: Collecting information or revenue? (Laughter).

Pandit Muni Lal Kalia: Have representations been received from the people whose fields have been affected?

Parliamentary Secretary: Information is being compiled by the officials as to the extent of suffering caused by hail and rain. As soon as their recommendations as to what remission or suspensions should be granted are received they will be considered.

BREACH IN THE BHATINDA BRANCH OF SIRHIND CANAL.

*3489. **Sardar Lal Singh**: Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that the Bhatinda Branch of Sirhind Canal was breached at mile 58-59 on 19th September, 1938;

(b) whether as a result of this breach village Dhipali was in imminent danger of being flooded and submerged;

[S. Lal Singh.]

- (c) whether village Dhipali and its neighbourhood are at a lower level and the danger of their being flooded is always present ;
- (d) how many times have breaches occurred near about this place ;
- (e) whether these breaches are not an indication of the bank being too weak ;
- (f) have any representations been received from the villagers concerned complaining of this recurring danger ; if so, what action has been taken thereupon ?

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

(b) Does not arise.

(c) Yes, they are at a lower level like most other villages. There is no ever-present danger of their being flooded.

(d) None as far as is known from records.

(e) Does not arise.

(f) Yes. The Irrigation Branch is satisfied that the bank near this village is strong enough but is being further strengthened to satisfy the residents.

EXPULSION OF STUDENTS OF PASRUR GOVERNMENT COLLEGE, IN CONNECTION WITH JHATKA DISPUTE.

***3494. Sardar Kartar Singh :** Will the Honourable Minister of Education be pleased to state—

- (a) the number of students who were expelled from Government College, Pasrur, in connection with the recent Jhatka dispute there ;
- (b) whether it is a fact that the dispute has since been settled and the right of the Sikh students to use Jhatka meat has been admitted by the Government, if so, whether the students so expelled have been taken back and if not, why not ?

The Honourable Mian Abdul Haye : (a) None.

(b) The dispute has since been settled. The latter part of the question does not arise in view of the reply to (a) above.

DAMAGE TO COTTON CROP ON DIPALPUR AND KHADIR CANAL.

***3500. Mahant Girdhari Dass :** Will the Honourable Minister of Revenue be pleased to state—

- (a) if it is a fact that this year the cotton crop on Dipalpur and Khadir Canal has suffered tremendously owing to the shortage of canal water and the lack of rain ;
- (b) if the answer to part (a) above be in the affirmative, what remedy do the Government propose in order to provide relief to the zamindars concerned ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Condition of the cotton crop in the Khanwah Division of the Dipalpur Canal and on the Khadir Branch of the Pakpattan Canal is normal, but is slightly below average on the upper reaches of the Dipalpur Canal.]

(b) Further reports have been called for on receipt of which Government will decide what special measures of relief, if any, should be given.

PROFESSIONAL TAX.

***3335. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Public Works be pleased to state whether he has received representations against the newly proposed Professional Tax in district Jullundur, if so, what he proposes to do ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan Tiwana : Professional tax has been levied by the District Board of Jullundur since 1929. Government received certain representations with regard to the recent periodical re-assessment carried out by the board. No action was however taken since the rules provide adequate protection against over-assessment or wrong assessment ; they provide that the assessment lists of the board shall be subject to confirmation by the Deputy Commissioner, and that an appeal against the Deputy Commissioner's order shall lie to the Commissioner of the Division.

RECOMMENDATION OF SYNDICATE REGARDING REGISTRATION OF GRADUATES.

***3336. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether he has received a recommendation from the Syndicate of the University, dated 23rd February, 1938, regarding the registration of graduates for the purposes of preparation of voters' list for the University constituency ; if so, what action he proposes to take in the matter ?

Parliamentary Secretary (Mir Maqbool Mahmood) : Yes. Government consider that there is no ambiguity or other defect in the language of paragraph 18, Part VI, of the Government of India (Provincial Legislative Assemblies) Order, 1936, and do not propose to take any action in the matter.

Dr. Gopi Chand Bhargava : May I know whether any register is being kept by the University for the purpose or not ?

Parliamentary Secretary : The University kept one register only which was explained to the Hammond Committee when they examined this question. The Hammond Committee recommended on the basis of this register and the relevant order in Council included in section 18 on the basis of this register.

Dr. Gopi Chand Bhargava : May I know whether the register kept by the University is a register of voters for the Legislative Assembly or a register of voters for electing fellows of the University ?

Parliamentary Secretary : When the Hammond Committee examined this question there was only one register. This must therefore be the register which the Committee recommended at pages 140-41 of their Report and which is referred to in the Order in Council.

Dr. Gopi Chand Bhargava : Is it necessary to pay a certain fee in order to be enrolled in that register as a voter for the election of Fellows ?

Parliamentary Secretary : I believe it is necessary to make a certain payment for being entered in that register.

Dr. Gopi Chand Bhargava : Is it necessary under the rules for a person to make any payment to become qualified to vote for the University constituency of the Legislative Assembly ?

Parliamentary Secretary : In the case of special constituencies such as the University, Labour Unions and others, certain fees are prescribed by the bodies concerned for being registered.

Dr. Gopi Chand Bhargava : For how many years should a graduate be on that register to become a voter for the Assembly ?

Parliamentary Secretary : He should have been a graduate of seven years' standing and should have been for two years continuously on this register when rolls are prepared before he can be entitled to vote.

Dr. Gopi Chand Bhargava : What is the qualification for being registered a voter to the University Fellowship ?

Parliamentary Secretary : He must either be a member of the Senate or he should be a graduate of seven years' standing and should have been continuously for two years on that register on the date when the electoral roll is prepared.

Dr. Gopi Chand Bhargava : Is that a qualification for the electoral roll for the Fellowship or for the Legislative Assembly ?

Parliamentary Secretary : That is a qualification for being on the University register. It is also a qualification for election to the Legislative Assembly.

Malik Barkat Ali : Is there any separate voters' list for the University constituency of the Legislative Assembly ?

Parliamentary Secretary : I am not aware of that.

DATES OF APPOINTMENTS, QUALIFICATIONS AND POSTS OF MISS K. B. FEROZE-UD-DIN, MISS BHAN, MISS D. D. GUPTA, AND MRS. DURRANI.

*3337. **Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Education be pleased to lay on the table a statement showing in respect of the following persons of the Education Department, their dates of appointments, qualifications, and the posts they held at present : Miss K. B. Feroze-ud-Din, Miss Bhan, Miss D. D. Gupta, and Mrs. Durrani ?

The Honourable Mian Abdul Haye : A statement is laid on the table.

Statement.

Serial No.	Name, qualification and designation.	Nature of post held.	Date of appointment to Government service.
1	2	3	4
1	Miss K. B. Feroze-ud-Din, M.A., M.O.L., Munshi Fazil, Principal, Stratford College for Women, Amritsar.	Officiating in the ordinary time-scale (Rs. 400—25—625—650—25—850) of the Punjab Educational Service (Class I) (Women's Branch).	28th July, 1926.
2	Miss V. G. Bhan, B.A., Inspectress of Schools, Ambala Circle, Ambala.	Ordinary time-scale (Rs. 200—20—400— <i>pause</i> for one year and efficiency bar 25—500).	25th November, 1924.
3	Miss Dass Gupta, B.A. (Hons.) (London), Inspectress of Schools, Rawalpindi Circle, Rawalpindi.	Ditto ..	1st October, 1931.
4	Mrs. R. M. Durrani, B.A. (London), Teacher's Diploma of London University, Inspectress of Schools, Lahore Circle, Lahore.	Ditto ..	10th October, 1933.

APPOINTMENT OF PERSONS AS DIVISIONAL OR DISTRICT DURBARIES IN THE LUDHIANA DISTRICT.

***3348. Chaudhri Muhammad Hasan :** Will the Honourable Premier be pleased to state—

- Whether any gentlemen have been made District Durbaries (*Kursi-Nashin*) in the Ludhiana District since the posting of the present Deputy Commissioner to Ludhiana District ; if so, their names and addresses and the extent of landed property owned by each of them in the Ludhiana or any other district with the educational qualifications of each of them ;
- whether any of them have been recommended by the police ;
- if some of them have been recommended by the police, will the Government kindly state the name or names of the police officers who recommended them ;
- whether any gentlemen from the Ludhiana District have been recommended for being appointed as Divisional Darbaries ;
- if the reply to the above be in the affirmative, will the Government please give the names, educational qualifications, extent of landed property of each of them ;

[Ch. Muhammad Hasan.]

(f) what are the qualifications required for a District and Divisional Darbari ;

(g) how many and who out of the above-mentioned gentlemen were recommended by the predecessor of the present Deputy Commissioner for being appointed as Divisional Darbaries and District Darbaries ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : (a) Information regarding the number of persons who have been appointed District Darbaries (*Kursi-Nashin*) in the time of the present Deputy Commissioner is being collected and will be communicated to the honourable member when received.

(b) to (g) The information asked for is of a confidential nature and it is regretted that Government are unable to supply it.

SHOOTING DEAD OF CHAMAN LAL, PETITION-WRITER.

***3352. Pandit Shri Ram Sharma :** With reference to answer to my question No. *2774¹ will the Honourable Premier be pleased to state—

(a) the result of the investigation that was being continued ;

(b) whether some arrests have since been made and with what result ;

(c) what special steps the police is taking to bring the real culprits to book ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) : (a) The case was filed as untraced under the orders of the Additional District Magistrate, on the 11th October.

(b) and (c) Do not arise.

Pandit Shri Ram Sharma : Will the Parliamentary Secretary please state with reference to part (b) of the question whether the police at Rohtak arrested any person on suspicion during the investigation of the case ?

Parliamentary Secretary : I require notice.

Pandit Shri Ram Sharma : The notice is there in Part (b) and I want a direct answer.

Parliamentary Secretary : I have already replied that the case was filed as untraced.

Pandit Shri Ram Sharma : That is not the answer to my question, I ask whether some arrests were made during the investigation ?

Parliamentary Secretary : Not to my knowledge.

Pandit Shri Ram Sharma : If I can enlighten the Honourable Parliamentary Secretary, some arrests were made. I am sorry the Government has no information.

NUMBER OF CONGRESS WORKERS ARRESTED DURING LAST SIX MONTHS IN
DISTRICT KARNAL.

***3353. Pandit Shri Ram Sharma :** With reference to the answer to my question No. *2819,¹ will the Honourable Premier be pleased to state—

(a) whether it is a fact that during the last few months the following Congress workers were arrested and sentenced under different sections of the law in the Karnal district :—

(1) Swami Shardhanand Bedharak, (2) Chaudhri Data Ram of village Seenkh (Karnal), (3) Chaudhri Gharib Ram, village Purkhas (Rohtak), (4) Swami Sewa Nand, village Titauli (Rohtak), (5) Mr. Radhe Sham.

(b) the sections under which they were arrested, sentenced, and case in which appeals were accepted ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) and (b) The persons named in the question were arrested and convicted for the offences mentioned in the attached statement.

Pandit Shri Ram Sharma : Should the answer to question No. 3353 be taken as correct in view of the answer already given to question No. 2819¹ ?

Parliamentary Secretary : So far as the term 'political worker' is concerned that is a term which is capable of many interpretations and many of us on this side do not exactly understand what it means, when a definite question is put, it is answered.

Pandit Shri Ram Sharma : When the question was put, was the offence considered a political offence under section 124-A ?

Parliamentary Secretary : If my honourable friend invites my attention to the specific question which he put then and the words thereof, I shall be prepared to consider and give a reply. In this question he has asked for definite information and definite information has been given.

Pandit Shri Ram Sharma : It was stated in answer to the last question that no political workers were arrested in Karnal. That being so, why is it stated to-day that so many arrests have been made ?

Premier : Where is that question and answer to which my honourable friend refers ?

Lala Deshbandhu Gupta : If the Honourable Premier reads the present question, he will find a specific reference made therein to the other question.

Premier : That question is not here with me now.

Lala Deshbandhu Gupta : This question is with reference to that.

Premier : Then he should give fresh notice.

Pandit Shri Ram Sharma : My point still remains to be answered.

Premier : Is the honourable member pretending ignorance or does he want to get some information from this side ? Question No. 2819 is not before me now but so far as I can recollect, it was whether any arrests of political workers were made in the Karnal district. Was it not ?

Pandit Shri Ram Sharma : No, it was not.

Lala Deshbandhu Gupta : When a question is put and a specific reference is made to another question, is it necessary for us to carry that question also with us in our pockets ?

Premier : You cannot base your supplementary question on that.

Pandit Shri Ram Sharma : In answer to the previous question it was stated that no arrests of the political offenders were made in the Karnal district. But to-day it has been stated that such and such persons were arrested. Which of the two answers is correct ?

Premier : Both are correct. (*Laughter*). Perhaps you do not treat the arrests of the non-congressites as political arrests. In the previous question it was asked whether any political workers were arrested in the Karnal district. The answer was 'no'. To-day information has been supplied in answer to question No. 3353 that such and such persons were arrested under section 124-A and such and such persons under section 108.

Statement.

Name.	Date of arrest.	Section under which arrested.	Sentence with date.	Result of appeal if any.
1	2	3	4	5
1. Swami Shardhanand	During the week ending 19th Feby., 1938.	124-A., I. P. C.	One year's R. I. on 4th July, 1938.	Appeal rejected.
2. Chaudhri Data Ram	9th April, 1938	117, I. P. C.	Three months' R. I. on 26th July, 1938.	Acquitted on 13th August, 1938.
3. Chaudhri Gharib Ram.	2nd June, 1938	504/506, I.P.C.	Two months' R. I.	Conviction upheld but sentence reduced to already undergone on 23rd September, 1938.
4. Swami Seva Nand	8th May, 1938	302/115, I.P.C.	Eight months' R. I. on 14th July, 1938.	Conviction upheld but sentence reduced to already undergone on 29th July, 1938.
5. Radhe Sham ..	10th May, 1938	124-A., I. P. C.	Eight months' R. I. on 23rd July, 1938.	Case pending in High Court.

GRANT OF JAGIRS IN LUDEHIANA DISTRICT.

***3354. Chaudhri Muhammad Hasan :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether any names from amongst the residents of Ludhiana district have been recommended by the Deputy Commissioner, for jagirs ;
- (b) if the reply to the above be in the affirmative the date and names, addresses and the annual land revenue paid by each of them may kindly be given ;
- (c) whether all the recommendations of the Deputy Commissioner have been accepted ;
- (d) if the reply to the above be in the negative, in which particular case the recommendation of the Deputy Commissioner has not been accepted and jagir not granted ;
- (e) what is the nature of the services requisite for jagirs ;
- (f) whether Government is in a position to give the year from which such jagirs have been granted for the first time ;
- (g) whether the Government will please lay on the table a statement showing the names, addresses, annual land revenue by each of the persons who received the jagirs mentioned above in the first year of their creation ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) A reply could not be given until the question is definite as to the year for which information is needed.

(b), (c), (d). It is not in the public interest to give this information.

(e) The conditions are "continued good conduct and steadfast loyalty to His Majesty the King Emperor and active good service to the public or to the Government established by law in British India, rendered to the best of the jagirdars' ability and power."

(f) Yes, from the year 1917-18.

(g) The attention of the honourable member is invited to Punjab Government resolution No. 8397, dated the 5th April, 1917. The information regarding the annual land revenue paid by them is, however, not available.

BENCH OF HONORARY MAGISTRATES, RAWALPINDI.

***3355. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that a representation has recently been submitted to him, the Chief Secretary to the Punjab Government, and the Commissioner, Rawalpindi Division, making certain allegations against the bench of honorary magistrates at Rawalpindi ;
- (b) if answer to (a) above be in the affirmative, substance of the complaint ;
- (c) whether any inquiry has been made into the matter ; if so, with what result ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) Yes, at the beginning of last March.

(b) The writer of the representation alleged that one of the honorary magistrates had contrived that a false criminal case should be brought against him, to serve the magistrate's personal ends : that the honorary magistrate took the case himself and in the course of the proceedings committed various irregularities.

(c) Yes. The allegations were found to be without substance.

Sardar Hari Singh : Who made the enquiries into the matter ?

Parliamentary Secretary : The Deputy Commissioner.

DISPUTE REGARDING SLAUGHTER-HOUSE AT CHOHA SAIDAN SHAH, DISTRICT JHELUM.

***3356. Sardar Hari Singh** : Will the Honourable Premier be pleased to state—

(a) whether it is a fact that a deputation waited upon him in May last at Lahore in connection with the dispute regarding the slaughter-house at Choha Saidan Shah in district Jhelum ;

(b) whether it is a fact that he told the deputationists that unless the parties arrived at an amicable settlement among themselves, he would restore the *status quo* ;

(c) if answers to (a) and (b) above be in the affirmative, action taken or proposed to be taken by the Government in this matter ?

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

(c) The two butchers, who started slaughter of kine near Chappar, have left the locality and the slaughtering is now being done, whenever necessary, by the *Mussallis* as was the case before May, 1937.

COMRADE GURMUKH SINGH, A POLITICAL PRISONER.

***3357. Sardar Hari Singh** : Will the Honourable Minister of Finance be pleased to state—

(a) whether Comrade Gurmukh Singh, a political prisoner, in the Multan Central Jail, is suffering from piles, if so, since when, his present condition, and the nature of medical treatment given him ;

(b) whether Government has recently considered the question of his release ; if so, with what result ?

The Honourable Mr. Manohar Lal : (a) Yes, since 1918. He is being given local and medicinal internal treatment. Apart from this disease the prisoner's health is entirely satisfactory.

(b) No.

Lala Deshbandhu Gupta : Do Government propose to consider the question of releasing this prisoner in view of the condition of his health ?

Minister : I said his health is entirely satisfactory.

Sardar Hari Singh : May I know whether the question of his release has ever been considered ?

Minister : If the honourable member knew that this particular prisoner twice escaped from jail, than which there can be no greater offence so far as prisons are concerned, he would probably hesitate to put this question to me.

Sardar Hari Singh : Am I to understand that the prisoner is not going to be released until the life of the present ministry expires ?

Minister : If the honourable member could tell me what the life of the present ministry is going to be an answer could possibly be attempted. Anyhow it may be long after that because he had barely entered the prison walls when he managed to escape and he remained a state prisoner, I believe, for 13 or 14 years.

REPRESENTATION REGARDING POLITICAL SITUATION IN PALESTINE.

***3370. Lala Duni Chand :** Will the Honourable Premier be pleased to state whether any representation has recently been made by the Punjab Government to the British Government through Government of India in regard to the political situation in Palestine ; and if so, the nature of the representation made ?

Parliamentary Secretary (Mir Maqbool Mahmood) : The feeling in this province on the Palestine question has been conveyed from time to time to the Government of India in the ordinary course. It has also been informally represented by the Premier, but it is not in the public interest to give details.

Lala Duni Chand : Is it not permissible for you to give the House any idea of the nature of the representation that has been made from time to time ?

Mr. Speaker : That question has already been answered.

Mian Abdul Rab : May I know from the Parliamentary Secretary as to how that representation was received ?

Premier : May I know which supplementary question I should answer ?

Mr. Speaker : Please answer them in the order in which they have been asked.

Premier : It is not for me to say what effect my representation had, but the recent statement which has been published in the newspapers indicates that it has had some effect and I hope that it has had some effect in moulding the policy of the Government and I trust that realising the view of the Muslims in this country who have given their fullest support to Arabs in Palestine, His Majesty's Government will very sympathetically consider the question of giving Arabs their due share and rights in their own country.

Lala Deshbandhu Gupta : Are Government prepared to bring this matter before this House to consult the opinion of the House and convey the same to the Government of India ?

Premier : This is a question which is outside the jurisdiction of this House.

Mr. Speaker : That is not a supplementary question.

Lala Deshbandhu Gupta : My question is this, whether Government is prepared to take the members of the House into confidence as regards the opinion that has been expressed by the Cabinet on this subject ? Why are they afraid of putting the matter before the House ?

Premier : I have said that Government has expressed no opinion on this subject but I in my personal capacity have formally made a representation to the Government of India. You did not hear the answer. The Punjab Government could not do so, because it is not concerned with the external affairs. It is the Central Government which is concerned with it.

Lala Deshbandhu Gupta : Is it not open to the Provincial Governments to make a recommendation or convey the views of the province to the Government of India on a matter like this ? If they can do so in a matter like the Recruitment Bill, they can certainly do so in this matter also.

Premier : And it was done.

Lala Duni Chand : Has the Government of the Punjab conveyed to the Government of India that the Punjab Government disapproves of the policy of the British Government in Palestine ?

Premier : The Punjab Government has done nothing of the sort. On the contrary I in my personal capacity have represented certain matters to His Majesty's Government and I am glad to see that they have had some effect.

Lala Deshbandhu Gupta : May I know whether the Honourable Premier disapproves of the policy of the British Government which is followed in Palestine ?

Premier : I do not approve of that policy (*hear, hear*).

Chaudhri Krishna Gopal Dutt : May I know if the Premier either in his personal capacity or on behalf of the Government made any representation to the British Government through the Government of India regarding the Sudeten question ?

Premier : Geography has never been my strong point, but I think Sudeten is not in Palestine, but somewhere in Europe.

Chaudhri Krishna Gopal Dutt : I insist upon getting an answer.

Mr. Speaker : His question, if I understood him rightly, is whether these representations were made through the Government of India or direct.

Premier : No, Sir, he is asking about Sudeten area and I answered that although Geography was never my strong point in school, I thought that Sudeten area was not in Palestine but somewhere in Europe. This question relates to Palestine.

Chaudhri Krishna Gopal Dutt : May I appeal to you that this is a very disrespectful method of answering questions ?

Mr. Speaker : Did it relate to Palestine or Sudeten ?

Chaudhri Krishna Gopal Dutt : I was trying to get an answer from the Premier which he has not given.

Mr. Speaker : What was the honourable member's question about ?

Chaudhri Krishna Gopal Dutt : He has charged me with ignorance relating to the situation of the Sudeten area.

Dr. Gopi Chand Bhargava : May I know whether the Honourable Premier conveyed to the British Government the fact that a notice of adjournment motion against the attitude of the Britishers in Palestine was given in this House but was not allowed ?

Premier : The Government of India have their own sources of information to see the newspaper cuttings and they must have known this long ago. A similar thing happened in the United Provinces and I daresay that they would have known this.

Dr. Gopi Chand Bhargava : I only wanted to know when he conveyed his own feelings as well as the feelings of others regarding the Palestine question to the Government of India and whether he conveyed also the feelings of this House, that they wanted to move an adjournment motion to express their feelings about the matter but they were not allowed to do so.

Premier : That part has been answered and I regret that I cannot possibly go into the details.

Dr. Gopi Chand Bhargava : May I know what is the effect of his representation and the change that he feels has taken place in the policy of the British Government regarding Palestine ?

Premier : It is not for me to say whether there was any effect on the British Government. How can I say ? But the recent publication indicates that the partition scheme has been given up and that might be one of the results, perhaps it may have contributed to that result. It would therefore be sheer presumption on my part to say that my representation has had that effect.

Dr. Gopi Chand Bhargava : It has already been stated by him that it had some effect. I wanted to know what effect he feels it had.

Premier : That the partition has been shelved.

Lala Deshbandhu Gupta : Is the Honourable Premier satisfied with the present policy of the British Government in Palestine ?

Mr. Speaker : That question is disallowed.

Dr. Gopi Chand Bhargava : He has already replied.

Lala Deshbandhu Gupta : Let him say yes or no.

Mr. Speaker : He has already done that.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Sir, in order to save the time of the House, may I suggest to the Honourable Premier to declare that his successful efforts joined with Congress prayers helped in bringing about the solution of the Palestine question, as it might satisfy the friends sitting opposite and set their jealousy at rest.

Chaudhri Krishna Gopal Dutt : Are the Government prepared to give an assurance that the Government will not make any representation in respect of any international question ?

Sayed Amjad Ali Shah : Does that arise out of the question or its answer ?

Mian Abdul Rab : I rise to a point of order, Sir. The original question relates to Palestine and my friend gets up sometimes to discuss the question of Sudetens and at another the relations of other nations of the world.

Sardar Sohan Singh Josh : Is that a point of order ?

Lala Deshbandhu Gupta : May I know if the Honourable Premier is aware of the hard fact that England respects only a strong attitude in regard to certain matters ?

Premier : O ! Yes. I have known it for several decades.

UNSTARRED QUESTIONS AND ANSWERS.

ADDITIONAL POLICE POSTS IN VILLAGES IN LAHORE.

491. Dr. Sant Ram Seth : Will the Honourable Premier be pleased to state—

- (a) whether the Government has received any proposals from the Lahore District authorities for locating additional police posts in some villages of Lahore district, if so, the action taken thereon ;
- (b) the names of the villages referred to in (a) above ?

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

(b) Does not arise.

PANCHAYAT FOR VILLAGE NARLA IN LAHORE DISTRICT.

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

- (a) whether it is a fact that Sardar Jawahar Singh and other residents of village Narla, district Lahore, submitted an application to the Deputy Commissioner, Lahore, on 1st February, 1938, which was received by him on the 3rd February, 1938, requesting therein that a village panchayat be established under the Village Panchayat Act in their village ;
- (b) if the answer to (a) be in the affirmative, the grounds for not establishing the panchayat in their village so far ?

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

MEDICAL RELIEF FOR VILLAGE RODAY IN TAHSIL MOGA.

493. Sardar Tara Singh : Will the Honourable Minister of Education be pleased to state whether he is aware of the fact that village Roday, police station Bagapurana, tahsil Moga, district Ferozepore, is a large village in which there used to be a civil dispensary which has been closed down for the last three or four years causing great inconvenience to the people of that village and to those of the neighbouring villages ; if so, the action Government proposes to take to provide medical relief to the inhabitants of that area ?

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

PERSONAL EXPLANATION.

Pandit Shri Ram Sharma (Southern Towns; General, Urban) (*Urdu*) : I rise to a personal explanation, Sir. I beg to submit that day before yesterday when an adjournment motion regarding the riot and disorders that broke out at Rohtak on 7th October in the procession, of the Honourable Premier and Development Minister was under discussion, a hue and cry of unprecedented magnitude was raised in the House. At that moment my honourable friend, Chaudhri Ram Sarup made a false and baseless statement to the effect that on the day of the mob violence I had been persuading the people to observe *hartal*. As there was great noise at the moment I could not hear the exact words of the honourable member, nor could I correct him. Now I have learnt it from certain newspapers that he actually used those words. I strongly contradict the allegation made against me. I assure the House that I did not urge the people at all to observe any *hartal* on that occasion. I am very keen about this contradiction lest the same mistake should be committed in the official report of the Punjab Legislative Assembly. I, therefore, most humbly submit that if such a false charge against me has been incorporated in the official report it may kindly be expunged.

MOTIONS FOR ADJOURNMENT.

FAILURE OF KHARIF CROP IN AMBALA DISTRICT.

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 virtual failure of the kharif crop in Ambala district and the severe famine conditions resulting therefrom.

Mr. Speaker : I declare the motion to be out of order in as much as no responsibility of the Government is involved. The next motion.

FAILURE OF MONSOON AND FAMINE CONDITIONS IN THE PUNJAB.

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 failure of monsoon during the last August and the resulting famine conditions and disastrous consequences in the Punjab.

Mr. Speaker : I rule the motion to be out of order.

Lala Duni Chand : I have got two identical motions that I have sent to-day. If you will allow me I will explain. It is only a technical flaw on the ground of which you are probably not inclined to entertain this motion, otherwise it appears to be in order. I discussed the matter in the Chamber. However, I do not want to pursue it further.

CONFLICT BETWEEN AGRICULTURISTS AND NON-AGRICULTURISTS.

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 tense situation threatening public

[L. Duni Chand.]

peace and order that has arisen owing to the creation of an atmosphere of conflict between agriculturists and non-agriculturists in the Punjab since August last. I have no claim to place my views and I obey your order. You will kindly allow me to give reasons as to why this motion is in order.

Mr. Speaker : I think I have heard those reasons.

Lala Duni Chand : I want to place those reasons before the House.

Mr. Speaker : First of all let me know, please, if the administrative responsibility of the Government is involved.

Lala Duni Chand : Any situation that might arise in any part of the province that might threaten the peace or law which the Honourable Minister advocates, that is essentially a matter in which the administrative responsibility of the Government is involved. The Government is responsible for everything that takes place in the province and which is likely to affect the peace or the tranquillity of the province. Here is a matter that has assumed very serious proportions.

Mr. Speaker : What is the root cause ?

Lala Duni Chand : The root cause is that a certain course of action has been adopted by the Government, namely, the Government have adopted what is called the policy of divide and rule. That policy has brought about this tense situation which I want to discuss in this House. It is demonstrated by different acts of the members of the Government. For instance, Chaudhri Sir Chhotu Ram goes to certain places and advocates a certain kind of policy. He advocates a certain kind of political gospel which he wants the Punjab to adopt. That contributes to the serious situation. He has got a certain kind of political gospel.

Mr. Speaker : The honourable member wants to attack the Government.

Lala Duni Chand : Not at all. I am simply stating facts. The part that Chaudhri Sir Chhotu Ram is playing is a small one but there are other Ministers also who are pursuing the same course of action but in a more decent manner. That is not the only thing. We know what has been appearing in the press during the last three or four months and I think that is enough to show that the Government really wants to set up agriculturists against non-agriculturists and *vice versa*, and it is in that way that the Punjab Government wants to govern this province. That is a matter of urgent public importance. This atmosphere should be undone before it leads to further complications. I have no doubt whatsoever that if this policy is pursued any further, there will be nothing in the Punjab but bloodshed, riots and murders. (*Interruptions.*)

Mr. Speaker : I hold that the adjournment motion is out of order.

Khan Bahadur Nawab Muzaffar Khan : He wants publicity and he has got it.

Dr. Gopi Chand Bhargava : Sir, it has been said by the honourable member over there that the honourable member here wanted publicity and he has got it. It is very objectionable.

Mr. Speaker : The next motion.

FAMINE IN HISSAR DISTRICT.

Sardar Hari Singh : Sir, I beg to move that leave be granted to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the prevalence of famine in Hissar district and failure of the Government to render adequate relief to the people of the district.

Mr. Speaker : Leave is requested for making a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, prevalence of famine in Hissar district and failure of the Government to render adequate relief to the people of the district.

Has the Leader of the House any objection ?

Premier : None whatever.

Mr. Speaker : The honourable member has the leave of the House. His motion will be taken up at 6-30 p.m. to-day. It will cover motions¹ Nos. 18 and 15 as well, which will be discussed indirectly along with it.

HOURS OF SITTING DURING RAMZAN.

Sayed Mubarik Ali Shah : Sir, I beg to move—

This Assembly directs that during the month of Ramzan Assembly shall meet from 12-30 p.m. to 5 p.m. on days other than a Friday and from 2-30 p.m. to 7 p.m. on a Friday with a break for 15 minutes for evening prayers and breaking fast.

Diwan Chaman Lall : On a point of order. I have every sympathy with my honourable friend who moved this motion but it is necessary that we should be clear about the procedure in this House. Under what particular procedure or rule of the House this motion is being proposed ?

Mr. Speaker : Under Rule 12 with the permission of the Honourable Premier and the Speaker. I will read out the motion :—

This Assembly directs that during the month of Ramzan Assembly shall meet from 12-30 p.m. to 5-0 p.m. on days other than a Friday and from 2-30 p.m. to 7 p.m. on a Friday with a break for fifteen minutes for evening prayers and breaking fast.

Lala Deshbandhu Gupta : May I move an amendment to the effect that the working hours proposed in the motion may be observed for the whole session and not only for the Ramzan month. These are more suitable timings. I move that these timings may be observed throughout the whole of this session.

Mr. Speaker : The honourable member's amendment goes beyond the scope of the original motion, which is confined to the month of Ramzan only, while the honourable member's amendment relates to the whole of this session.

Lala Deshbandhu Gupta : Am I not in order in moving this amendment ?

¹Pandit Shri Ram Sharma, M. L. A., 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 refusal of the Government to arrange for free or cheap transport of cattle from the famine stricken area of Hissar and district Rohtak to Hardwar and certain other jungles opened for free grazing by the U. P. Government.

Sardar Hari Singh, M. L. A., 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, failure of the Government to make adequate arrangements to cope with the serious situation created by an unprecedented famine in the district of Hissar.

Mr. Speaker : No, because it goes beyond the scope of the original motion.

Diwan Chaman Lall : The substantive motion is that the House should sit between such and such hours. That is the substantive motion. The amendment moved is to the effect that it fixes two or three days beyond the period fixed in the substantive motion.

Mr. Speaker : The motion is confined to the month of Ramzan. Therefore, an amendment that it may extend to the whole of this session is out of order.

Diwan Chaman Lall : Would you accept that motion?

Mr. Speaker : So far as I am concerned, I will; but the Premier shall have to be approached.

Diwan Chaman Lall : Would you ask the Premier whether he has any objection to the extension going beyond Ramzan?

Premier : I am afraid it is a question on which several members may have very strong views and I would not like to take the responsibility on my slender shoulders with regard to that general proposition. If the House agrees I personally have got no objection.

Dr. Gopi Chand Bhargava : The question is whether the Leader of the House would permit making a motion of this nature.

Mr. Speaker : It is for the Leader of the House to say whether he will allow that motion to be moved on a Government day.

Lala Deshbandhu Gupta : We want an assurance from the Premier whether he will allow that to be moved on a Government day.

Diwan Chaman Lall : He said if the House agreed he had no objection to the introduction of the motion. Will you take it up afterwards?

Mr. Speaker : Now I will put the motion to vote. The question is—

This Assembly directs that during the month of Ramzan Assembly shall meet from 12-30 P.M. to 5 P.M. on days other than a Friday and from 2-30 P.M. to 7 P.M. on a Friday with a break for 15 minutes for evening prayers and breaking fast.

The motion was carried.

MOTION RE PRIORITY OF GOVERNMENT BUSINESS.

Mr. Speaker : The Premier can move his motion omitting from the second line the words 'this day the 10th'.

Mir Maqbool Mahmood : On a point of order. I believe this motion can be moved on a non-official day. I beg to invite the attention of the House to the debate in the House of Lords on the 11th December, when on Friday which was a non-official business day the Leader of the House moved that on this day we might take up official business and it was adopted. I, therefore, submit that the motion having been moved and since you have already given a definite ruling, it is not necessary to move it again. (*Volume 318 Hansard, page 2200*).

Mr. Speaker : The only point is whether this motion should be moved anew or whether it should be continued as left over on the 10th. I entirely agree with what the honourable Mir Maqbool Mahmood has said. A motion

as to the appropriation of a particular day by the Government could be moved even on that day. That point was raised but was not decided. He has quoted an authority and I may further help him by asking him to read page 695 of May's Parliamentary Practice. There he will find that this can be done.

Premier : Sir, I move—

The Government business shall have precedence on Thursday, the 17th November, 1938.

I need not go into the arguments which I have already put forward.

Mr. Speaker : Motion moved is—

The Government business shall have precedence on Thursday, the 17th November 1938.

Diwan Chaman Lall : On a point of order. A day's notice, according to the Rules, is required and we have not got a day's notice to discuss this motion to-day. We may discuss it after a day's notice, but it is not possible, in view of the Rules, to discuss it on this particular day.

Premier : Let us discuss it to-morrow.

Diwan Chaman Lall : To-morrow is a gazetted holiday. *(Laughter.)*

Chaudhri Krishna Gopal Dutt : One day's notice is not two days' notice.

Premier : I am perfectly willing to accept that proposition. But if you accept it that would mean that a non-official motion will never be moved.

To save your time and also the time of the House, I suggest that if you eventually decide that the point of order raised by my honourable friend, Diwan Chaman Lall is right, we can discuss this motion subsequently on some other day. I give notice now of this motion.

Mr. Speaker : Will honourable members please refer to the Proviso to Rule 53 and say whether it applies to the present motion?

Premier : This is not a new motion. It is merely a modification of the old one.

Dr. Gopi Chand Bhargava : May I submit that so far as this Rule is concerned, it concerns a motion of which seven days' clear notice is necessary. But a special provision has been made for a motion to suspend this Rule 13. Had there been no special mention of this fact that a day's notice is necessary, then of course, this rule could over-rule Rule 13. But as there is a special and separate provision restricting the time of notice to a day, Rule 53 cannot cover Rule 13.

Mr. Speaker : I agree. Rule 53 does not apply.

Diwan Chaman Lall : May I say one word? All these difficulties would be solved easily and a great deal of the time of the House saved, if my honourable friend had considered it proper to hold consultation with the Leader of the Opposition. Little difficulties in regard to the business of the House are generally solved in private and the time of the House is never utilised unnecessarily for this purpose. I submit that it would be more convenient for the transaction of the business of the House if these things are settled beforehand between the Leader of the House and the Leader of the Opposition.

Mr. Speaker : However, he has given notice now. So, it will be discussed on Monday.

Pandit Muni Lal Kalia : On a point of order. I submit that it must be one day's notice.

Mr. Speaker : I have given my ruling. I think the notice is in order. It means at least one day's notice.

Premier : I was going to say something in reply to what my honourable friend, Diwan Chaman Lall had suggested. As far as possible I always take an opportunity of consulting the Leader of the Opposition. I may tell that Thursday was the opening day of the House and on that day I had to go down to consult him. I shall be too glad to consult him, provided of course, he is prepared to take the trouble and inconvenience of settling these things. It would certainly save the time of the House. This is the convention of the House which as far as possible I shall be glad to follow. In this particular case I could not consult him because he was not here before Thursday, and it being the first day of the session, otherwise I would have consulted him about it also.

DEBTORS' PROTECTION (AMENDMENT) BILL.

Mr. Speaker : The next item is the amendment to the Punjab Debtors' Protection (Amendment) Bill recommended by His Excellency the Governor. The order of the Governor having been circulated to the honourable members already, it is not necessary to read it. The House will now proceed to consider that recommendation.

Diwan Chaman Lall : What I want to ask is this as to how this particular matter came about. Probably my honourable friend will enlighten the House how this particular matter arose. How is it that this recommendation came to this House? Where was the necessity for it? If a careful examination of the law and the rules of procedure had been gone into, where would the necessity have arisen? Which particular department was at fault in the framing of the original motion and the other matters connected therewith? I think my honourable friend owes it to the House to let the House know the circumstances relating to this particular matter.

Mr. Speaker : As the House knows, the question before it is the recommendation of His Excellency the Governor under section 76 of the Government of India Act. The only function and business of the House at this stage is to consider and decide whether the recommendation made by His Excellency be adopted or not. No other question at this stage can arise or be asked.

Diwan Chaman Lall : But an explanation can be given to the House.

Mr. Speaker : No, I decline to allow any question which is not directly connected with the recommendation of the Governor.

Diwan Chaman Lall : I am not wanting to know anything outside the recommendation of the Governor. All I want to know is, what are the circumstances connected with this recommendation?

Mr. Speaker : I will not permit that at this stage. The House has to consider and decide whether the Governor's recommendation should be adopted or not. After the recommendation is put from the Chair, I will have no objection to any questions being asked.

Diwan Chaman Lall : I understand the position. If I formally oppose it, then the Government would be in a position to get up and give an explanation. That will solve the difficulty straightaway. I formally oppose it.

Minister for Finance (The Honourable Mr. Manohar Lal) : The answer to the inquiry made by the honourable member is given in exact terms, if I may say so with all respect, by His Excellency the Governor in commending this amendment to the House. The words run thus—

"The object of the legislation was to prohibit execution of a money decree by the appointment of a receiver to administer property which is protected from attachment or sale; the effect of the Bill as passed, however, is to preclude the appointment of a receiver of any land or produce of land or interest in land, whether so protected or not. The draft of a recommended amendment is attached."

The Bill as passed went beyond the scope of the Bill as originally proposed. The honourable member who raised the point was actually a member of the select committee where we attempted to simplify the rather complicated language of the provision in the Bill as originally proposed. In trying to break up certain involved provisions and arranging them into (a) and (b) we inadvertently enlarged the original intent of the Bill. It was discovered in the Law Department that the change in the select committee made the provision too wide beyond the scope of the original intention. His Excellency the Governor in proposing this amendment has restricted the terms of the Bill within its real and proper scope. I hope that no member of the House has any objection to this. This amendment is only intended to carry out the original intention of the Bill and to keep it well within the scope and restrict the receiver's powers within appropriate limits.

Mr. Speaker : The question is—

That the recommendation of His Excellency the Governor be taken into consideration.

The motion was carried.

Mr. Speaker : The question is—

"That in place of the existing clause 2 of the Bill substitute the following :—

"2. After section 11 of the Punjab Debtors' Protection Act, 1938, the following section shall be inserted, namely :—

11-A. Notwithstanding anything contained in the Code of Civil Procedure, 1908, not decree for the payment of money shall be executed by the sale with attachment, or by the appointment of a receiver, of land or the produce of land or an interest in land, which, under any law for the time being in force, is exempt from attachment or sale."

The motion was carried.

ALIENATION OF LAND (FOURTH AMENDMENT) BILL.

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia) : I introduce the Punjab Alienation of Land (Fourth Amendment) Bill. In doing so I do not want to detain the House very long except to say that this Bill provides only three things. One is to substitute the word 'alienation' for the words 'permanent alienation' as provided in the Bill. The second is that in place of the existing Explanation another Explanation is to be substituted. The next is to empower the deputy commissioner to enforce the order passed under clauses 3 and 3-B of the Bill. Provision has been made for an appeal against the order of the deputy commissioner to the commissioner of the division. These are the only amendments that this Bill proposes to make in the Act that we passed in Simla. I hope that this Bill will be accepted by the House. I also move—

That the Punjab Alienation of Land (Fourth Amendment) Bill be referred to a select committee consisting of the following members :—

The Honourable the Premier.

The Honourable Minister for Development.

Shaikh Karamat Ali.

Pir Akbar Ali.

Sardar Hari Singh.

Chaudhri Muhammad Hussain.

Rai Bahadur Mr. Mukand Lal Puri.

Raja Ghazanfar Ali Khan.

Sardar Jogindar Singh Man.

The quorum of this committee shall be four and its report shall be submitted by the 5th of November, 1938.

Dr. Gopi Chand Bhargava (Urdu) : Sir, during the last Simla session a convention was established that whenever any select committee was formed I was consulted by the Minister-in-charge of the Bill about the nomination of members from this side of the House. This healthy convention was followed even when the select committee on the Land Alienation (Third Amendment) Bill was constituted. But this time to my great surprise the Government has not deemed it fit to consult me and for reasons best known to it only one member from this side, i.e., Sardar Hari Singh, has been included in the select committee.

Premier (Urdu) : There is also Chaudhri Muhammad Hassan.

Dr. Gopi Chand Bhargava : It is not Chaudhri Muhammad Hassan but Chaudhri Muhammad Hussain who does not belong to my party.

Premier (Urdu) : Sir, it is only a misprint. And in order to save the time of the House I may point out that it is mostly the same committee which was appointed to report on the Land Alienation (Third Amendment) Bill.

Dr. Gopi Chand Bhargava : No, it is not the same committee. The names of some members of that committee are not to be found in this committee.

Premier (Urdu) : One of the missing names is that of Chaudhri Muhammad Hassan and that is due to misprint. The other name is that of Sardar Kapoor Singh and if he is anxious to sit on this committee he is welcome.

Dr. Gopi Chand Bhargava : The select committee on the Third Amendment Bill consisted of the following members :—

The Honourable Premier.
The Honourable Minister for Development.
The Honourable Minister for Revenue.
Deputy Speaker.
Mir Maqbool Mahmood.
Pir Akbar Ali.
Sardar Kapoor Singh.
Rai Bahadur Mr. Mukand Lal Puri.
Shaikh Karamat Ali.
Sardar Hari Singh.
Chaudhri Muhammad Hassan.
The Advocate-General.

You will see, Sir, that not only are the names of some members of the previous committee missing from the present list but also it contains two new names, i.e., Raja Ghazanfar Ali Khan and Sardar Jogindar Singh Man. This shows that it is not the same committee.

Minister for Revenue : May I explain the position. Instead of Mir Maqbool Mahmood I put Raja Ghazanfar Ali Khan, because he is my Parliamentary Secretary and will be more suitable than Mir Maqbool Mahmood who is the General Parliamentary Secretary. In place of Sardar Kapoor Singh I put in the name of Sardar Jogindar Singh Man who is also a representative of the Khalsa Nationalist Party. If, however, my honourable friend is very anxious to put in the name of Sardar Kapoor Singh I have no objection.

Dr. Gopi Chand Bhargava : That is not my point. My point is that we established a convention last time that the party should be consulted before nominating any honourable member to a select committee and that the honourable members should not directly be nominated without consulting the party. That convention has been broken in the present case. It is not that I want to add one more member to the committee or that one should be withdrawn from the committee.

Premier : We established several conventions and I was hoping that they would be observed in this House. But unfortunately all that was blown away during that unfortunate incident two days ago when the Leader of the Opposition got up and said, "I will not allow the business of the House to proceed. I will obstruct it." When that is the case how can we be expected to observe all these conventions?

Mr. Speaker : The Honourable Premier should not, if possible, refer to the proceedings of the current session.

Premier : I bow to your ruling. I believe there is no such convention that we should consult the party before nominating members to a select committee. It was only as a matter of courtesy that we consulted the Leader of the Opposition last time. Even now we would have been prepared to consult him, but as the House was not in session we could not consult him. Even now if he wants any more names to be added we will be glad to do so.

Diwan Chaman Lall : My honourable friend complains of the attitude of this side of the House two days ago.

Mr. Speaker : If possible the honourable member should not allude to the debates of the current session.

Diwan Chaman Lall : I may be allowed to refer to it, because the Honourable Premier referred to it.

Mr. Speaker : I would request the honourable member to avoid it, if possible.

Diwan Chaman Lall : I do not want that our silence on this point should be misunderstood. I want to give a suitable reply to the Honourable Premier.

Premier : I did not refer to the honourable member. He may make several remarks which will be perfectly in order. I only referred to the Honourable Leader of the Opposition. He occupies a position in the House which is superior to several other members, if I may say so.

Mr. Speaker : I would once again request both sides not to talk of the past.

Diwan Chaman Lall : With regard to this matter of convention, it is an important one. Since it has been raised on the floor of the House I think one or two words from me will not be a waste. My honourable friend, the Leader of the House, said that there was no convention of this sort. Parliamentary procedure, as I understand it, demands a very close contact between the Government and the Opposition, a very close contact in regard to the business of this House. I have not known during my eight years' experience in the central legislature of any occasion where a select committee was constituted without consulting the Opposition. My learned friend's experience is confined only to the Punjab. If his experience had been wider he would have known that this convention exists in all well-constituted legislatures.

Next, my learned friend said that because the House was not in session at the time, therefore, he could not consult the Leader of the Opposition, nor even the members concerned, before taking upon himself the business of nominating the members of the Opposition on the committee. This is a very peculiar sort of convention which he wishes to set up. If he had avoided rushing about the province and making all sorts of speeches he would have had plenty of time to consult the Opposition and thus establish a healthy convention.

Mr. Speaker : I shall now put the motion to vote in separate parts. The question is—

That the Punjab Alienation of Land (Fourth Amendment) Bill be referred to a select committee.

The motion was carried.

Mr. Speaker : The question is—

The select committee consist of—

The Honourable the Premier.

The Honourable Minister for Development.

Shaikh Karamat Ali.

Pir Akbar Ali.

Sardar Hari Singh.

Chaudhri Muhammad Hassan.

Rai Bahadur Mr. Mukand Lal Puri.

Raja Ghazanfar Ali Khan.

Sardar Jogindar Singh Man.

The motion was carried.

Mr. Speaker : The question is—

That the quorum of the committee be four.

The motion was carried.

Mr. Speaker : The question is—

That the report be submitted by the 15th of November 1933.

The motion was carried.

STATE AID TO INDUSTRIES (AMENDMENT) BILL.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) : I beg to introduce the Punjab State Aid to Industries (Amendment) Bill. I beg to move—

That the Punjab State Aid to Industries (Amendment) Bill be taken into consideration at once.

This is a very non-controversial piece of legislation. The only object which the Bill has in view is to adjust the term of membership of the Board of Industries to the term of the membership of the Legislative Assembly. Under the old constitution the term of the Council was 3 years and now it is five years. Therefore, in order to make the membership of the Board of Industries co-terminous with the membership of the Panjab Legislative Assembly, this amending Bill has been brought forward.

Mr. Speaker : The question is—

That the Punjab State Aid to Industries (Amendment) Bill be taken into consideration at once.

The motion was carried.

Mr. Speaker : The Assembly will now proceed to consider the Bill clause by clause.

Clause 2.

Mr. Speaker : The question is—

That clause 2 stand part of the Bill.

The motion was carried.

Preamble.

Mr. Speaker : The question is—

That the Preamble be the Preamble of the Bill.

The motion was carried.

Clause 1.

Mr. Speaker : The question is—

That clause 1 stand part of the Bill.

The motion was carried.

Minister for Development : I beg to move :—

That the Punjab State Aid to Industries (Amendment) Bill be passed.

The motion was carried.

MOTION *RE* DRUGS AND MEDICINAL PRODUCTS, ETC.

Minister for Education (The Honourable Mian Abdul Haye): I beg to move:—

That this Assembly do resolve that it is desirable that—

- (1) trade and commerce within the province in drugs, medicines and biological products;
- (2) the production, supply and distribution of drugs, medicines and biological products;
- (3) the adulteration of drugs, medicines and biological products;
- (4) fees in respect of the matter mentioned in clauses (1) to (3);
- (5) inquiries and statistics for the purpose of the matters mentioned in clauses (1) to (4);
- (6) offences against laws with respect to the matters mentioned in clauses (1) to (5); and
- (7) jurisdiction and powers of courts with respect to the matters mentioned in clauses (1) to (6);

which are among the matters enumerated in the Provincial Legislative List, should be regulated in this Province by an Act of the Federal Legislature.

This is a very simple, though exceedingly important matter. In a country like India which is the dumping ground of medicines and drugs of bad quality, it is high time that legislation of this nature be undertaken. In fact, the Central Government, as far back as 1930 and 1931, set up a committee which was called the Drugs Committee. After its recommendations were received and examined, the Government of India introduced a Bill last year in the central legislature. But that Bill only dealt with the question of the import of drugs and medicines. It was pointed out during the course of discussion in that House that this was only a part of the problem and that legislation should also be undertaken in the matter of manufacture and sale of drugs within the provinces. According to the Government of India Act, 7th schedule, the question of the import of drugs and medicines and biological products is a central subject and the question of the manufacture, sale and storage of these articles is a provincial subject. It was pointed out by the Punjab Government when its opinion was called that this was a matter in which the central legislature should legislate. Therefore, we have given our undertaking to the Central Government that a resolution of this nature shall be placed before the provincial legislature and a resolution passed. All other Governments in this country, I mean the provincial Governments, have given similar undertaking and in some legislatures identical resolutions have been passed and in others they are about to be passed. I, therefore, move this motion.

Mr. Speaker: Motion moved—

That this Assembly do resolve that it is desirable that—

- (1) trade and commerce within the province in drugs, medicines and biological products;
- (2) the production, supply and distribution of drugs, medicines and biological products;
- (3) the adulteration of drugs, medicines and biological products;
- (4) fees in respect of the matters mentioned in clauses (1) to (3);
- (5) inquiries and statistics for the purpose of the matters mentioned in clauses (1) to (4);
- (6) offences against laws with respect to the matters mentioned in clauses (1) to (5); and
- (7) jurisdiction and powers of courts with respect to the matters mentioned in clauses (1) to (6);

which are among the matters enumerated in the Provincial Legislative List, should be regulated in this Province by an Act of the Federal Legislature.

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General, Urban): Sir, while supporting the resolution moved by the Honourable Minister for Education and Public Health I want to make one observation. It has been seen of late that there are certain subjects which require uniformity in legislation and it is from that stand point that this resolution has been placed before this House.

In Simla there was another resolution to the same effect which from the point of view of uniformity in legislation was recommended to be handed over to the Federal Government for such action as they consider proper. May I suggest to the Government in this connection that this tendency has been observed now that we have got the so-called federal constitution in this country. The same thing had been found out by experience in America and other federal countries, that there are a number of subjects which require uniformity in legislation. In this connection I suggest to the Government to appoint a sub-committee, because my contention is that besides these there are other subjects which are provincial but should have been declared central or federal subjects from the point of view of the same principle of uniformity of legislation. The Government should appoint a small sub-committee to go into this question and prepare a catalogue of these subjects which should better be treated as federal subjects. With these words I support the resolution.

Premier (The Honourable Major Sir Sikander Hyat-Khan): I do not know whether my honourable friend expects a reply from Government on this point, but if he does want it, I can reply in a few sentences. The observation which my honourable friend has made is one which was responsible for a great deal of controversy during the three Round Table Conferences and during the deliberations of the Joint Select Committee. In other words, my honourable friend's observation, though it ostensibly seems to be harmless, goes to the very root of the system of federal government which has to be set up in this country. My honourable friend wants further power in the centre.

Chaudhri Krishna Gopal Dutt: On the basis of our experience.

Premier: On the other hand in this province and I dare say in other provinces, there are political schools of thought which want further power to be devolved on to the provinces. Therefore, I hope he will not press that point. The present method is, I think, a very convenient one under which all the provinces voluntarily come to an agreement where uniformity is necessary. We merely pass a resolution and take the views and opinion of the House on each particular motion which means that the House has control over all these matters which are referred to the centre for uniform treatment. I, therefore, think from the democratic point of view this method is a better one than the one suggested by my honourable friend. Supposing we set up a committee and decide that certain matters in the Provincial List are susceptible to more convenient and better treatment by the Central Government. Does that mean that we would straightaway transfer these subjects to the centre and that they should be able to legislate about them? No. We should have to pass a resolution on that account.

Chaudhri Krishna Gopal Dutt: Instead of moving one resolution in Simla and another here, why should we not appoint a sub-committee to go into this question as to which subjects should be treated as central?

Premier : There cannot be uniformity in that way, because each province may like to treat each question in its own way. Here was a question of drugs raised by the Bengal Government — it is a very important industry there — and eventually every province was asked and after several months and in fact after a year's deliberation we came to the conclusion that there should be a uniform central legislation. But that legislation I believe would also leave discretion to the province to promulgate a law if they want to do so.

Parliamentary Secretary (Mir Maqbool Mahmood): I just wish one point to be made clear at this stage. The resolution moved by the Honourable Minister is to the effect that it is desirable that among other matters enumerated in the list the matter of drugs, etc., should be regulated in this province by an Act of the Federal Legislature. I take it that this motion is tabled under section 103 of the Government of India Act so that if any Act is passed by the Federal Legislature it is open to this legislature to amend it and it is also open to this legislature to take back these subjects if we so desire; therefore we are not abdicating, and so far as this province is concerned, our right to legislate on these subjects remain intact.

Chaudhri Krishna Gopal Dutt : May I clear a point ?

Mr. Speaker : No. I cannot allow a second speech.

Chaudhri Krishna Gopal Dutt : I have been misunderstood and that is why I feel the word abdicate has been used by my friend, the Parliamentary Secretary. Let me please explain myself.

Mr. Speaker : No explanation is called for.

Chaudhri Krishna Gopal Dutt : I only wanted to make a personal explanation. I do not mean that the Punjab Government should relax its control or abdicate — this is the word used by my friend. Mir Maqbool Mahmood has suggested that their control would be there and these things would be regulated by an Act. My only contention was this that we should go through this question as has been done in America and in different states and we can hand over these subjects to the Federal Government through an Act of this legislature. Where is the harm if you do this ?

Mr. Speaker : The limit of personal explanation has been reached.

Premier : Wait till the Federation comes into existence.

Mr. Speaker : The question is—

This Assembly do resolve that it is desirable that—

- (1) trade and commerce within the province in drugs, medicines and biological products ;
- (2) the production, supply and distribution of drugs, medicines and biological products ;
- (3) the adulteration of drugs, medicines and biological products ;
- (4) fees in respect of the matters mentioned in clauses (1) to (3) ;
- (5) inquiries and statistics for the purpose of the matters mentioned in clauses (1) to (4) ;
- (6) offences against laws with respect to the matters mentioned in clauses (1) to (5) ; and
- (7) jurisdiction and powers of courts with respect to the matters mentioned in clauses (1) to (6) ;

which are among the matters enumerated in the Provincial Legislative List, should be regulated in this Province by an Act of the Federal Legislature.

The motion was carried.

PROBLEMS OF PEASANTS IN BIST DOAB.

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia): With your permission I wish to make a brief statement about a question which has engaged the attention of the Punjab Government for sometime past and which was discussed by the members of a deputation with the Honourable the Premier and myself day before yesterday. The deputation drew our attention to two problems with which the peasants of certain areas in the Bist Doab are at present confronted. One of the problems is the steady fall of the level of water in wells. The other problem arises from the failure of crops owing to inadequate rainfall.

As far as the first problem is concerned, it has a long history behind it. Since the beginning of the present century a most unfortunate and mysterious natural phenomenon has been working itself out in the Bist Doab. The level of water in wells in this area has been steadily sinking, with the result that in the case of a number of wells it has now become exceedingly difficult to work them economically. The districts of Jullundur and Hoshiarpur which once occupied a proud place in the rural husbandry of the Punjab and were well-known for their orchards are thus faced with a serious menace to their agricultural productivity. The district of Hoshiarpur is run over by *chos* and one meets a *cho* after practically every mile on any road that one may travel. The rain water rushes down hillsides during monsoon, carrying with it sand and stone and spreading devastation. The problem of the fall in water level in the wells of Bist Doab has engaged the attention of previous Government of the Punjab and inquiries have been held from time to time in the past for the purpose of exploring the causes of this phenomenon and finding out suitable remedies. No definite cause could, however, be ascertained.

The present Government took up the problem soon after assuming office and has been making earnest efforts to discover its solution. A meeting was held in this connection in June 1937 and the departmental heads concerned were asked to prepare a comprehensive note on the subject. This note was placed before a subsequent conference which was attended by the representatives of various departments of the Government and some honourable members of this House. Various causes were mentioned as having contributed to the present fall in water level and the conference, after carefully considering the problem, expressed the view that for the purpose of arriving at definite conclusions it was essential that more detailed and reliable data should be obtained regarding rainfall in the tract, discharges in the drainages passing through this area and a contoured survey of the whole area, including the Kapurthala State which lies in the Bist Doab. Following the recommendations of this conference of official experts and non-officials, Government sanctioned the opening of a special sub-division for the purpose with its headquarters at Jullundur. This sub-division was opened early in July last. The number of rain gauge stations was increased from 10 to 50 in the two districts of Jullundur and Hoshiarpur and relevant data has been recorded for the monsoon season of 1938. Similarly gauges were fixed on the main drainages and on the Sutlej and Beas rivers and necessary information about gauges and discharges has been recorded throughout the flood season. The Government of India Survey Department was asked to take up the contoured survey of the Bist Doab.

[Minister for Revenue.]

including the adjacent area of Kapurthala State, and the Kapurthala Durbar agreed to the survey on the condition that the expense was to be borne by the Punjab Government. This survey was started by the Survey Department last month and is expected to be completed by the end of March 1939.

Steps have also been taken to remove the causes which, it is suggested, are at least partly responsible for the fall of water level of the wells. Denudation of our forest growth in the Shivalik hills is believed to have mainly contributed to the fall of water-level. Steps have accordingly been taken for re-afforestation and to encourage *waibandi*.

The present Government is fully alive to the problem which is becoming increasingly acute in the districts of Jullundur and Hoshiarpur and has been making earnest efforts since it assumed office to investigate and solve it within the earliest possible period. When the members of the deputation, which waited on the Honourable the Premier, drew his attention to this problem, they naturally met with utmost sympathy. The Honourable the Premier assured them that the Government was already fully alive to the question and the steps which Government had hitherto taken and which I have now recounted in this statement were announced by him at public meetings in Hoshiarpur and Jullundur during his recent tour. I wish to repeat this assurance in this House that Government would continue to devote their earnest attention to the problem with a view to its earliest possible solution.

As far as the question of failure of crops in Nakodar and Phillaur tahsils is concerned, the members of the deputation were informed that the question would be sympathetically examined. Instructions are being issued to local officers to inspect the crops in these two tahsils and submit a report to Government without undue delay. If as a result of this inquiry relief is found to be necessary, Government will not hesitate to extend sympathetic and generous treatment to these areas, as it has done in other districts which stood in need of assistance and relief on account of widespread failure of crops.

MOTION FOR ADJOURNMENT.

FAMINE IN HISSAR DISTRICT.

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

Sardar Hari Singh : I move—

That the House do now adjourn.

The subject matter of my adjournment motion this evening is a very serious subject, i.e., the prevalence of famine in the district of Hissar. The magnitude of the problem is known to every member of this august House. You must have seen statements in the press, from officials and non-officials. I shall, at the very outset, refer to the speech of His Excellency the Governor delivered at Rohtak in response to an address of welcome by the

District Board, Rohtak. Referring to the famine conditions in that part of the country of which Hissar is a part, His Excellency said :—

"I can assure you that Government are under no illusions as to the magnitude of the calamity. They realise that it is a disaster to which there is no parallel since the turn of the century."

Such is the magnitude of the problem.

"and it calls for energetic measure of an altogether exceptional character."

Then His Excellency proceeded and mentioned what the Government had done in the matter. Now, here I want to attack the inadequacy of the measures adopted by Government to cope with the serious situation which had arisen in that part of the province. We have a press statement from a very responsible Congress worker of Hissar, I mean Pandit Neki Ram Sharma, who is, I think, the President of the District Congress Committee. He said in his statement — and we have no reason to disbelieve that statement : he is a responsible worker of the Congress and a very very old public man — he said, that no less than fifty thousand cattle had died so far in the Hissar district as a result of the scarcity of fodder. Then he goes on to say that because the farmers could not find wherewithal for the cattle they were sold for a paltry sum. The people have parted with their milch cattle, bullocks, cows and buffaloes. Then he mentions a very painful story of an incident which makes one shudder. He refers to the story of an old woman with a daughter aged three years. The mother could not get food for her daughter for days together and the daughter began to cry. The mother wanted to hush up the daughter and laid her fingers on her throat. She found that the baby expired of strangulation. A few days later the mother committed suicide. The mother and the daughter both died. He also censured the Government in his statement for its refusal to provide facilities for the transport of cattle to the United Provinces' forests ; and the United Provinces Government, the Congress Government there under Mr. Pant has very generously responded to the wishes of the people of that ilaqa and have provided grazing facilities for the cattle of the famine stricken area of Hissar ; but the Punjab Government has refused to grant transport facilities so that the cattle of Hissar might go and graze there, so that the people might save their cattle and their property and might eke out a miserable existence. The honourable Chaudhri Jug Lal's statement which appeared in the *Tribune* of the 7th November is a very important statement from the Excise Minister of Bihar who was on a visit to this province. He also happened to tour in the district at the request of Mr. Thakur. He says—

'The woeful plight of the people there beggars all description. It was a sight that moved the stoniest hearts.'

'Milch cattle are in a worse condition. Hissar, famous for its bovine population, is now becoming their grave.'

'Wages are too low.'

He happened to see the test works and he said in his statement that the wages there were too low for the people and their dependents : only five pies per head were being paid. Perhaps they have been raised to two annas now, which is very very low and inadequate. The Government have issued a press *communiqué* on the subject of measures adopted by them to cope with this evil and this serious situation. It is true that Government have remitted Rs. 87,000 and suspended Rs. 80,000 of land revenue. Also it is

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true that Government have suspended the collection of taccavi. Government was compelled to suspend this amount, because they could not collect it from the people who are starving. This is the negative aspect of the Government measures. Taccavi remissions have been made no doubt. The Government *communiqué* states that Rs. 3,35,000 have been provided and Rs. 1,30,000 are still lying with the Deputy Commissioner to provide relief for the people. (*Revenue Minister* : When ?) The Honourable Minister may turn to the *communiqué* of the Director of Public Information (*Premier* : That must have been a very old *communiqué*), I am sorry he is not aware of the *communiqués* issued by the Director of Information Bureau. It is true that 4 test works have been started by Government in the whole district. In the beginning Rs. 20,000 were spent but later Rs. 7,000 have been allotted for the test works which were started in the district of Hissar. Only 7,000 people are employed on these test works out of a population of 9 lakhs.

Mr. Deputy Speaker : The honourable member should address the Chair.

Sardar Hari Singh : I am addressing the Chair. Only my face is towards the Revenue Minister. Only 21 centres at the cost of a paltry sum of Rs. 15,000 have been opened by the Government. They have followed the example of the Congress organisation in the district to start the spinning centres to relieve the distress of the people. That is creditable for the Government no doubt. The *communiqué* says that the Government have appointed a fodder adviser with a staff to import *bhussa* from the surrounding districts and from the neighbouring province. Twenty-three importing stations and 52 exporting stations have been started in the Punjab and in the States. No doubt concession rates have been obtained through the help of the Government for the transport of fodder but that is not enough in such a serious situation. When people are facing such a heavy calamity not only concession rates but free transport of fodder ought to have been obtained by the Government or the Government ought to have come forward and paid these transport rates for the people who are suffering from such a serious calamity. No such concession rates are being given and free transport is not provided.

I would now draw your attention to the inadequacy of what the Government has done, what the Government is doing and what the Government proposes to do in order to relieve the distress of the people. Government in such a serious situation ought to declare that district or that area a famine, stricken area and start test works, not only small test works, but large test works. Government have spent so far only Rs. 70,000. They ought to spend lakhs of rupees. They should take initiative in starting a big relief fund. These popular Ministers should come forward and contribute their one month's pay towards that fund before they make any appeal to the people to contribute towards that fund. They say they are popular Ministers, they have been chosen by people and that they have every sympathy for poor peasants. May I know what they have done in this calamity ? Only a small amount of takavi has been given. There are remissions and suspensions of a few thousands of rupees in land revenue. That is what the Government have done and now they, sitting on the

Treasury benches try to make us believe that they are sympathetic towards the people of this province and that they are giving a lead to other provinces in bringing forward agrarian legislation and so on and so forth. After declaring this area a famine stricken area, Government, as I have already pointed out, should start major test works and give employment to lakhs of people who are suffering from hunger and who are suffering from poverty and who are going about naked, who have no warm clothings to put on their bodies to save themselves during the coming winter. They should provide them with warm clothings and they should provide them with food and their cattle with fodder. They should respond to the wishes of the people and provide them with free transport facilities for carrying their cattle to the United Provinces forests. Government should also make it compulsory for their departments to purchase khaddar which is being produced in spinning and weaving centres in the Hissar district. The population of Hissar district, as I have already mentioned, is 9 lakhs and only 7 thousand people are being provided with work in those test works. That alone shows that the Government is very il-liberal and stingy in providing relief to those people. People of Hissar district are paying no less than 11 lakhs of rupees as land revenue and out of these 11 lakhs what has the Government remitted and suspended? Kharif crops have utterly failed in that district and there were no monsoon rains. There is no bright prospect for rabi crops. There is no sowing. Fields are dry on account of the failure of rain and farmers have not been able to sow their crops even in other parts, what to speak of the Hissar district which is already passing through the throes of a severe and unprecedented famine. Those people have migrated from Hissar in large numbers. There have been mass migrations of people into the surrounding districts and in my own district I have witnessed with my own eyes people of Hissar district with their women-folk and with their children and cattle roaming about the countryside, begging for alms, begging for food and clothing, naked, hungry, starving and mere skeletons. Even drinking water is not available in many of the villages of the Hissar district. Government Ministers with fat salaries, sitting here dignified on Treasury benches smile and laugh when we talk of the calamity of the people of the Hissar district.

Mr. Deputy Speaker : Motion moved is—

That the House do now adjourn.

Premier (The Honourable Major Sir Sikander Hyat-Khan): Sir, I believe that this motion is on a par with several other motions which are moved in this House, unfortunately, for the sake of moving adjournment motions, in the hope that some of the mud which is thrown towards Government benches may stick. My honourable friend has pictured rather harrowing tales in the Hissar district. He himself, I am sure, has not been anywhere near Hissar. He has tabled this adjournment motion and based it on the reports published in the press by those people whom he has mentioned in his speech. He has tried to pick out one of the earliest *communiqués* issued by the Information Bureau to criticise the efforts made on the part of Government. That is the honesty with which my honourable friend has come forward to discuss this matter.

Sardar Hari Singh : Do you question our honesty ?

Premier : No, I do not question the honesty of my honourable friend—I mean the honesty of purpose lying behind that motion after reading the very article which he has mentioned in a manner like this. My honourable friend should have tried to sift the grain from the chaff and not tried merely to pillory the Government for something which it has not done. As a matter of fact, all the charges which my honourable friend has levelled against the Government, I am sure, will be proved absolutely false, when my Honourable colleague, the Revenue Minister, quotes certain figures. My honourable friend also said that Government does not realise the magnitude of the calamity and then in the very same breath contradicted himself by quoting a passage from His Excellency's recent speech in which His Excellency made it quite clear that Government was under no illusions with regard to the magnitude of this calamity and distress. We know, Sir, that a famine of this nature and of this severity has not visited even that part which is an insecure part of the province since nineties of the last century and it was in view of the magnitude of that calamity that we rushed to that part of the province. My Honourable friend, the Revenue Minister went there first followed by my Honourable friend, the Minister for Development and subsequently by myself and recently His Excellency has visited a portion of that *ilaga*. When I went there I saw with my own eyes, the condition in the Rewari tahsil, which is a much affected tahsil, and also in the districts of Gurgaon, Rohtak and Hissar. I went there personally and while I was on my way from Delhi to Gurgaon and Rewari, I met on the road people driving several thousands of cattle, cattle in a very good condition and young stock. I stopped my car and asked them as to where they were taking those cattle. I was told that they were taking them to the United Provinces or Alwar or to some other Indian State. I asked them what was the price they had paid. They first hesitated but eventually said that they had paid about Rs. 10 for one animal, for which I think, in normal times, even Rs. 60 would have been a small price. That was the condition which I saw with my own eyes. What did I do when I saw some of the young stock going out of the province? It at once struck me that the calamity would end to-morrow if we get rain to-morrow and if we do not get any rain, this calamity is likely to have its effect for several years because our famous Hissar breed was being depleted by those groves of cattle going outside the province. In view of the emergency I did not wait to consult the Finance Minister in accordance with a well-established convention for giving concessions. I cut the red tape and went straight to Hissar and announced that in addition to takavi which we are giving for draught cattle we will give fodder for one milch cattle in each family. Does my honourable friend know how much this is going to cost the province? It is going to cost the province 19 lakhs of rupees. If we do not get any rain during the month of December, it might cost more.

Diwan Chaman Lall : I am sorry to interrupt my honourable friend. How does he say that if we do not get any rain it would cost 19 lakhs to the province? Has he budgeted anything in the shape of takavi loan or fodder? What is the actual position?

Premier : The exact position is that 19 lakhs would be spent on providing fodder for one milch animal in each family and is our

commitment and this commitment may exceed the sum of 19 lakhs. The calculation is made up to the next fodder harvest.

Dr. Gopi Chand Bhargava : Is it in the form of takavi or charity ?

Premier : My honourable friend is not aware that takavi when given on occasions like this is not always given to people who deserve it. You find that several people who do not deserve it take it. I can assure my honourable friend that the takavi which is being given now is being given under conditions which have, as I have said, not been seen in that tract of the province since the nineties of the last century, but even takavi given ordinarily with normal conditions in that part of the province is usually remitted after three or four harvests. If my honourable friend had carefully read the appeal which was issued over the signatures Governor and of myself, he would have seen that we made it quite clear that this takavi which was given by us will be considered, not as a loan but as a free gift. Takavi cannot be realised from people even at the end say of three or four years because the assets of that part of the province — the Haryana tract — are being absolutely depleted of this beautiful young stock going out of the province and my honourable friend wants me to provide further concession to send that cattle away from the province. I am grateful to the United Provinces Government for giving us this concession at the request of three gentlemen out of whom one is a very famous dairyman who has got a dairy in the United Provinces and I believe he is a great expert in dairying and will certainly look after the milch cattle which go from here to the United Provinces jungles for grazing purposes.

Dr. Gokul Chand Narang : What is the name of that gentleman ?

Premier : I do not know his name, but he is also the editor of a the paper in the United Provinces. He has got a dairy farm. He is one of the signatories. There were three gentlemen who sent that appeal. One of them is this gentleman who owns a lovely dairy farm somewhere near our Revenue Minister's land. He is an expert in dairying and he is doing himself very well. He must have seen all this beautiful stock being sold for a song or being taken away to Alwar, so he thought that it would be better if they went to the United Provinces and did grazing there. Perhaps even if he got some of the cattle for his farm, there would be no harm. They are being sold for a song now.

Dr. Gopi Chand Bhargava : The United Provinces Government is not going to buy the cattle. It has only permitted the grazing of the cattle which are sent or taken there by their owners. They will be allowed to bring back the cattle afterwards.

Premier : The United Provinces Government have made that offer. I am grateful to them. I have also requested the United Provinces Government to give the same concessions on the Jumna Canal in the Gurgaon district, the concessions which the Punjab Government has given, namely free grazing, and I am sure that the United Provinces Government will concede to our request. We have not yet received any reply from them, but I am almost certain that they will concede that request which is a humanitarian one. It is a very generous offer on the part of the United Provinces Government to offer the concession. We have opened our canals

(Premier.)

for grazing. We hope the United Provinces Government will do the same. (Interruption.) If my honourable friends will allow me to proceed further, they will find it very useful if they want to benefit from this kind offer. We are told that the cattle will have plenty of grazing in Dehra Dun and near about Saharanpur, but after two or three months there will be no grazing left. My honourable friends will tell you that the Punjab cattle cannot survive there for more than ten weeks. The experiment has been made several times, and it has been found that the cattle do not come back. It may be owing to some sort of climatic effect or in the grazing or in the atmosphere. They have tried it on several occasions, and it has been found that owing to dampness or something in the grass or fodder the animals do not survive. Anyway, my real object in not sending away or encouraging the young stock to go out of the province is this, that I am very jealous of our famous Hissar breed and we will do everything possible to keep that breed alive so that we should retain that famous breed and after this calamity which we hope will soon pass away we may be able again to multiply our stock which has been depleted on account of this famine. What are we doing in regard to that? We are opening concentration camps (A voice: Hear, hear). My honourable friend says, 'hear hear.' About 10,000 young stock will be kept in these concentration camps and that stock will be bought, but bought with the object of and on the specific condition that after this calamity is over it will be returned to the owners at the same price. That is to say, we will not let that stock go outside the province. We will keep it and when this calamity passes away, in good condition we will return it to the owners themselves.

Rai Bahadur Mr. Mukand Lal Puri: Have any concentration camps been opened?

Premier: Two will be opened to begin with.

A voice: Have orders been issued?

Premier: Orders were issued some time ago. Apart from that we have asked our own farm people at Hissar to buy two thousand of the young stock.

My honourable friend again said that we had done nothing to give relief to these people. He also tried jocularly to remark that we had opened these concentration camps because the Congress had opened them. My honourable friend is not aware that during the last calamity in 1923 it was the Government who took the initiative of opening these centres, not as a political stunt but to give work to purdah-nashin women. (A voice: No, the Congress started that first.) My friend says the Congress started it first. But let me tell him that we did not start it as a political stunt but merely to provide work for the purdah-nashin women.

Diwan Chaman Lall: Are you alleging that the Congress started it as a political stunt?

Premier: No, I allege this much that there are people who wear khaddar here but when they leave the shores of India they wear Bond Street clothes.

Diwan Chaman Lall: I am in very good company.

Premier : You have always been in very good company.

Diwan Chaman Lall : I know there are people who start as Unionists and become Muslim Leaguers when they find their position is shaky and run to Jinnah for support.

Premier : My time is practically up and I will wind up my speech by saying that when the supplementary demands come before the House, the honourable members will find that we have taken upon ourselves commitments to the tune of half a crore of rupees. My honourable friend is not aware that this calamity is so severe that the figures of to-day are wrong to-morrow.

Diwan Chaman Lall : It is possible that all figures are wrong.

Premier : Such generalisations will not help us. When the supplementary demands come up before the House it will be seen that we are demanding additional thirty lakhs for additional relief works. Even now it is very nearly half a crore of rupees and if the situation does not improve in the next harvest, the figure may go up to one crore. Government has given relief already to the tune of half a crore which is unprecedented in the history of this province or even of any other province.

Diwan Chaman Lall : What is the relief actually given ?

Premier : The relief was in the form of gratuitous relief, takavi, fodder and so on.

Diwan Chaman Lall : What is the value of the relief actually given so far ?

Premier : Our commitments are half a crore.

Diwan Chaman Lall : Have you spent that amount ?

Premier : We give fodder for milch cattle fortnightly.

Diwan Chaman Lall : If the Honourable Premier has got no figures let him say so.

Premier : We are going to ask for 80 lakhs.

Diwan Chaman Lall : The Honourable Premier's evasion has become proverbial. Will he please tell us how much he has spent ?

Premier : My honourable friend is trying to be too clever, but I will not allow him to be so. Government has committed itself to the extent of half a crore of rupees and this may go up to a crore of rupees next year.

Diwan Chaman Lall : What has the Government paid up to now by way of help ?

Premier : I do not know the exact amount actually paid up-to-date.

Diwan Chaman Lall : The Honourable Premier does not know what has been paid by Government so far by way of relief !

Premier : If this is the spirit in which my honourable friends are going to co-operate in helping these people who are suffering from a dire calamity, I am sure they will leave thousands of people starving. But if he is prepared to join hands with Government in relieving the distress of these people who are dying, they will be rendering a great service to humanity. This is not a matter on which to exploit for political purposes. We are

[Premier,]

very glad that some charitably disposed persons have come forward to help and I hope they will continue to do their best to relieve the distress. I also hope that honourable members opposite instead of making political capital out of this situation will come forward and assist us in relieving the distress of thousands of people who are dying of starvation. *(Hear, hear.)*

Dr. Gopi Chand Bhargava (Lahore, General, Urban) (*Urdu*): Sir, I have attentively listened to the speech of my Honourable friend, the Premier. He has perhaps forgotten for the moment that the famine-stricken Hissar is my home district and I am in a position to compare what he says with the actual happenings there. He has complained that we people have done nothing to co-operate with the Government officials who went there to combat the famine. We, he says, are out to make political capital out of the situation prevalent in the district. This is, in his opinion, the sum and substance of all our criticism of the Government. But the truth is different. We were the first to feel solicitous for the welfare of the famine-stricken people of Hissar. Can the Honourable Revenue Minister, for instance, deny that he received a letter from me regarding famine relief on the 1st of October to which he sent a reply on the 11th? *(At this stage the Honourable Premier rose to go out.)* Why is the Honourable Premier going out now? I want to explain to him that the Congress has not taken up the work of relieving distress in the famine-stricken area as a political stunt. We are serious about our business.

Premier: I do not want to interrupt the honourable member, but I would suggest that he allows himself to cool down a bit and then make a speech, because this is not at all a subject on which we should make political capital. He is ascribing motives to Government which he should not do.

Dr. Gopi Chand Bhargava: The Honourable Premier has said that we have brought forward an adjournment motion merely for the sake of moving an adjournment motion. I want to explain that the Congress is anxious to do something for the welfare of the people who have suffered on account of famine. I wrote in my letter, dated the 1st of October, that most of the money spent by Government on spinning centres is wasted. The money spent by Government is not bringing adequate return in the nature of affording relief to the sufferers. I received a reply that the matter was under consideration, but what has been the result of that consideration, nobody can tell as nobody knows. Then the Deputy Commissioner wanted to set up a new non-official body to work for providing relief to the famine-stricken people although there was a non-official body working already. In spite of all that, the Honourable Premier has stood up here to say that the people do not co-operate with the officials. The question is who has asked for our co-operation and who is willing to see us working by his side? I wrote a letter to which I did not get a reply. I pointed out that the present arrangement of establishing spinning centres was faulty because the people placed in charge of the work do not know how to get the spinning work done. Under the present circumstances 35 per cent. of the money is being wasted. If the work is entrusted to experienced hands, much of the money can be

saved even by making allowance for 10 per cent. waste, and the money thus saved can be sent back to the public exchequer. In 1930 we gave relief to the people by getting khaddar manufactured. A non-official committee and the All-India Spinners' Association worked in 1932 as well. The work of this association was appreciated to this extent that the Deputy Commissioner sought its co-operation and afforded relief through it. Later on when Mr. Latifi was deputed to make a report on the measures taken to relieve distress in the days of famine, he paid a tribute to the work of this association. I pointed out that the test works started by the Honourable Revenue Minister bring only six pice a day to the worker which is absolutely insufficient. But *charkha* work has done wonders for the people. A thousand persons were afforded subsistence by the All-India Spinners' Association. This was really an achievement. When this was pointed out to the Honourable Revenue Minister he said, "After all that too is our own body." But the Government can do much more if only it has the will to do. But it seems to take practically no initiative in this matter. The first man who issued an appeal for the famine-stricken people of Hissar was Mahatma Gandhi who wrote in the *Harijan*. This was reproduced by the *Tribune*, dated the 26th of October. The Governor issued his appeal on the 28th of October.

Premier : We issued no appeal. We endorsed the appeal issued by the Commissioner.

Dr. Gopi Chand Bhargava : The first appeal issued here was by me and the Punjab Congress Working Council as a result of which a non-official body was formed which has been referred to by honourable members. The gentleman who was at the head of the non-official body appointed at the instance of the Deputy Commissioner was a Congress worker. So how can anybody say that we have not extended a helping hand in the matter of famine relief? The Congress took the initiative and the Congress did its best.

It is highly deplorable that the Government should have deemed it fit to launch a campaign of vilification against the Congress at this critical moment when the people of Hissar are in the grips of a very serious famine. The first attack, in this connection, was made in the shape of a statement which the Director of Information Bureau, Punjab, released to the press saying that the Congress was doing nothing to alleviate the sufferings of the people of Hissar beyond carrying on its own propaganda among the masses. May I, in this connection, respectfully ask the Treasury benches as to what they have done to relieve the distress of the famine-stricken area? All that they can claim in this behalf is that the Honourable the Premier paid a visit to that district and it is curious to note that the Premier found the cattle to be in a good condition. This remark alone is sufficient to show the ignorance of the Premier about the true famine conditions of the Hissar district. It is, no doubt, true that the Premier paid a visit to Hissar *en route* to Karachi. He also visited Rewari. But I am afraid from what he has described, I can conclude that he does not know the real conditions of the cattle and other animals in the rural areas. The true facts of the case are that out of five lakhs of cattle in the district about 50,000 have died of starvation and out of the remaining 4½ lakhs of cattle, fifty thousand have been sold away to

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outsiders. A vast majority of the remaining cattle have fallen a prey to the disease known as 'Baisak' in the vernacular. Under these conditions it is very strange indeed that the Premier still found the cattle in a good condition. If the cattle which are in the very jaw of death, starvation and disease can be called by zamindars to be in good condition, then we must confess that there is no trouble in Hissar at all. But facts are otherwise. Thousands of cattle are dying of starvation and the poor people do not know how to save them from death. Sometimes they let their cattle go where they may, in the vain hope that the poor creatures might find some new owner who may be in a position to feed them. Again, it is well-known to everybody in this province that the people of Hissar never agree to sell their cows and bullocks, but in these hard days of famine, things have come to such a pass that the inhabitants of Hissar are compelled to sell their cows very very cheap. Believe it or not, a cow is sometimes sold there for a paltry sum of few annas. But the Premier says that the price of a cow is not less than Rs. 10 even now. I am unable to agree with this view because I know that 50,000 cattle have already died in that district and a large number of them are suffering from disease. Fearing a total loss, the inhabitants are selling them at a remarkably low price.

The Honourable the Premier has observed that the Government have decided to provide food free of cost to one milch cow per family. But what do they supply? They are supplying (توری) *turi*, and the Hissar cattle live on another fodder known as "Karbi", (کربی). Mere *turi* cannot sustain an animal. 'Karbi' being more nutritious is essential for animals of that side. The Government says that they have decided to give relief to milch cow but what was done before this was that no relief was afforded to a cow. It was 5 seers for a bullock and 7 seers for a camel.

Coming to the takavi loan that the Government claim to have offered to the people of Hissar, I may be allowed to quote from a statement—

The distribution of takavi in kind of fodder and seed has been sanctioned on an exceptionally large scale, the total allotment under this head being roughly nine lakhs of rupees. For the first time takavi for milch cattle as distinct from plough cattle has been sanctioned. There is little likelihood that the grants made for these purposes, though nominally loans, can ever be recovered, unless the condition of the next few harvests is exceptionally good.

Another beneficial measure that the Government have adopted to alleviate the sufferings of the people of Hissar is that concentration camps are being established. The young stock that will be bought for these concentration camps will be purchased, as the Premier has told us, on the condition that when conditions improve, it would be returned to the owner at the same price. But how would it be possible for the destitute residents of Hissar to pay back the prices which they are receiving now? The starving people can ill afford to repay anything. It appears to be a clever move on the part of the Government to buy the young stock at nominal prices knowing full well that the poor owners will never be able to pay even that much. When the zamindar will try to pay back the price, Government would say that when they could pay the price of cattle, they should pay the revenue and takavi loan first and thus he would not be able to purchase his own cattle.

Again, it is said that the allegation against Government that they are charging for the fodder at the rate of annas 12 per maund while the market rate was previously only $9\frac{1}{2}$ annas per maund is false. A statement issued by the Information Bureau, Punjab says that fodder used to sell at 13 annas and 9 pies or 14 annas per maund and our charge was wrong. It is just possible that the Hissar Cattle Farm might have been able to buy at the cheap rate of $13\frac{1}{2}$ annas or 14 annas or Re. one per maund. But the market rate was annas 9-6 per maund. It is evident from these facts that Government is charging high rates from the poor people and at the same time claims to be their true helper. Now, because the Deputy Commissioner only has been given the power to grant a certificate for import of fodder, the prices might have gone up.

Besides, it is contended by the Treasury benches that reduced railway freight is being charged from those people who wish to carry fodder to Hissar. But now it is up to the Deputy Commissioner only to allow that. This is a serious handicap to all enterprisers. Again, it is very sad indeed that our Premier has declined to accept the offer of free grazing land made by the United Provinces Government. There is no truth in the allegation that the United Provinces Government had a mind to buy these cattle at a cheap rate or supply cheap milk for their dairies. I strongly repudiate that suggestion. It goes to the credit of the Congress organisation that Lala Hardev Sahai, Pandit Neki Ram and Pandit Thakar Das Bhargava paid a visit to the famine-stricken area and requested the Honourable Premier of the United Provinces Government to allow free grazing land for the cattle of Hissar. The Honourable Pandit Pant deserves our gratitude for having very kindly agreed to this. We requested the Punjab Government to undertake to pay the railway fare for the transport of cattle. There was no secret intention to run a dairy there. But the Punjab Government refused to accept this kind offer and proceeded with their programme of granting taccavi loan to the poor people who could illafford to repay the amount. Moreover, the quantity of fodder that is being supplied, can hardly suffice even for 20 per cent. of the cattle of Hissar. In this connection, the Treasury benches conveniently overlook the fact that the officers in charge of fodder supply free fodder only to those persons who flatter them.

Premier : That is a most uncharitable allegation. I know the officer who is in charge of the fodder personally and know him much better than my honourable friend does. I think he is making a grave insinuation against a most loyal and honest officer.

An honourable member : Loyal ?

Premier : Loyal to the people.

Dr. Gopi Chand Bhargava : Sir, no doubt a Fodder Expert has been appointed but the officials deputed to carry on distribution work are not behaving honestly and there is no one to see whether fair distribution of fodder is being made or not. Your officers are worthless though they are drawing as much as Rs. 1,800 a month and even that from the Famine Relief Fund.

Premier : They are your kith and kin.

Dr. Gopi Chand Bhargava : Now, let us see how far the test works mainly intended for affording relief to the famine stricken people have in

[Dr. Gopi Chand Bhargava.]

fact helped them in their distress. Since the people experienced great hardship for want of water it was suggested to the Government to construct ponds. No doubt it was a sound proposal. But God knows why it has not been given effect to. Now roads are being constructed and those who actually do spade work are getting five pice a day but ladies and some men only four pice a day. The zamindar women who have never done spade work in the whole of their life before came from distances of 8 or 10 miles and after leaving their babies exposed to the scorching heat of the sun did spade work in the hope of getting an extra pice. What a hardship! When it was brought to the notice of the Government, they increased the wages in the case of men to annas two and in the case of women to six pice a day. Previously boys and girls of tender ages were given two or three pice a day. But now boys or girls under twelve are given no wages at all. This is how Government is affording relief to these poor people. Out of a population of 9 lakhs, $4\frac{1}{2}$ lakh souls are famine-stricken. Do you seriously think that the relief works started by you can afford adequate relief to such a large population? It is easy to lay blame at the doors of others. It is easy to be loudest in condemning others, but these things cannot help these unfortunate victims of famine. Sometimes the Government said that they intended to take the Bhakra Dam Scheme in hand. Sometimes they told us that they were going to construct wells in order to remove the sufferings of these people, but nothing has so far been done. Now I understand that some officer has been sent to Raja of Bilaspur in order to make arrangements for the exchange of land. Out of 1,000 villages 800 are barani and only 200 are nehri. And Government pay more attention to nehri ilaqa than to barani. All this goes to show that Government have miserably failed in their duty to afford substantial relief to these people.

Parliamentary Secretary (Mir Maqbool Mahmood) (Urdu): Mr. Speaker, I have been to Hissar, have visited the afflicted area and have come back after witnessing the miserable plight of our brothers and sisters there.

An honourable member: Oh! You would have gone there on elephants.

Mir Maqbool Mahmood: No, I toured by car and on foot. I think my learned friend should realise the seriousness of the situation and refrain on this occasion from indulging in light remarks. The question now before the House is a question of life and death for the poor people of Hissar. I have great respect for the Honourable Leader of the Opposition but he will forgive me if I state that as a Punjabi I feel ashamed at the speech made by him to-day. (*Interruptions.*) Instead of offering his unqualified co-operation to the Government in their great humanitarian work in Hissar, he has contented himself to claim the first prize for his party for throwing the first apple. Let him appropriate to himself the credit for all that the Government has done, but let him join us in getting succour to those in distress. I would like to request my learned friends over there not to interrupt me, for this is not the occasion for it. It is time for every one of us to strive hard to find means of affording substantial relief to our unfortunate brothers and sisters in Hissar. We should see as to how best we can help them in their distress. We made an earnest appeal for

help, we put forward certain proposals, but the response to this from the Opposition has been very discouraging. This is not the time to play to the galleries, or to make propaganda in favour of one party or another but it is the time for concerted action. I claim that it is the duty of the Opposition members to voluntarily offer their Co-operation to Government for the cause of these famine-stricken people. If they find some defect in the official programme of relief let them come to the honourable member concerned and ask him to remove it. Let me take this opportunity to make it clear that it is not only the lip-policy of the Government but it is their word to afford famine relief where it is needed. We do not want to make political capital. I would not like to make comparisons for they are always odious. But I am constrained to make one observation and that is that in Madras *inter alia* a sum of Rs. 11,75,000 only was provided for affording relief to three districts, namely, Bellary, Kurnool and Anantpur and the Congress Government was hailed as heroes. We have so far committed ourselves to an expenditure of about 50 lakhs for famine relief in Hissar. They discovered in Madras that there were defects in the Famine Code. The Honourable Premier, there appointed a committee to suggest necessary changes in the Code. But what has been done here? The Honourable Premier of the Punjab announced that code or no code, adequate relief should be granted in each case (*Hear, hear*). I am sorry to observe that my friends on that side do little but are always anxious to take credit for the work done by others. This is a spirit which no reasonable person can appreciate. As I have already said the question under consideration is a question of life and death for the people of Hissar. It is not a party question at all. My friends should not make a political capital out of it. Is it not a fact that when the Deputy Commissioner, Hissar, appointed a charitable committee, the brother of Honourable Leader of the Opposition who was (one of its members) walked out of the meeting only because he did not see his way to agree on a small matter? For God's sake realise your responsibility. In free countries responsible people of all parties rise to the occasion at such crisis and do not remain content merely with making speeches. My honourable friend, Sardar Hari Singh has adopted a very unwarranted and unfair attitude towards the Government to-day. He has stated that Government have purchased cows from zamindars at low prices in the hope to get profit on return of normal conditions. It is absolutely unfair. To me, misleading people is a sin both against God and man. As a matter of fact, the Government have purchased these animals with a view to return them to their owners at the original price as soon as the famine conditions disappear. In the meantime these animals, the best available there, will be fed and looked after by the Government and when normal conditions revert, when the prices of these animals would have gone very high, they will be returned to their owners at the prices of to-day and without any charge for their feeding and upkeep during this difficult period. How painful it is to observe that you admire every little thing done by other provincial governments, but you fail to appreciate such generous acts of your own Government! Mr. Speaker, I do not want to take much time of the House. It is enough to say that the Honourable Premier has already made an announcement to the effect that he is prepared to help the needy in Hissar by all means at his disposal. I fail to understand what more you require.

[Mir Maqbool Mahmood.]

Honourable members on the opposite benches would be justified in clamouring against the Government if they find that the latter has refused to accede to their legitimate demands. It is a great pity that outside the House the famished are in the jaws of death while inside the Opposition is fighting over petty things. I do not like to take much time of the House but, nevertheless, I would request those honourable members who follow me I shall crave humbly and strongly that on this motion at least these political bickerings may please be discontinued on both sides. They should rather try to find whether the measures adopted by the Government are really effective and adequate. If they prove to be inadequate to meet the situation, they should unanimously ask the Government to supplement them as far as possible. I have to add one word more. Some of the honourable members have stated that there is a huge discrepancy in the facts and figures mentioned in the statements issued by the Director of Information Bureau, the Honourable Premier and His Excellency the Governor. I would assure the honourable members opposite that there is no discrepancy whatsoever. And if there is any discrepancy apparent, it is as clarified by the Honourable Premier because figures change from day to day.

Furthermore, I would like to enter my strong protest against the serious charge that has been made by the Honourable Leader of the Opposition against the Fodder Expert, specially appointed for the famine-stricken area. The official in question is known to many of us personally and is noted for his honesty and sincerity. He is a type who would willingly lay his life for the poor. This God-fearing official is one who fears Him more than any human being and it was for these qualities that he was selected for this work. I would submit on the strength of my personal knowledge that he has been moving from place to place for the distribution of fodder. It does not behove a responsible member like my honourable friend, Dr. Gopi Chand Bhargava to lay unjustified charges against one so sincere and honest.

Dr. Gopi Chand Bhargava (Urdu): My submission is that I have not in the least blamed the Fodder Expert, rather I have objected to the conduct of those subordinates who have been distributing fodder among the peasants.

Premier (Urdu): They belong to you and me alike.

Mir Maqbool Mahmood: If, on the occasion of such a great calamity and severe famine, any senior or subordinate officer were found dishonest or guilty of dereliction of duty or receiving illegal gratification, he would be equally answerable to God and man. It was incumbent on the Honourable Leader of the Opposition to bring his grievances, if any, to the notice of the fodder expert rather than nurse them for three months in order to move an adjournment motion in the House. In view of the gravity and seriousness of the situation, I would request him, through you, Sir, that on such occasions at least let us think of our distressed countrymen and not merely of party spoils. With these words I strongly object to the motion now under discussion.

Pandit Shri Ram Sharma (Southern Towns, General, Urban) (Urdu): It appears to me that after hearing the speech of the Honourable Leader of the Opposition, Mir Maqbool Mahmood was visited with

compunction and felt ashamed of the callousness and lack of prompt practical sympathy on the part of the Government in this particular case. This shows that the adjournment motion has not been moved in vain. In fact, the object of this motion was to impress upon the Government the importance and urgency of the matter. I represent in this Assembly the Hissar district also and particularly some ilaqa in which the famine has wrought the greatest havoc. I, therefore, know fully well the conditions obtaining in Hissar in general and in the Jhajjar tahsil, the constituency of Sir Chhotu Ram in particular. It is really a pity that not only in official statements and *communiqués* but even in this Assembly political capital is sought to be made out of our misery. The Government wants to take credit for what it has not done. I can say without any fear of contradiction that Congress was the first to take action in this matter. The famine made its appearance in the ilaqa in the beginning of September, and the District Congress Committee at once appointed a Famine Relief Committee.

Pir Akbar Ali : The honourable member should not be allowed to repeat the arguments already advanced. Time of the House is very valuable. He should say something which should be beneficial to the House and people outside. Repetition should in no case be allowed.

Mr. Deputy Speaker : Order, please.

Pandit Shri Ram Sharma : The time at my disposal is limited and a good bit of it has been wasted by these interruptions. I would, therefore, request you to make due allowance while calculating the time allotted to me.

I was saying that the Congress did not sleep over this matter but acted with commendable promptness. Now this motion was moved with a view to impressing upon the Government the necessity for taking prompt action. But what do we find. The Honourable Premier rises and begins to sing praises of his own Government. It appears he is so busy showering encomiums on his Government and himself that he cannot spare time for the unfortunate people of the famine-stricken ilaqa. It was said that the honourable mover of this motion, Sardar Hari Singh, does not belong to the Hissar district. The Honourable Premier, perhaps, wants us to believe that he and his Government hold monopoly of love and friendship for the inhabitants of that district. But, I would invite the attention of the Government to the promptness with which a Congress Minister acted. Coming to know of this calamity the Honourable Chaudhri Jag Lal of Bihar, in his Punjab tour devoted full one day in the famine-stricken area, and cancelled by wire his usual work at Patna. But our own Premier and Minister for Development have no time to spare for these people. The Honourable Premier did not spend more than half an hour in Hissar as he had to go to Karachi for making speeches in the Sind Muslim League Conference, and the Honourable Sir Chhotu Ram could not spare more time as he had to address a meeting in another district. So, they had no time to go to villages and obtain first-hand knowledge of the sad plight in which the poor villagers found themselves. In spite of that they have the face to try to belittle the importance of the motion on the ground that Sardar Hari Singh does not belong to the Hissar district.

Sir, even in the Famine Code it is stated that whenever a famine occurs in the Punjab this ilaqa which includes Hissar, Jhajjar and Rohtak tahsils, is its very first victim. But what has the Government done so far ? There

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has been no lack of promptitude on the part of the Congress. Mahatma Gandhi was the first to issue a statement with regard to this famine. On the other hand it has been said on behalf of the Government that they have granted remissions and postponed recovery of land revenue and abiana. I may point out, that so far as the Jhajjar tahsil, which the Honourable Minister for Development represents, is concerned, it is clear from the information that I have got from the tahsil that all this is confined to paper and nothing tangible has been done so far, not even suspensions and remissions have been granted. I also submit that these efforts to take credit for remissions and postponements are, to say the least, very ludicrous. It is as clear as daylight that the people cannot pay and the Government cannot realise a single pice. Then what could the Government do but to remit or postpone realisation of land revenue and abiana. This is a pitiable example of making virtue of a necessity.

The speakers from the Treasury benches have dwelt with a great deal of pride and gusto on the distribution of takavi loans in the famine-stricken area. But I would ask my honourable friends to make sure whether these loans have been actually distributed. Let me tell them for their information that half the funds are still lying with the Deputy Commissioner. A sum of Rs. 45,000 was allotted to tahsil Jhajjar, but it is a sad commentary on the promptitude of the Government that even this meagre sum has not been distributed as yet. More than two-thirds of it is still with the authorities. About fifty thousands of cattle have died in that area and another lakh have been let loose by their owners or sold for nominal prices because the latter have no fodder for them. The Government is said to have paid attention to the condition prevalent in the ilaqa only after the poor zamindars have sustained such a heavy loss. They are very proud of having sanctioned takavi loans, but it is one thing to wax eloquent over takavi loans and quite another to actually distribute them. The fact is that no one can obtain a takavi loan unless the lambardar of the village is prepared to stand surety. Now it is well known what sort of men these lambardars are and you can well imagine what it would cost poor zamindars to persuade them to stand surety.

Another point is that no takavi is allowed to the tenants. Out of 36 lakhs acres of land in the Hissar district as much as 10 lakhs of acres are being cultivated by tenants, but they have not received a single penny as takavi loan. The same is the case with *biswadars* for whom lambardars cannot stand surety.

These are the points which require clarification by the Government. But what do we find here? The Parliamentary Secretary rises and begins singing praises of the Honourable Premier, and then the Honourable Premier in his turn starts showering encomiums on the Minister for Development. This sort of log rolling, I would submit, is going to do no good to the famished people of the famine-stricken area.

The Fodder Expert has also been the recipient of many tributes from the Treasury benches. Let us admit that he is a very good and honest gentleman. But the question is whether he goes to each and every house in connection with the distribution of fodder? In actual practice the fodder is being distributed by subordinate officers with the help of lambardars and the sympathy and honesty of these people is too well known to require

any remarks from me. Most of these lambardars, patwaris and other subordinate officials of the kind are never prepared to do anything for anybody unless they are paid something by way of gratification.

There is another difficulty which the poor people of the ilaqa have to face. It is that they have to undertake a journey of 10 or 12 miles to obtain tickets for fodder and then they have to go to get fodder to the railway station which may be usually 9 or 10 miles away from their villages and where there are practically no means of transportation. How can our Ministers realize the sad plight of the poor famine-stricken people of this unfortunate ilaqa? They go there not to obtain first-hand knowledge of the conditions in which the people have been landed by this unprecedented famine, but to make a display of their stately grandeur on the back of elephants in officially arranged processions. This, I submit, is not the way to appraise the exact situation. If they really want to do something they should visit this ilaqa incognito as ordinary persons.

Chaudhri Tikka Ram : On a point of order. May I ask whether the Honourable Chaudhri Jag Lal was taken in procession on an elephant? (Voices : Is it a point of order?)

Pandit Shri Ram Sharma : Now I would like to draw your attention to another point. The Cattle Farm at Hissar has purchased chaff at the rate of one rupee per maund. This rate is so high that nowhere in the province will you find it at this level. Tacavi fodder is being given to the poor zamindars of the famine-stricken area at the rate of 12 annas per maund while you can get it at 9 or 10 annas a maund from private dealers even in Hissar. This is what our benign Government is doing for the poor zamindars.

Diwan Chaman Lall : This is how they are serious.

Pandit Shri Ram Sharma : I admit, that in the beginning fodder was supplied at concession rates at some stations, but such cases were few. Chaff can be obtained at much cheaper rates at many places in the Punjab as well as in the United Provinces. Then, on the top of all this the power to grant concessions has been given to the Deputy Commissioner. At Rohtak efforts are being made to give a monopoly of cheap railway freight to a gentleman, who did his best as Secretary of the Reception Committee to make the Zamindara Conference a success on 7th October, but his sympathy for the zamindars can be gauged from the fact that there are thousands of helpless deserving zamindars who cannot get fodder at concession rates. Now what to speak of the gratuitous help. All the spinning centres in Hissar are not working, even the famine wages have not been paid to hundreds of poor women. Hardest labour is being demanded. The door is closed for the poor people to get benefit.

Sayed Amjad Ali Shah : On a point of order. May I just interrupt my honourable friend? It is now 5-37 P. M. and I would request you kindly to adjourn the House for 15 minutes so that Muslim members may break their fast.

Diwan Chaman Lall : My honourable friend says that as the Muhammadans have to break their fast at this particular minute therefore the House should be adjourned.

Raja Ghazanfar Ali Khan : As a matter of fact I do not know exactly what the legal position is. Supposing we adjourn for 20 minutes

[Raja Ghazanfar Ali Khan.]

then it means that you will allow 20 minutes extra to the time fixed for the adjournment motion.

Mr. Deputy Speaker : That time shall have to be allowed.

(At this stage the Assembly adjourned to enable Muslim members to break their fast.)

(The Assembly re-assembled at 6 P. M. of the clock. Mr. Deputy Speaker in the Chair.)

Pandit Shri Ram Sharma : I was saying when I was interrupted by the adjournment that tacavi is merely a loan and it does not result in giving very great help to the person who gets it, while other helps are merely nominal. Then, the Government is favouring certain contractors in granting railway freight concessions, for example, the Reception Secretary of the Zamindar League Conference of the 7th October last at Rohtak which was addressed by the Honourable Ministers. Really it is a pity that some people are being permitted to make thousands while thousand others are losing their everything and even their lives on account of the famine. Almost all the Government spinning centres are not now working ; many labourers have not been paid their dues. I wish that our Premier had known the exact position. The other side pretends to know a good deal about Madras Government. For instance, Mir Maqbool has told that when the Premier of Madras, Mr. Rajagopalacharia, toured a famine-stricken area he merely told the people that he was considering an amendment in the existing famine code. I wish these gentlemen had known much about their own province. We have got here the copy of a *communiqué* issued by the Madras Government. This tells us that besides other help in one of the districts suffering from famine as many as 18,000 persons were afforded real gratuitous relief, in another district 18,000 persons were given help and yet in another district as many as 3,000 persons were given such relief. But even then our Government says that no help has been given.

Diwan Chaman Lall : They have told a lie. But what gratuitous help has this Government given, I ask. I am pained to observe that I have no hopes that this Government will render any help to the famine-stricken people of Hissar. The Government, as we all know, has appropriated 18 lakhs of rupees on its own expenses out of the famine fund in the last budget. This has completely disillusioned me, if I had any illusions already left. The Ministers seem only to be anxious about their fat salaries, ministerial processions on elephants and such other things. Who cares about famine and the famine-stricken people ?

Mir Maqbool Mahmood : My honourable friend has objected to the statement that the Premier of Madras appointed a committee to revise the existing famine code while the Premier of the Punjab forthwith revised them in view of the emergency on his own responsibility to relieve distress in the famine-stricken areas. I have to invite your attention to the Madras Government's own official publication. I refer you to pages 11 and 12.

Diwan Chaman Lall : It is an old publication. We have got the latest publication of 1938.

Mir Maqbool Mahmood : This is also 1938 publication and I take my stand on this.

Diwan Chaman Lall : It is a false stand you take.™ You ought to be thoroughly ashamed of your propaganda, thoroughly ashamed. There is no morality left, so far as you are concerned, none whatever.

Mir Maqbool Mahmood : I was quoting your Congress Party publication. Is it doing a false propaganda.

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia): Sir, I am not going to hurl accusation either on this side or that side of the House, because that is not my duty here. My duty to my country and to my province is to do my utmost to save the situation which has been created in the Hissar district and other districts of the eastern portion of the province. I would first of all start with quoting certain facts and figures as I have collected and as are in my possession. My honourable friends have accused us that we are not doing anything in the matter and they have said that this is the sort of sympathy which the Punjab Government is showing to the suffering humanity in the districts of Hissar, Gurgaon, Rohtak and Karnal. I will start with remission of land revenue. In the matter of remission of land revenue, the amount remitted in all those districts — if honourable members want to have the exact figures for each district, I will do so — the total remission in all those districts comes to Rs. 5,63,000 and suspension of revenue in all those districts comes to Rs. 4,13,000. I am omitting districts because I am giving you the figures regarding the Division as a whole to show what we have done. Coming to the question of taccavi I would tell my honourable friends that the general rule which has been adopted long since by the Punjab Government is that taccav. loans are remitted after seeing that no payment is made for 3 harvests in the Punjab. Therefore, as regards remission, the amount — though small, as regards remissions is not very large—is Rs. 43,329 and the amount suspended is Rs. 3,05,174. Coming to taccavi, allotments to the following extent have been made. In Hissar district we are making an allotment of Rs. 9,85,000; in Rohtak we are making an allotment of Rs. 71,000; in Gurgaon we are making an allotment of Rs. 2,00,000 and in Karnal we are making an allotment of Rs. 85,000; or a total of Rs. 13,41,000 has been allotted in those districts.

Coming to fodder concessions, my friends will note that we have started giving fodder concessions to the people :—

				Rs.
in April, 1938	..	..	..	35,000
in June, 1938	..	..	..	55,000
in July, 1938	..	..	..	95,000
in August, 1938	..	..	..	1,50,000

So fodder concessions have been given to the extent of Rs. 3,35,000. I may inform my honourable friends that in the coming two months we are providing five lakhs of rupees for fodder concessions (*hear, hear*).

As regards fodder concessions what we intend asking the Fodder Advisor and his staff, who are working day and night, is to see that fodder is received by people who are in want of this concession. I may tell my friends that we have got concessions in freight from the railway authorities of the N.-W. R., B. B. & C. I. R., G. I. P., and the Bikaner State Railway

[Minister for Revenue.]

to import fodder into the receiving stations. In Hissar 33, in Rohtak 11, in Gurgaon 16 and in Karnal 9 fodder stations have been opened, and that, too, besides what is being done through contractors. Previously the Deputy Commissioner used to give chits for fodder concessions about which my friend has said so much. Now that duty has devolved upon the junior officers of the Revenue Department so as to remove all difficulties and troubles wherever they might be found.

Depôts have been opened as I said before. As regards the amount spent in the matter, the total amount up to this time in railway freight alone comes to Rs. 61,628. You can realise what must be the amount of fodder that has been imported into these places. Previously the railway authorities would not allow fodder to be brought into the carriages unless it was properly packed. We find that in that way it is not possible to bring fodder from outside. Therefore, we prevailed upon the railway authorities to allow loose fodder to be railed to these stations.

I may here mention the real sympathy shown by the Municipal Committee of Gojra in the Lyallpur district who have removed the terminal tax on fodder which is imported from that district into the district of Hissar. They used to charge Rs. 7-2-0 per wagon. They have now reduced it to Rs. 1-6-0 only. Our thanks are due to the Municipal Committee, Gojra, for this concession shown to the famine-stricken people. Messrs. Bashohar Nath Khanna and Sons of Lahore are bringing fodder and are supplying it to the different parts of the district.

Now I come to the question of stud bulls. We know that for keeping stud bulls in good condition — we have about 400 stud bulls in Hissar — we are providing Rs. 12,000 extra for supplying fodder for stud bulls, because we feel that after the famine conditions are over, we shall have to resuscitate a good number of animals of the district, and a good deal of regeneration to the stock that have died, will take place. The Premier has also told you as to what we are doing as regards starting a nucleus of purchasing cattle and our friends have stated that we wanted to purchase cattle to make money out of it. They do not realise, as the Leader of the Opposition said, that it is not *bhussa* which is given to the cattle but it is *chara* which is given. My friend is not a zamindar and he does not know that *chara* alone is not given to cattle. It is *bhussa* and *chara* combined with some grain also added to it which is the food of the animals.

Dr. Gopi Chand Bhargava : I am sorry the Honourable Minister does not know what the cattle of Hissar are being fed on.

Minister : I do not claim to have that much knowledge which my honourable friend has because he comes from Hissar.

A voice : Acquire that knowledge or ask Mir Maqbool Mahmood to give you the facts.

Minister : If I want any facts perhaps I will ask you. As regards the test works, a sum of Rs. 70,000 has been allotted for test works in Hissar district, and a proposal for a further allotment of Rs. 50,000 is under consideration and I am sure my Honourable friend the Finance Minister, who is always having a sort of grudge against me because he thinks I ask too much of him, will excuse me because this is the first time that I am asking him for funds. Probably other Ministers of the beneficent depart-

ments have been repeatedly asking him for funds, but this is the first time I am making a request to him. I hope it will move his heart and he would not stick to the rules and stop giving money to me.

As regards the Famine Code, the Premier has said that we have not kept in mind the Punjab Famine Code as we are bound to do. The number of people seeking relief has increased since the increase was announced by the Premier. Seventy thousand people are on these different test works of which 10 have been started in Hissar and two in Rohtak and, if needed, further test works would be started.

I may inform my honourable friend that according to the Famine Code we cannot declare scarcity in the district unless and until we have started test works there. But I may inform them that Hissar has already been declared a scarcity district and people are getting gratuitous relief from the Government.

Next I come to the question of cattle. We have to look after nearly 20,000 bullocks, 20,000 cows and 10,000 camels. I may inform the House that besides what we have already spent on these we propose to approach this House for a supplementary grant of something like 26½ lakhs for relief measures that have been started and I am sure that this House will vote that grant. I may also add that another ten lakhs will be required by way of railway freight in order to bring fodder for this area. Of course my friends opposite will tell me, 'Why should you not approach the Government of India to give up the railway freight?' It is no doubt very easy to ask the Government of India to give up the freight, but we cannot extort that concession from them. We shall, however, do our best in this direction. But the decision rests with them.

As regards spinning centres of which my friend opposite said so much and for which the Congress has very kindly given Rs. 5,000, I may inform the House that we have spent Rs. 25,000 and something like 21 spinning centres are at present working and if more are required we will do the needful. I may also say that we are providing 1,70,000 more for this purpose.

As regards the supply of drinking water, my friends probably do not know what we are doing and what difficulty we are experiencing in providing water for areas which are outside irrigation areas. In irrigation areas we can supply water for ponds and I am sure Sardar Fateh Jang Singh will bear me out when I say that we are supplying water to the ponds in such areas by giving extra supply of canal water. As regards the areas outside irrigation boundary also we are doing our best to supply water. But we are faced with some difficulty, for some zamindars will not allow the water to be carried through their channels to the ponds. We are persuading the people to allow us to take the water to the ponds. If the persuasion fails we will have to resort to promulgation of an ordinance. The Canal Department is giving extra water to ponds. I may acknowledge with grateful thanks the kind help that His Highness the Maharaja Adhiraj Bahadur of Patiala has given us by allowing water to pass through the canals owned by the state to fill in ponds for drinking purposes both for cattle and human beings. Thus it will be observed that we are doing our best in this respect.

[Minister for Revenue.]

Coming to abiana remission, I suppose my honourable friends will not be astonished if I tell them that in Hissar we have given full remission in the case of cotton. I went and saw the crops myself and though from a distance the cotton crops appeared good and everybody said that it would yield a good crop, when I approached nearer and went into the fields I found that there was no fruit at all, because there were no flowers. Therefore, Government has at my request agreed that we must give full remission in the case of Hissar and that we must give half remissions in the case of other districts where the conditions appear slightly better. If, however, the conditions in those districts happen to be as bad as in Hissar, I hope my colleagues in the Cabinet would not hesitate to afford relief in those places as well.

I may also inform honourable members that I have to look to the provision of fodder for the coming season also. The Canal Department has given concession in the case of fodder by reducing the amount to Rs. 1/4/0 instead of Rs. 2/8/0. We are doing the same in the case of oats which are not grown there. I shall say one word more and finish. In the case of milch cattle, perhaps my friends would like to know our commitments. Giving fodder to one milch cattle for each family costs us a total expenditure of over one lakh per month in Hissar alone and we may have to go on supplying fodder till probably coming July or August and perhaps September too.

Now as regards taking cattle to the jungles of the United Provinces for grazing, one of my friends himself said that our cattle do not survive there. Our cattle are so weak that they do not stand the climate of that province. How then can my friend suggest that the cattle of Hissar should be taken to such distant places as Hardwar? Besides, I may tell my honourable friends that in my district of Gorakpur a gentleman, as one of the Congress Secretaries has invoked the help of Mahatma Gandhi to approach His Excellency the Viceroy to allow the cattle of Hissar to be imported to his district. But everybody who has seen Gorakpur at the present moment will realise that that district is flooded. Perhaps these cattle are intended to be taken to a small dairy which my friend has got there. If the object of my friend is to fill his dairy and make money thereby he is quite welcome. (*Hear, hear and cheers.*)

An honourable member : The question be now put.

Mr. Deputy Speaker : The question is—

That the question be now put.

The motion was carried.

Sardar Hari Singh : The Honourable Premier while speaking on this motion went out of his way to have flings at responsible men right and left indiscriminately. I say, a man who calls himself a responsible Premier made a speech which was a string of reflections, innuendos and insinuations against this man and that man, this organisation and that organisation and especially Congressmen and Congress organisation not only of the Hissar district but Congressmen and Congress organisations of the whole of India. (*Premier : No, No. I only meant the Punjab Congress.*) Mr. Deputy Speaker, you remember that he questioned the honesty of purpose behind

this very motion itself. He questioned the honesty of purpose in his own subtle way, in his own indirect way, he questioned the honesty of purpose of the mover of the motion. Not only he but his Parliamentary Secretary sitting behind him also called this adjournment motion a *tamasha* and asked us to go with a begging bowl to the Revenue Minister and the Premier. He wanted us to go to them on bended knees and beg of them to give us alms. We can never do that. We on this side of the House, as representatives of the poor people of this province, have come here to take the Ministers to task. They get fat salaries from the provincial exchequer. We have come here as representatives not to beg of them but to tell them to listen to the grievances of the people, to relate the tales of woes of the people and tell them that they are doing precious little for relieving the miseries of the people. If they want our co-operation they should accept our suggestions. We did give them suggestions, we did offer them advice. We have given them constructive suggestions that the Government should start major relief works and spend more money. We never said that the Government was doing nothing as the Honourable Revenue Minister said—(Hear, hear.) (Interruption.) If my honourable friends have any sympathy for these poor people they might stop their dialogue and listen to me. The Honourable Revenue Minister said that we on this side said that the Government was doing nothing. We never said anything of the sort. In fact, I referred to the *press communiques* issued by the Government and recited certain facts and figures which had been given by the Director of Information Bureau and I said, after reciting those figures, that this was quite inadequate to meet the situation which is unprecedented and which is of great enormity and magnitude. Then the Premier questioned the motives of a certain gentleman whose name he did not mention, a certain gentleman of charitable instincts from the United Provinces who had helped our men to get grazing forests for our cattle at Hissar.

Premier : I never imputed any motives. I said that that might be the indirect result.

Sardar Hari Singh : He said in an indirect way that he was doing this perhaps to have fine cattle from Hissar for his own dairy. He may not have intended to impute any motives to him, but at least that was the impression left in our minds.

Premier : It is merely an imagination of your perverse mind.

Sardar Hari Singh : In his own indirect way he imputed dishonest motives to that gentleman who had come to the rescue of the people of Hissar. Then, again, in his own clever and subtle way he referred to the spinning centres started by the Congress as political stunts.

Premier : I never said anything of the sort.

Sardar Hari Singh : He sees his own reflex in everything. Then he went on to say that I based my remarks on press reports and hearsay, that I did not visit Hissar. I confess that I have not visited Hissar. I have no money to go to a distant place like Hissar. I can draw no allowance from the Government treasury for visiting Hissar, Rohtak and other places.

Minister for Education : Travel without ticket.

Sardar Hari Singh : I give way to my Honourable friend, the Minister for Education. Let him stand up like a man and say what he wants to say.

Mr. Deputy Speaker : The honourable member may proceed.

Sardar Hari Singh : The Education Minister wants to have a fling at me. Let him get up and say what he wants to say.

Mr. Deputy Speaker : The honourable member should go on. He should not mind any interruption.

Sardar Hari Singh : A responsible man like the Minister for Education should feel ashamed of having flings while others are speaking. (*An honourable member :* Treat them with contumely.) My Honourable friend, the Premier, said that I based my remarks on press reports. No doubt I have based my speech regarding the enormity of the problem, as to the magnitude of the calamity, on what I have seen in the press statements given by responsible men. I confess I believe the statement of the Governor of the Punjab that the calamity in Hissar was unprecedented and has no parallel. The Premier himself confessed the enormity of the problem, the seriousness of the situation by telling us that he toured Hissar and while doing so he met some people who were driving a number of cattle and he asked them at what rate they had bought them and one of them told him that they had been bought at Rs. 10 per head, while in normal times they fetched at least Rs. 60 per head. Therefore, there was no occasion for him to say that my statements were wrong, that I was misrepresenting the seriousness of the situation. The second part of my speech consisted of what the Government had done and the third part consisted of emphasising the fact that the Government measures in relieving the misery of the people were inadequate and that is an expression of opinion. Everybody has got the right to know what the Government has done and to say that the Government has not done anything adequate to cope with the situation. I do maintain and say without fear of contradiction from any responsible and sensible man that more is required to relieve the miseries of the people. (*Hear, hear.*) Mr. Deputy Speaker, when the Leader of the Opposition in his speech stated that it was the Congress, it was Mahatma Gandhi, who took the initiative in issuing an appeal for the help of the famine-stricken people of Hissar, the Premier got up and said, "we issued no appeal." Now the Leader of the Opposition said that the appeal by the Congress had been issued before an appeal was issued by the Governor and the Premier. He wanted to say that the Congress had taken the initiative in the matter of relief of the miseries of the people.

Premier : Very well, all credit to Congress for issuing that appeal.

Sardar Hari Singh : He said he issued no appeal. So much the worse for him if he had issued no appeal.

Premier : The Commissioner issued the appeal and we endorsed that appeal.

Sardar Hari Singh : If you have issued no appeal, so much the worse for you.

Premier : The Commissioner issued that appeal and we endorsed that appeal. We give credit to the Congress. All credit to those who thought of issuing an appeal.

Sardar Hari Singh : That is why I say that the Congress took the initiative and the Premier, as head of the Government, as Leader of the House, did not make an appeal and so much the worse. Mir Maqbool Mahmood in a fit of unrighteous indignation said that this was a mere *tamasha*. I think it was very uncharitable, it was very unconstitutional on his part to call motions on such serious subjects moved from this side of the House with honest motives to help the people, to co-operate with the Government in relieving the distress of the people (*hear, hear*), and calling upon the Government to render more aid, to make more adequate provision for the relief of the misery of the people, as *tamasha*. To call such a motion as a *tamasha* is giving evidence of an unbalanced mind.

Mr. Deputy Speaker : The question is—

That the House do now adjourn.

The Assembly divided : Ayes 30 ; Noes 66.

AYES

Ajit Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhim Sen Sachar, Lala.
Chaman Lall, Diwan.
Deshbandhu Gupta, Lala.
Dev Raj Sethi, Mr.
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.

Kartar Singh, Sardar.
Kishan Singh, Sardar.
Krishna Gopal Dutt, Chaudhri.
Lal Singh, Sardar.
Muhammad Hassan, Chaudhri.
Mukand Lal Puri, Rai Bahadur Mr.
Mula Singh, Sardar.
Muni Lal Kalia, Pandit.
Partab Singh, Sardar.
Prem Singh, Mahant.
Sahib Ram, Chaudhri.
Satya Pal, Dr.
Shri Ram Sharma, Pandit.
Sohan Singh Josh, Sardar.
Sudarshan, Seth.

NOES

Abdul Haye, The Honourable Mian.
Abdul Rahim, Chaudhri (Gurdaspur).
Abdul Rahim, Chaudhri (Gurgaon).
Afzaalali Hasnie, Sayed.
Ahmad Yar Khan Daulatana, Khan Bahadur Mian.
Akbar Ali, Pir.
Ali Akbar, Chaudhri.
Amjad Ali Shah, Sayed.
Ashiq Hussain, Captain.
Chhotu Ram, The Honourable Chaudhri Sir,
Fai Muhammad, Shaikh.

Fateh Jang Singh, 2nd-Lieutenant.
Bhai.
Fateh Khan, Khan Sahib Raja.
Fateh Sher Khan, Malik.
Fazal Din, Khan Sahib Chaudhri.
Fazal Karim Bakhsh, Mian.
Few, Mr. E.
Gauba, Mr. K. L.
Ghulam Qadir Khan, Khan Bahadur.
Ghulam Samad, Khawaja.
Gopal Singh (American), Sardar.
Habib Ullah Khan, Malik.
Haibat Khan Dahi, Khan.

Hans Raj, Bhagat.	Muhammad Sarfraz Khan, Raja.
Indar Singh, Sardar.	Muhammad Shafi Ali Khan, Khan
Jafar Ali Khan, M.	Sahib Chaudhri.
Karamat Ali, Shaikh.	Muhammad Yasin Khan, Chaudhri.
Khizar Hayat Khan Tiwana, The	Muhammad Yusaf Khan, Khan.
Honourable Nawabzada Major.	Mushtaq Ahmad Gurmani, Khan
Kishan Das, Seth.	Bahadur Mian.
Manohar Lal, The Honourable Mr.	Muzaffar Ali Khan Qizilbash, Sardar.
Maqbool Mahmood, Mir.	Muzaffar Khan, Khan Bahadur
Mubarik Ali Shah, Sayed.	Nawab.
Muhammad Akram Khan, Khan Ba-	Nur Ahmad Khan, Khan Sahib Mian.
hadur Raja.	Pritam Singh Siddhu, Sardar.
Muhammad Amin, Khan Sahib	Ripudaman Singh, Thakur.
Sheikh.	Roberts, Sir William.
Muhammad Azam Khan, Sardar.	Shahadat Khan, Khan Sahib Rai.
Muhammad Faiyaz Ali Khan,	Shah Nawaz Khan, Nawab Khan.
Nawabzada.	Sham Lal, Rai Bahadur Chaudhri.
Muhammad Hassan Khan Gurchani,	Sikander Hyat-Khan, The Honour-
Khan Bahadur Sardar.	able Major Sir.
Muhammad Hassan, Khan Bahadur	Singha, Mr. S. P.
Makhdum Sayed.	Sultan Mahmood Hotiana, Mian.
Muhammad Hayat Khan Noon,	Sumer Singh, Chaudhri.
Nawab Malik Sir.	Sundar Singh Majithia, The Honour-
Muhammad Nawaz Khan, Major	able Dr. Sir.
Sardar.	Talib Hussain Khan, Khan.
Muhammad Nurullah, Mian.	Tara Singh, Sardar.
Muhammad Saadat Ali Khan, Khan	Tikka Ram, Chaudhri.
Sahib Khan.	Ujjal Singh, Sardar Bahadur Sardar.
Muhammad Sarfraz Khan, Chaudhri.	

The Assembly then adjourned till 12-30 P. M. on Monday, 14th November, 1938.

PUNJAB LEGISLATIVE ASSEMBLY.

4TH SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Monday, 14th November, 1938.

*The Assembly met at the Assembly Chamber at 12-30 P. M. of the clock.
Mr. Speaker in the chair.*

STARRED QUESTIONS AND ANSWERS.

CHOLERA EPIDEMIC IN PUNJAB.

***3371. Lala Duni Chand :** Will the Honourable Minister of Education be pleased to state—

- (a) whether the epidemic of cholera which broke out in the Punjab immediately after the last Kumbh fair at Hardwar has not yet disappeared ;
- (b) the number of seizures and deaths available from 15th July, 1938, up to the latest date ;
- (c) the number and names of villages in which a sudden and virulent cholera epidemic broke out during this period and the steps taken in such villages to stop the epidemic ;
- (d) the causes that have led to the continuance of the epidemic for so many months and the steps taken to put a stop to it ?

The Honourable Mian Abdul Haye : (a) The province has now been declared free from cholera. The last case occurred on the 16th September.

(b) *No. of cases.*

739

No. of deaths.

387

(c) and (d) The names of the ten villages affected are given in the statement laid on the table.

As regards the steps taken to stop the epidemic and the causes responsible for the outbreak and spread of the disease, I would ask the honourable member to refer to part (c) of the reply given to starred question No. 2717¹ asked by Sardar Hari Singh on the 21st June last and to parts (b), (c) and (d) of starred question No. 2824² asked by Mrs. Duni Chand on the 27th June.

Lala Duni Chand : Has the Government made any investigation into the causes that were responsible for the deadly cholera epidemic in the villages mentioned by the Honourable Minister ?

Minister : The main causes were evidently the unsatisfactory arrangements made at the Kumbh by another Government. The Punjab Government took all the precautions and it is a matter of gratification that the incidence of this disease was much lower than in other provinces.

¹Vol. V, page 31.

²Vol. V, page 270.

Lala Duni Chand : Perhaps the Honourable Minister for Education has not understood my question. I asked whether the Punjab Government has got any investigation to be made into the causes that were responsible for the deadly cholera epidemic in these ten or twelve villages?

Minister : In the majority of these cases unfortunately the information was not conveyed at the earliest opportunity and steps are now being taken that in future as soon as a case occurs, immediate and prompt report should be sent to the officer concerned.

Lala Duni Chand : May I again ask, has the Government got any inquiry to be instituted into the causes relating to the cholera epidemic in these villages?

Minister : No investigation has been made.

Diwan Chaman Lal : May I ask if no investigation has been made and the Honourable Minister has not gone into the origin of the cholera epidemic, how does he jump to the conclusion that the origin is due to the unsatisfactory arrangements made by another Government?

Minister : The cases were imported from the United Provinces on the occasion of the Kumbh fair and there was no cholera in any place except those places where these pilgrims had returned from the Kumbh fair.

Lala Duni Chand : Is the Honourable Minister for Education aware of the fact that, thanks to the advance of medical science, almost every epidemic is now liable to prevention?

Minister : Much can be done in that direction I know.

Lala Duni Chand : Will the Government proceed on those lines?

Diwan Chaman Lal : What steps has the Honourable Minister for Education taken to prevent the spread of such an epidemic in future?

Minister : So far as these big fairs in the province are concerned, steps are being taken and in the matter of United Provinces, i.e., Kumbh fair at Hardwar, I have expressed a desire that at the next meeting of the Central Health Advisory Board, it should be represented that some steps should be taken by the United Provinces Government.

Mr. Speaker : The next question.

Statement.

Serial No.	Names of villages.	Cases.	Deaths.
1	2	3	4
1	Thatian Mahantan, Amritsar district	11	2
2	Franeke, Gujranwala district	24	6
3	Chak Wassan, Montgomery district	22	5
4	Chillauwali, Gurgaon district	22	4
5	Khera, Ludhiana district	20	9
6	Rossa, Lahore district	18	4
7	Ranis, Hissar district	14	3
8	Qutabpura, Ferozepore district	17	6
9	Sangatpura, Amritsar district	36	24
10	Dheri, Attock district	20	4

RELEASE OF DETENUS AND POLITICAL PRISONERS.

***3388. Lala Duni Chand :** Will the Honourable Minister of Finance be pleased to state—

- (a) whether the Punjab Government has considered the question of the release of detenus and political prisoners as commonly understood ;
- (b) the number of persons at present detained in Punjab Jails without trial and the number of political prisoners, namely, such prisoners, whether charged with violence or otherwise, who committed crimes with political motives ;
- (c) the number of detenus and political prisoners in the Punjab Jails who are suffering from chronic diseases or who have become invalids since their incarceration ;
- (d) whether the Government has formulated any definite rules in regard to the release of persons referred to in parts (b) and (c) of this question ?

The Honourable Mr. Manohar Lal : (a) and (d) In regard to the question of policy I can only refer the honourable member to the speech made by the Premier in the first session of the Assembly, on the 20th July, 1937.

- | | |
|--|---|
| (b) Detained under the Bengal State Prisoners Regulation .. | 3 |
| Detained under the Punjab Criminal Law (Amendment) Act, 1935 | 1 |

As has been explained in the House on a number of occasions, the terms 'political prisoners' and 'prisoners who have committed crimes with political motives' are not sufficiently definite. It is consequently impossible to furnish statistics of such prisoners or to answer the inquiry in part (c).

Diwan Chaman Lal : May I ask if it is impossible to define the word 'political', how could a list of those persons arrested for political crimes be supplied to the Leader of the Opposition ?

Minister : The Leader of the Opposition asked for a definite information about a certain number of prisoners. What I said was that we compiled a list for him, and I asked the department particularly to furnish as complete a list as it could to the Leader of the Opposition. I thought that would be appreciated.

Diwan Chaman Lal : Is it correct to say that the Honourable Minister will take that definition as a correct guidance for future purposes ?

Minister : I am always ready to furnish the fullest possible information if the honourable member asking the question would definitely say as to which prisoners his question relates—i.e., what are the particular offences under which he wishes me to compile the information.

Diwan Chaman Lal : Is it or is it not a fact that the Government sanction the original prosecution in such cases ?

Minister : The Government does not label any one as a political prisoner.

Diwan Chaman Lall : May I ask whether it is or it is not a fact that the Government first considers whether a prosecution should lie under section 124-A or not ?

Minister : Yes, Government have to consider whether prosecution is to be permitted under section 124-A or not.

Diwan Chaman Lall : Is it or is it not a fact that under the Punjab Criminal Law (Amendment) Act the Punjab Government have first to consider whether it is necessary that the prosecution should lie or not ?

Minister : I have already given the answer. None under the Criminal Law (Amendment) Act.

Diwan Chaman Lall : Is it also a fact that under Regulation 3 of 1818 the Punjab Government first considers whether action should be taken or not ?

Minister : If the honourable member would advert to the answer given by me, he will find that I have given the fullest possible answer *qua* this Bengal Regulation.

Diwan Chaman Lall : Therefore, may I ask whether, in view of these facts, the people who are incarcerated, interned or externed or punished under these various provisions of the law can easily be designated as political prisoners ?

Mr. Speaker : That is a matter of opinion.

Diwan Chaman Lall : Is it, therefore, difficult for the Honourable Minister to put those persons who are incarcerated under these provisions of the law in the category of those reckoned as political prisoners ?

Minister : It is not difficult at all. The honourable member has asked me the question and I had already given certain part of the information in the answer. I shall not say I have gone out of my way, but I have shown every possible courtesy to the Honourable Leader of the Opposition in furnishing him with a fairly complete list.

Lala Duni Chand : Has not the Honourable Minister for Finance been able to know how many prisoners out of those detained in the Punjab jails have committed offences with political motives ? Has he been able to ascertain this much ?

Minister : Who will scrutinise the motives with which men commit any particular crime ? I find it very difficult.

Diwan Chaman Lall : Is it or is it not a fact that the Honourable Minister for Finance has been a criminal lawyer and that the question of *mens rea* always arises in criminal cases ?

Minister : *Mens rea* refers to intention and not to motive. The intention represents a different legal or juristic concept.

Diwan Chaman Lall : How is the criminal intent distinguished from the crime committed ?

Minister : I shall not go into this matter at any length, but it is quite elementary to make a distinction between intention and motive.

Diwan Chaman Lal : Is the Honourable Minister aware that in passing judgment in criminal cases the judges generally take the question of motive into consideration ?

Minister : No, motive may be to some extent to help in determining whether the accused has committed the offence.

Diwan Chaman Lal : If that is so, how is it difficult for the honourable member to find out with what particular motive a particular crime was committed ?

Minister : For the very good reason that I have stated already, how can I probe into motives ? It is not the motive which constitutes the crime. The prisoner may proceed with what he regards a laudable motive—yet his offence may be most reprehensible and heinous.

Lala Duni Chand : Does the Finance Minister accept that the definition of a political offence for all practical purposes is that an offence whether, violent or non-violent, is a political crime if committed with a political object or motive ?

Minister : What is a political object if I may ask the question ?

Lala Duni Chand : If the honourable member does not understand political object, does he understand political motive ?

Dr. Gopi Chand Bhargava : May I enquire whether any files of political prisoners out of the list supplied to me have been examined after the Simla session, and if so, what action has been taken ?

Minister : If the honourable member will give me notice about any particular prisoner I shall give him the information.

Dr. Gopi Chand Bhargava : Has the file of Inder Pal been examined because he is suffering from paralysis ?

Minister : I myself went and saw Inder Pal in jail on the 20th October and have personally gone through every possible paper in regard to him. There is later in the list to-day a question specifically relating to Inder Pal and if the honourable member would then advert to any supplementary enquiries which he wishes to make probably it would be more appropriate.

Munshi Hari Lal : When the Honourable Minister for Finance was detained in the Lahore Fort in 1919, was he a political detainee or not ?

Mr. Speaker : Order, order.

Minister : I was never so detained.

DISTINCTION BETWEEN GENERAL AND SPECIAL GROUPS OF AGRICULTURAL CLASS IN MAKING RECRUITMENT TO SERVICES.

*3387. **Pandit Shri Ram Sharma :** With reference to the answer to my question No. *2860¹, put on 28th June, 1928, will the Honourable Premier be pleased to state—

- (a) the definition of a zamindar for purposes of recruitment to Government service ;

[Pt. Sri Ram Sharma.]

(b) how many zamindars under this definition belonging to non-agricultural tribes have been taken in service since 1st April, 1937;

(c) whether this definition has been further clarified and whether any regard is paid to castes and sub-castes of the zamindars as such?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (c) The definition of zamindars for purposes of recruitment to Government service, includes—

(i) all members of tribes notified as agricultural under the Alienation of Land Act; and

(ii) all hereditary proprietors or tenure holders of agricultural land mainly dependent thereon and residing in rural areas, as well as actual cultivators of such land.

Regard is not paid to castes or sub-castes of zamindars as such.

(b) It is regretted that the information asked for is not readily available and the labour involved in its collection would hardly be commensurate with any public advantage to be gained.

NUMBER OF SCHOLARSHIPS AWARDED TO WOMEN BY PUNJAB GOVERNMENT.

***3422. Mrs. Duni Chand :** Will the Honourable Minister of Education be pleased to state—

(a) whether any scholarships have been awarded by the Punjab Government during the last year or the present year to women in order to enable them to study in foreign countries;

(b) the names of such women, the amount of scholarships and the period for which the scholarships have been awarded?

The Honourable Mian Abdul Hafez : (a) No scholarship was awarded last year as a scholarship was still being held by Miss Zinnat Mukhtar Nabi.

(b) A scholarship of Rs. 250 per mensem has been awarded to Miss Satnam Chohan Singh, for kindergarten training in England, this year. The scholarship is tenable for three years.

MUSLIM ZAMINDARS OF GURGAON DISTRICT APPOINTED AS INSPECTOR OF CO-OPERATIVE SOCIETIES.

***3426. Chaudhri Sumer Singh :** Will the Honourable Minister of Development be pleased to state the number of Muslim zamindars appointed direct as Inspectors of co-operative societies in the province during the last 15 years and the number of those among them who belong to Gurgaon district, and, if the figures show that the zamindars of this area have not been given their due share community-wise, the steps that the Government propose to take to redress the grievances of the zamindars of Gurgaon district in this connection?

The Honourable Chaudhri Sir Chhotu Ram : The question being of communal nature, I do not propose to answer it.

APPROACHES TO CANAL BRIDGES IN FEROZEPUR DISTRICT.

***3442. Pir Akbar Ali:** Will the Honourable Minister of Revenue be pleased to state—

- (a) if it is a fact that most of the approaches of the bridges of the canals running in the Ferozepore district are in such a bad condition that the zamindars' carts cannot cross over them ;
- (b) if it is a fact that the right bank side of the bridge of the Ladhuka minor near village Ghobaya of Muktsar tahsil is a foot higher than the approach road and no cart can pass over it ?
- (c) whether it is a fact that its left bank road is an inspection road ; if so, is it frequently used by the canal authorities ;
- (d) if the answer to (a) and (b) be in the affirmative, the action Government proposes to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) and (b) No.

(c) Yes, near the bridge side and it is used by the canal authorities when on tour.

(d) Does not arise.

FEROZEPUR-MULTAN ROAD—BRIDGE OVER BIKANER AND EASTERN CANALS.

***3443. Pir Akbar Ali:** Will the Honourable Minister of Public Works be pleased to state—

- (a) if it is a fact that before the introduction of Sutlej Valley canals, there was a road going from Ferozepore to Multan ;
- (b) the breadth of this road ;
- (c) if it is a fact that that road is now abandoned owing to there being no bridge over it on the Bikaner and Eastern canals ;
- (d) if the answer to (c) above be in the affirmative whether the Government proposes to get the bridge made over it ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes, there was a road from Ferozepore to Multan, via Ghandu and Khudian.

(b) 82 feet near Ferozepore.

(c) Yes.

(d) No, as Ferozepore is already connected with Multan by an arterial road, via Fazilka.

FAILURE OF CROPS IN FEROZEPUR DISTRICT.

***3444. Pir Akbar Ali:** Will the Honourable Minister of Revenue be pleased to state—

- (a) if it is a fact that owing to scarcity of rains the last *barani kharif* crops in the Ferozepore district have totally failed ; and
- (b) that in the canal irrigated areas of the said district all the *kharif* crops of fodder like *chani* and *gawara* have also failed and that cotton in this area has also suffered a great damage ;

[Pir Akbar Ali.]

(c) if the answer to the above be in the affirmative, the steps the Government proposes to take to give relief to the zamindars of the said district?

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

(b) Yes to some extent.

(c) Detailed enquiries are being made by the local officers and remissions, if found necessary, will be given.

SEVERE FAMINE IN GURGAON DISTRICT.

***3448. Chaudhri Sumer Singh :** Will the Honourable Minister of Revenue be pleased to state whether he is aware of the fact that a large portion of the Gurgaon district is in the grip of a severe famine this year on account of failure of the monsoons and that there are no chance of the maturing of *rabi* crops; if so, what steps the Government has taken so far and what steps are proposed to be taken in future to alleviate the distress of the people?

The Honourable Dr. Sir Sundar Singh Majithia : The attention of the honourable member is invited to the three press notes¹ issued by Government on the 29th September, 1938, 5th October, 1938, and the 2nd November, 1938, on the subject—copy placed on the table.

BHAKRA DAM AND TUBE-WELL IRRIGATION SCHEMES.

***3449. Chaudhri Sumer Singh :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that the Government has under consideration two schemes, the Bhakra Dam and the tube-well irrigation schemes to render the famines, by which Haryana tract is constantly visited, least effective, and if so, the stage at which these schemes have now reached and the probable date when these will be completed?

The Honourable Dr. Sir Sundar Singh Majithia : (a) The Punjab Government has addressed Bilaspur State Government regarding the construction of the Bhakra Dam and His Highness's Government has recently replied suggesting that the Punjab Government will discuss the proposals with the Bilaspur Government in December of this year.

If a happy issue is obtained from such discussions Bhakra Dam work will start without delay. The Punjab is sending two engineers to study Dam Construction in America during the summer of 1939 and provided all preliminaries are happily arranged it is just possible that the work may start in the winter of 1939-40, but this, of course cannot be promised at this stage. But the Punjab is doing everything possible to enable the scheme to mature.

(b) Tests are being carried out to ascertain if water is available and suitable for the purpose of pumping into the channels of the Western Jumna Canal. It is hoped that these tests will be completed by the end of this cold weather.

At this stage it is quite impossible to state whether the Tube Well Scheme will mature.

¹Kept in the Assembly Library.

RAI BAHADUR LALA GANGA RAM OF AMBALA CITY.

***3460. Chaudhri Muhammad Hasan :** Will the Honourable Premier be pleased to state—

- (a) whether Rai Bahadur Lala Ganga Ram of Ambala City has been holding for several years posts of Honorary Magistrate, 1st Class, Sub-Registrar with special powers of Joint Registrar and Government Treasurer, etc. ;
- (b) whether it is or it is not a fact that recently an official inquiry was made into his liabilities in order to decide whether he should be allowed to continue to hold the offices of trust and responsibility at present held by him ;
- (c) the extent of his indebtedness and the amount of his liabilities found on the above inquiry and the action, if any, the Government proposes to take as a result of that inquiry ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes, he was appointed honorary magistrate in 1919, sub-registrar in 1915, joint registrar in 1931 and Government treasurer in 1934. During the last few weeks Lala Benarsi Das of Ambala has been brought into partnership with him in the treasurership, which now stands in the name of the firm Benarsi Das and Ganga Ram.

(b) Certain inquiries were recently made by the Deputy Commissioner in respect of the treasurership only.

(c) Government are not prepared to state the extent of his liabilities, but they have satisfied themselves that his assets exceed his liabilities and no action is in contemplation.

RELIEF FOR PEOPLE OF NAKODAR AND PHILLAUR TAHSILS.

***3465. Mian Abdul Rab :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the number of villages in the Nakodar and Phillaur tahsils of the Jullundur district that have been affected by the action of the river Sutlej during the last rainy season ;
- (b) the amount of area separately of each village that has been rendered waste by the river action in the said tahsils ;
- (c) the area separately of each village where standing *kharif* crops have been damaged and totally destroyed by the said river ;
- (d) the relief, if any, that has been given by the Government to those who have been affected ; if no relief has been given, the reasons for the same ?

The Honourable Dr. Sir Sundar Singh Majithia : As alluvion and diluvion are not checked until December and January each year, a definite answer cannot be given at present.

DARLING COMMITTEE.

***3466. Mian Abdul Rab :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether the Darling Committee has finished its work ; if so, what are its main recommendations ;
- (b) whether it has recommended any remission in land revenue ;
- (c) whether it has dealt with the *chahi* rates in its report ; if so, what are its recommendations with regard to it ?

The Honourable Dr. Sir Sundar Singh Majithia : The Committee has finished its work, but a detailed examination of its Report has not yet been undertaken. It is in fact still in the Press and only a few advance proofs have been so far available.

Mian Abdul Rab : May I know from the Honourable Minister for Revenue as to whether the Committee has dealt itself in its report with regard to *chahi* rates as asked in the original question, part (c) ?

Minister : I am afraid I cannot give any information to my honourable friend as yet.

Diwan Chaman Lall : Has this Committee recommended any remission in land revenue ?

Minister : I am afraid my honourable friend is anticipating too much just at present.

Dr. Gopi Chand Bhargava : When does the Government expect the report to be published and circulated to the members of this House ?

Minister : As soon as it is printed it will be considered by the Government and will be made available to the members of this House.

Dr. Gopi Chand Bhargava : In a month's time ?

Minister : My honourable friend would concede that I am not a press man and I cannot give the exact time as to when this report will be printed. It has then to be considered by Government.

Diwan Chaman Lall : How long will Government take to consider the report ?

Minister : It is a voluminous report so far as I see from its proof copy. It will take some time to consider the whole report.

Diwan Chaman Lall : May I take it that the report will be considered by the Government during the next three years ?

Minister : I am afraid my honourable friend is very pessimistic about this matter, I am not. I will expedite the consideration of this report as early as possible.

Diwan Chaman Lall : Within six months ?

Mr. Speaker : The next question.

RELIEF FOR NAKODAR AND PHILLAUR TAHSILS.

***3467. Mian Abdul Rab :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether he is aware of the fact that this year on account of scarcity of rain the *kharif* crop in the *barani* areas of the Nakodar and Phillaur tahsils of the Jullundur district has totally failed and for the same reason it is not possible to cultivate the *rabi* crops also in that area ;
- (b) if the answer to (a) above be in the affirmative, whether the Government intends to give relief to the zamindars of the said tahsils ; if so, its nature ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes. Owing to the scarcity of rains, the *kharif* crop is practically a total failure in the *barani* areas of the Nakodar tahsil and a part of the Phillaur tahsil. *Rabi* sowings are, however, taking place, though rain is badly needed.

(b) The question of grant of relief is under consideration and would be sympathetically considered.

Mian Abdul Rab : May I know as to what is the nature of that relief which is under consideration of the Government ? May I know whether the Government contemplates remitting land revenue of that area in which crops have totally failed ?

Minister : If the enquiry shows that relief is needed, certainly it would be given.

Mian Abdul Rab : The Honourable Minister has been pleased to say in answer to part (a) of the question that there has been a total failure of the *kharif* crop in *barani* areas of the Nakodar tahsil and a part of the Phillaur tahsil. In view of this fact, does the Government contemplate remitting the revenue on crop in those *barani* areas ?

Minister : I would refer the honourable member to the statement which I read only day before yesterday in this House and that gives necessary information. A deputation waited upon the Honourable Premier and we discussed the matter fully.

Mian Abdul Rab : In view of the fact that the *kharif* crop has totally failed in those two tahsils and that there was no rain, how can the *rabi* crop, as stated by the Honourable Minister, be sown ?

Minister : My honourable friend should know that under the Rules, whatever remissions were due, they have been given, but if any case comes to me for consideration, that would be looked into.

Mian Abdul Rab : What I say is that *rabi* sowings cannot take place, unless there is rain, in *barani* areas.

Minister : If there is no crop and it fails entirely there is no question of any land revenue.

**REMISSION ON ACCOUNT OF DAMAGE DONE TO KHARIF CROPS IN
HOSHIARPUR DISTRICT.**

***3468. Sardar Harjab Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether the Government is aware of the fact that heavy damage has been done to the *kharif* crops 1938 on account of hurricane, hailstorm and draught this year in some villages of the Hoshiarpur district in particular and throughout the district in general ;
- (b) whether it is a fact that a large number of applications have been sent by the residents of a number of villages to the effect that as a result of failure of *kharif* crops, the land revenue for *kharif* 1938 may be remitted ;
- (c) if so, what steps has the Government taken in this connection and whether any concession in land revenue has been given to the affected villages ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No. The damage to *kharif* crops in general was slight. In *barani* areas, however, the maize crop was about eight annas and fodder suffered considerably.

(b) No. A few only of such applications were received.

(c) The question of granting relief in land revenue is under consideration.

OPENING UP ROAD FROM JULLUNDUR CANTONMENT TO MAHILPUR.

***3469. Sardar Harjab Singh :** Will the Honourable Minister of Public Works be pleased to state whether the road from Jullundur Cantonment to Mahilpur (Hoshiarpur district) is included in the road programme of the Government ; and if so, when it is likely to be constructed ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : No. In this connection the attention of the honourable member is invited to the answer given to Assembly starred question No. 3289¹ by Master Kabul Singh.

MAINTENANCE ALLOWANCE TO COMRADE IQBAL SINGH.

***3470. Sardar Harjab Singh :** Will the Honourable Premier be pleased to state whether the Government has given any maintenance allowance to Comrade Iqbal Singh, an externee of village Dhadiyal, district Jullundur ; if not, why not ?

Parliamentary Secretary (Mir Maqbool Mahmood) : The honourable member's attention is invited to the answer given to part (d) of starred question 8862.²

¹Vol. V, page 954.

²Vide the debates of the 22nd Nov. 1938.

DEATH OF KALA SINGH, SON OF GURDIT SINGH, ZAILDAR.

***3471. Mr. Dev Raj Sethi :** Will the Honourable Premier be pleased to state—

- (a) whether any inquiry into the circumstances under which Kala Singh, son of Gurdit Singh, Zaildar, Chak No. 51-J. B., died on 16th July, 1938, was held ;
- (b) if so, what was the result of the inquiry ;
- (c) what steps have been taken by the Government on the basis of the said inquiry report ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) : Yes. The matter was made the subject of a magisterial inquiry under section 176 of the Code of Criminal Procedure. Kala Singh, who had been assisting the police patrol work on the morning of the 16th July, died that evening as the result of an overdose of opium. He had been produced, with certain other non-officials, before the Deputy Superintendent of Police at about 11 A. M., and had been instructed to collect information regarding certain canal offences. The magistrate has found that he took the poison with suicidal intent, through fear of threats made by the Deputy Superintendent. The report makes it clear at the same time that there was no question of any physical force having been used against the deceased. Government are now considering, in consultation with the Inspector-General of Police, what further action should be taken.

Sardar Hari Singh : May I know from the honourable member whether the following words occur in the magisterial enquiry and whether they have been brought to his notice or not—

“ Kala Singh put an end to his life with an overdose of opium. Apparently he did this through fear of certain threats from Mr. Beatty, Deputy Superintendent of Police, Lyallpur.”

Parliamentary Secretary : Yes, those words do occur there.

Sardar Hari Singh : May I ask the honourable member whether any action has been taken against the said Deputy Superintendent of Police ?

Parliamentary Secretary : I have already stated that Government is considering the matter.

Sardar Hari Singh : May I ask the honourable member whether the said Deputy Superintendent of Police has been transferred to Lahore in a senior post ?

Parliamentary Secretary : Mere transfer to Lahore does not mean that he is transferred to a senior post.

Sardar Hari Singh : May I know whether it is a fact that the said Deputy Superintendent of Police has secured a senior rank as Deputy Superintendent of Police at Lahore ?

Parliamentary Secretary : He is not promoted to any senior rank. He is transferred to Lahore on the same rank of Deputy Superintendent of Police.

Diwan Chaman Lall : May I ask the honourable member whether he will let us have the date on which this particular report was signed ?

Parliamentary Secretary : 17th September, 1938.

Diwan Chaman Lall : That is the date on which the magistrate gave his findings. May I ask the honourable member whether there has been any delay in spite of the verdict of the magistrate in taking necessary action against this particular officer ?

Premier : The delay is due to the fact that Government is getting the legal aspect of the question examined because it may be necessary for us to run him in judicially.

Diwan Chaman Lall : Was there any objection on the part of the Government to suspend this officer, pending the enquiry that they were conducting ?

Premier : It would have been unfair to the officer concerned to suspend him before we received that legal advice.

Diwan Chaman Lall : Is it not a fact that a definite charge has been made by a magistrate sitting in a judicial capacity against this particular officer ?

Premier : What definite charge ?

Diwan Chaman Lall : That he apparently committed suicide, due to the threat received by him from this officer.

Premier : My honourable friend is a lawyer. He should know better.

Diwan Chaman Lall : The actual words are :—

“ Kala Singh put an end to his life with an overdose of opium. Apparently he did this through fear of certain threats from Mr. Beatty, Deputy Superintendent of Police, Lyallpur.

May I take it that in the opinion of the Honourable Premier, that is not a sufficient justification for Government to take immediate steps ?

Premier : My honourable friend, as a lawyer, should know whether there would be any justification in taking immediate steps without considering the *pros* and *cons* of the case itself.

Diwan Chaman Lall : May I ask the Honourable Premier whether the finding that he apparently put an end to his life with an overdose of opium through fear of certain threats from the said officer, is not sufficient for him to take departmental action ?

Premier : As I have said there is the question of taking departmental action or judicial action. If we find sufficient evidence to take judicial action then it may be desirable to take action in a court of law. My honourable friend wants me to take the lesser of the two alternatives merely to expedite matters.

Diwan Chaman Lall : May I know whether it is true that during this period, from 17th September up to date, no explanation has been called for from this particular officer ?

Premier : Explanation about what ?

Diwan Chaman Lall : About this allegation.

Premier : If we decide to run him in a court of law, then it is not necessary to call for his explanation.

Diwan Chaman Lall : May I take it that the Honourable Premier has not taken any step to institute a departmental enquiry or call for an explanation from this particular officer ?

Premier : Either I am very dunce or dull or I am not in a position to make myself clear. I have told my honourable friend that we are considering the question of what action should be taken. If we decide to run him judicially in a court of law, then departmental enquiry would not be necessary. If we are advised that judicial action would not be suitable in this case, then departmental action will be taken.

Diwan Chaman Lall : Is it not a fact that if my honourable friend had taken an explanation from this officer after instituting a departmental enquiry, it is possible that judicial action may not be necessary and it is possible that legal action may not be required in that case ? Therefore it is necessary in order to put some confidence in the public to make an independent departmental enquiry into this allegation and call for an explanation from the officer.

Premier : If I had done that, my honourable friend would have come forward and said, why did you not go to a court of law ?

Diwan Chaman Lall : When did he ask his legal advisers to give their legal opinion in regard to this matter ?

Premier : I cannot give dates off-hand. I do not carry them in my head.

Diwan Chaman Lall : May I ask how soon after this report was it that reference was made to the legal officers ?

Premier : I have told him that the question is being considered.

Diwan Chaman Lall : I may be very dunce, as the Honourable Minister suggests. I am. But I do want clarity on this issue. When and to whom was a reference made regarding the obtaining of legal opinion ?

Premier : I cannot carry dates in my head with regard to these inquisitorial questions.

Diwan Chaman Lall : May I take it that upto now Government has been merely considering the possibility of making a reference and that up to now no reference has been made to any legal authority connected with the Government.

Premier : If my friend had listened to the answer, he would not have put the question.

Diwan Chaman Lall : May I ask him to repeat the answer or throw light on this allegation. Is it a fact or not that up to now no reference has been made to any legal authority ?

Malik Barkat Ali : May I know the exact nature of the threats alleged to have been given by this officer ?

Premier : All that Government has received is the finding of the magistrate extracts from which have been read.

Diwan Chaman Lall : The result is that the Government has apart from its pious intention of considering the matter has done nothing more in this matter except to transfer this gentleman to a higher post and give him a reward for having done what he has done.

Premier : He may be very clever, but if he had listened to the answer instead of wasting the time of the House.....

Mr. Speaker : That expression is not parliamentary.

Premier : Then I withdraw it.

Diwan Chaman Lall : May I draw your attention to this fact that when actually the lives apart from the liberty of citizens of this province are concerned and we want to ventilate the grievances connected therewith, my friend gets up and says that we are wasting the time of the House. I do not know how he would have felt had his own son been the victim.

Mr. Speaker : He has withdrawn that charge.

Premier : I make no difference between myself and any other citizen of this province. (*Hear, hear.*)

Dr. Gopi Chand Bhargava : May I ask whether the Parliamentary Secretary has replied that any legal adviser to Government was consulted, or is it that the Government is in consultation with the Inspector-General of Police ?

Premier : The question is also being considered by the Inspector-General of Police as to which of the two actions is to be taken.

Dr. Gopi Chand Bhargava : My question is this. We are told that legal advisers to Government are being consulted on this point and the Parliamentary Secretary told us that it was the Inspector-General who was being consulted. The Inspector-General as far as I understand the position may be the head of the Police Department but he cannot be a legal adviser. As far as departmental action is concerned, he may be able to express an opinion, but he cannot express a legal opinion. Therefore I want to know whether there is any consultation between the Government and their legal advisers.

Premier : It is a very pertinent question that my honourable friend has put. The Inspector-General is not a legal adviser. Legal adviser is a different officer, but it does not follow that if legal advisers are being consulted the Inspector-General of Police should not be consulted.

Dr. Gopi Chand Bhargava : I want to know whether any legal advisers are being consulted or not.

Diwan Chaman Lall : Which one have you consulted so far ?

Premier : I have told you, I do not carry all this information in my head.

Dr. Gopi Chand Bhargava : I want to know whether a legal officer has been consulted or not.

Premier : The honourable member may give a notice of that question (*Opposition, hear, hear.*)

Malik Barkat Ali : In view of the fact that the magistrate has not specified in his finding the exact nature of the threats alleged to have been given by the officer, will the Honourable Premier be pleased to order a further enquiry as to the exact nature of these threats, because so long as the threats are not specified no legal opinion can be obtained ?

Premier : I am afraid further enquiries are not likely to help the case. One person is dead and the other person concerned is the Deputy Superintendent of Police himself. If my friend suggests that an explanation should be called from him then the explanation would very likely be that he did not give any threats. My honourable friend suggested that departmental action should be taken against him. My friend will concede that there is a question of doubt and there is so far no evidence except the word of the person concerned and it would not be proper to rush into action on incomplete material. Therefore I want to make quite sure whether it is possible to get any other evidence so as to make a cast iron case in case the officer concerned is considered to be guilty of this heinous crime.

Malik Barkat Ali : May I draw his attention to the fact that the learned magistrate must have got some material for the conclusion that threats were given. In view of the fact that the exact nature of the threat is not mentioned in the report of the learned magistrate, may I request the Honourable Premier to kindly find out the exact nature of the threats if that is possible ?

Premier : The material is on record. It has probably already been examined by the legal adviser.

Malik Barkat Ali : Does this material throw any light on the exact nature of the threats ?

Lala Duni Chand : Is there anything in the report to show whether there was any justification for making all these threats which drove the man to the desperate action of putting an end to his life ?

Premier : We have not come to any conclusion.

Lala Duni Chand : In the report already received is there any mention or justification for making these threats ?

Premier : There seems no justification for anything in that report, so far as I can see.

Chaudhri Krishna Gopal Dutt : Is it within the knowledge of the Premier as to whether any legal opinion was taken ?

Premier : I believe the only legal opinion which was consulted was the local legal opinion, that is, of the Government Prosecutor or the Advocate. But my friend informs me that the remarks of the magistrate were based on that letter which Mr. Devraj Sethi produced. It was on the basis of that letter that I asked this enquiry to be made.

Diwan Chaman Lall : Is it not a fact that the letter is signed by the deceased himself ?

Premier : How do I know whether it was signed by the deceased, because he is now dead.

Dr. Gopi Chand Bhargava : Has the magistrate expressed any opinion as to the authenticity of that letter ?

Sardar Bahadur Sardar Ujjal Singh (Parliamentary Secretary) : The magistrate based his findings only on that letter and the signature on the letter was proved by the three witnesses, one a school master, one a clerk of a co-operative bank and the third a patwari. That letter was not at all sent to any expert for verification of the signature.

Dr. Gopi Chand Bhargava : Is it the finding or decision of the magistrate that is under the consideration of Government, that is, whether the magisterial enquiry is correct or not ?

Mian Abdul Rab : Is there no time-limit to these supplementary questions ?

Mr. Speaker : Supplementary questions arising out of the answers given can be asked, but the honourable members of this House enjoy much greater latitude in the matter of supplementary questions.

Parliamentary Secretary : Government is considering what action should be taken against the officer concerned in view of the findings of the magistrate.

Dr. Gopi Chand Bhargava : Do you not rely on the decision of the magistrate as far as that letter is concerned ?

Premier : That is a question very unfair to the magistrate himself.

Dr. Gopi Chand Bhargava : The Parliamentary Secretary said that the letter was not sent to any expert for verification.

Premier : That is a very unfair question to the magistrate concerned.

Mr. Speaker : The next question.

POSTING OF THE POLICE AND OF OTHERS TO GUARD THE ROUTE OF HIS EXCELLENCY THE VICEROY.

***3472. Mr. Dev Raj Sethi :** Will the Honourable Premier be pleased to state—

- (a) whether the Punjab Police was stationed on the road side to guard the route of His Excellency the Viceroy when he came down from Simla to the plains on or about 23rd July, 1938 ;
- (b) how many policemen in all were stationed and for what distance ;
- (c) from which districts were they requisitioned ;
- (d) what was the total expenditure incurred in this connection ;
- (e) whether any lamhardars, chawkidars, *begaris* or other villagers were stationed on the same route ;
- (f) if so, how many and for what distances ;
- (g) whether any remuneration was paid to them ; if so, how much ; and if not, why not ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) :
(a) to (d). Yes, between Simla and Kalka. It is not in the public interest to give details.

(e) Not by the Punjab authorities. The road runs for the most part through the territories of Indian States.

(f) and (g) Do not arise.

Mr. Dev Raj Sethi : What was the total expenditure involved ?

Parliamentary Secretary : As already stated, it is not in the public interest to give details.

Chaudhri Krishna Gopal Dutt : What is the objection to answer part (b) of the question ?

Premier : It is not in the public interest to divulge the number of people posted on the road.

Sardar Sohan Singh Josh : Were any policemen from the district of Amritsar posted there ?

Premier : No details can be given.

Lala Deshbandhu Gupta : I do not understand what the Parliamentary Secretary means when in reply to a question of which notice is already given he says that it is not in the public interest to give the information and when the question is repeated as a supplementary question he asks for notice.

OPENING OF THE OFFICE OF THE SUPERINTENDING ENGINEER, NILI BAR CANAL CIRCLE, MONTGOMERY, ON HOLIDAY.

***3473. Mr. Dev Raj Sethi :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether the Superintending Engineer, Nili Bar Canal Circle, Montgomery, issued orders on or about 17th November, 1937, disallowing usual office-holidays while he remained at the headquarters ;
- (b) whether it is a fact that in pursuance of the said order his office was opened even on some gazetted holidays and the presence of the staff marked on the attendance register ;
- (c) whether any remuneration was paid to the staff for the over-work put in by them ; if so, how much, and if not, why not ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, for a period of two days only.

(b) The office was opened only on one gazetted holiday owing to rush of work when the members of the community concerned were not required to attend.

(c) No. It is not the custom of the Government to pay for work done beyond normal office hours.

Mr. Dev Raj Sethi : Was the office kept open on any of the Muharram holidays ?

Minister : My reply is quite clear.

Mr. Dev Raj Sethi : I should like to know whether any Muslim member was asked to attend office during Muharram holidays ?

Minister : I have said that the office was open on one gazetted holiday owing to rush of work, but the members of the community concerned were not required to attend ?

Sardar Sohan Singh Josh : Did they actually attend or not ?

Minister : I am sorry I cannot add anything more to the reply already given.

MUSLIM PERSONAL LAW (SHARIAT) APPLICATION ACT.

***3475. Malik Barkat Ali :** Will the Honourable Finance Minister be pleased to state whether any rules have so far been framed under section 4 of the Muslim Personal Law (Shariat) Application Act, 1937, prescribing the form of declaration under section 8 of the said Act, the authority before which such declarations are to be made and other matters mentioned in section 4 ?

The Honourable Mr. Manohar Lal : No, but the matter is under consideration.

Malik Barkat Ali : Is the honourable Minister aware that this Act came into force as far back as October 1937 and in the absence of the rules the persons concerned are not able to take advantage of the Act?

Mr. Speaker : That is not a supplementary question but a speech.

ELECTIVE SEATS IN JULLUNDUR DISTRICT BOARD.

***3476. Malik Barkat Ali :** Will the Honourable Minister for Public Works kindly state—

- (a) whether it is a fact that the methods in force for filling elective seats in the Jullundur District Board is that of joint electorate; and if so, how many seats thrown open for election out of the total number of seats were won by members of the Muslim community in the last election;
- (b) the percentage of Muslim population in the Jullundur district?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : This question being of communal nature, I do not propose to answer it.

Malik Barkat Ali : May I invite the attention of the Honourable Minister to part (b) of the question which merely asks for the percentage of the Muslim population in the Jullundur district? There is nothing communal in it.

Minister : The honourable member may consult the census report.

Malik Barkat Ali : Does the Honourable Minister consider the question as to how many of the elective seats were won by the Muslims a communal question?

Premier : The question asks for the number of representatives of various communities.

Malik Barkat Ali : Has the Honourable Minister received any representation sent by almost all responsible persons of the Jullundur district asking for a change in the constitution of the district board?

Minister : Yes, it is receiving attention.

Malik Barkat Ali : Does the Honourable Minister consider this a communal question which asks for the number of seats won by any particular community?

Minister : My reply is already there.

INADEQUATE REPRESENTATION OF MUSLIMS IN DISTRICT BOARD, JULLUNDUR.

***3477. Malik Barkat Ali :** Will the Honourable Minister for Public Works kindly state if he intends taking any action to rectify the grievances of the Muslims of Jullundur in the matter of their utterly inadequate representation in the District Board of Jullundur?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The question being of communal nature, I do not propose to answer it.

ARMY BILL

***3479. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state whether it is a fact that the Punjab Government wanted the Army Bill to be passed in the Central Legislative Assembly and requested the Government of India to have it passed ?

Parliamentary Secretary (Mir Maqbool Mahmood) : Yes.

Lala Deshbandhu Gupta : Did the Punjab Government as a whole want the Bill ?

Parliamentary Secretary : Punjab Government means Punjab Government.

Diwan Chaman Lall : Is the honourable member quite sure ?

Parliamentary Secretary : I am more sure of my statement than the honourable member opposite of his question.

Lala Deshbandhu Gupta : Did the Cabinet as a whole consider the question and come to any decision ?

Parliamentary Secretary : It is not in the public interest to answer such questions.

Diwan Chaman Lall : What consideration moved the Punjab Government to ask for this Bill ?

Parliamentary Secretary : That question has already been answered.

Diwan Chaman Lall : What was the answer ?

Parliamentary Secretary : That was given two days ago.

Diwan Chaman Lall : Is it not in the public interest to repeat the answer ?

Parliamentary Secretary : If my honourable friend takes more interest in following the answers than he has evinced in this case he would not have asked for the answer to be repeated.

Diwan Chaman Lall : Was it that the Punjab Government wanted to support British imperialism in India ?

NUMBER OF CATTLE AND VETERINARY HOSPITALS IN THE PUNJAB.

***3490. Dr. Sant Ram Seth :** Will the Honourable Minister of Development be pleased to state—

- (a) the number of veterinary hospitals in the Punjab and the number of cattle district-wise;
- (b) the number of cattle treated in these hospitals district-wise;
- (c) the number of deaths among the cattle and the names of diseases causing these deaths ?

The Honourable Chaudhri Sir Chhotu Ram : A statement giving the requisite information as it stood on the 31st March, 1938, except in regard to the number of cattle which has been taken from the Punjab Live-stock Census Report of 1935 (latest), is laid on the table.

The statement does not, however, include figures for the Government Cattle Farm, Hissar.

[Minister for Development.]

State

Serial No.	District.	Veterinary Hospitals.	Number of cattle.*	Number of cattle treated at Veterinary Hospitals.	Number	
					Rinderpest.	Foot-and-Mouth.
1	2	3	4	5	6	7
1	Hissar	11	569,036	50,836	700	..
2	Rohtak	16	536,594	104,097	1,556	372
3	Gurgaon	14	518,595	62,980	914	2
4	Karnal	11	768,074	81,965	2,178	..
5	Ambala	8	525,344	45,497	1,252	3
6	Simla	3	22,036	7,280	..	..
7	Kangra	13	763,165	58,723	151	12
8	Hoshiarpur ..	10	612,557	58,450	563	7
9	Jullundur ..	9	484,751	62,786	316	49
10	Ludhiana ..	8	382,252	49,886	534	..
11	Ferozepore ..	13	699,628	85,515	938	14
12	Lahore	11	650,941	66,351	812	10
13	Amritsar ..	13	534,904	97,394	430	16
14	Gurdaspur ..	10	655,386	58,852	1,324	1
15	Sialkot	11	528,160	56,432	587	8
16	Gujranwala ..	9	542,716	50,490	857	12
17	Sheikhpura ..	10	539,514	53,257	757	5
18	Gujrat	8	581,231	29,314	352	..
19	Shahpur	13	678,345	76,435	124	..
20	Jhelum	10	319,164	50,519	31	2
21	Rawalpindi ..	7	315,080	37,992	22	2
22	Attock	8	339,901	39,895	97	2
23	Mianwali	11	273,812	50,656	10	..
24	Montgomery ..	13	830,606	62,573	1,281	35
25	Lyallpur	17	780,060	99,517	364	2
26	Jhang	9	528,196	47,048	300	13
27	Multan	13	903,485	73,907	64	2
28	Muzaffargarh ..	8	538,864	51,773	15	..
29	Dera Ghazi Khan ..	7	419,917	35,958	10	..
Total ..		304	15,840,364	1,704,578	16,539	569

*Figures given in this column have been taken from the Punjab Livestock Census

ment.

OF DEATHS AMONGST CATTLE.

Hae. Septi.	Black Quarter.	Surra.	Anthrax.	Cow Pox.	Other diseases.	Total.	Serial No.
8	9	10	11	12	13	14	15
93	51	..	..	..	..	844	1
510	105	..	..	..	2	2,545	2
434	52	..	..	..	4	1,406	3
171	19	..	..	..	6	2,374	4
485	29	..	..	..	..	1,769	5
..	..	..	..	..	..	..	6
177	26	..	..	..	20	386	7
1,068	..	..	..	..	..	1,698	8
656	..	..	..	..	..	1,021	9
435	9	..	..	..	..	978	10
422	7	..	..	..	..	1,391	11
317	..	..	..	..	..	1,139	12
469	..	..	..	..	32	947	13
1,277	..	..	..	..	..	2,602	14
912	..	..	..	..	..	1,507	15
331	12	..	..	..	..	1,212	16
637	4	3	8	..	..	1,414	17
631	6	..	..	..	..	989	18
807	2	..	..	..	..	933	19
94	98	..	..	..	..	220	20
54	207	..	16	..	..	301	21
69	59	..	..	..	..	227	22
330	46	..	..	..	..	386	23
825	..	..	..	..	..	2,141	24
771	23	..	..	1	..	1,161	25
232	5	..	..	..	..	550	26
611	13	..	..	..	..	690	27
508	79	..	..	..	..	602	28
134	137	..	..	..	..	281	29
13,460	984	3	24	1	64	31,644	

Report for the year 1935.

FAMINE OF FODDER AND DEATHS AMONG CATTLE IN HISSAR DISTRICT.

***3481. Dr. Sant Ram Seth :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that severe famine of fodder visited the Hissar district in the months of September and October, 1938;
- (b) the total number of deaths among the cattle in September and October due to scarcity of fodder, as reported to Government;
- (c) what steps the Government have taken to relieve the suffering of the *kisans* in the Hissar district?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes. The scarcity is still felt.

(b) No statistics are at present available.

(c) Concession rates for the import of fodder into the district have been sanctioned and fodder is being imported in large quantities from railway stations on the North Western Railway, Bombay Baroda and Central India Railway and the Bikaner State Railway.

The Fodder Adviser is busy tapping all sources to import fodder in the affected area. For details as to what is being done by Government to alleviate suffering the honourable member must have seen Government *communiqués*¹ that have issued in this connection.

The Deputy Commissioner has also been authorized to grant *taccavi* in cash and kind (fodder and seed) to the extent of Rs. 9,85,000 (nine lakhs eighty-five thousand) during the current financial year.

Lala Deshbandhu Gupta : Have Government taken any steps to collect the statistics referred to in (b)?

Minister : Officers of the Government have been collecting statistics about animals now and the information previous to January would be in office.

Lala Deshbandhu Gupta : Is there no standing arrangement even in a period of famine to collect statistics at the earliest opportunity?

Minister : I would request my honourable friend to consult the Famine Code.

Lala Deshbandhu Gupta : Does the Honourable Minister know that as many as 50,000 cattle are reported to have died of scarcity of fodder?

Minister : It may be my friend's information.

Lala Deshbandhu Gupta : Does he believe that information to be correct?

Minister : I cannot say one way or the other.

Lala Deshbandhu Gupta : What are the reports of the district magistrates or any other agents of the Government on that point? Have Government at least taken care to enquire whether those reports were exaggerated, correct or under-estimated?

Minister : Does my honourable friend think that it is possible for us at this juncture to go on finding out whether these reports are correct or not? In a matter like this when famine is facing us everybody has to help the people.

Lala Deshbandhu Gupta : Is it not because you purposely wish to keep yourself ignorant of the gravity of the situation that you do not want to publish the figures?

Premier : We have first to save those who are still alive.

PUNITIVE POLICE POSTS AT VILLAGES CHANNANWAL, CHIMA AND JODHPUR.

***3490. Sardar Lal Singh :** Will the Honourable Premier be pleased to state—

- (a) whether punitive police has been posted in each of the three villages of Channanwal, Chima and Jodhpur in tahsil Ludhiana;
- (b) if the reply to this is in the affirmative, for what period these have been posted, the annual cost of each post and whether it will be realized from the villagers;
- (c) whether it is a fact that on account of the activities of the notorious outlaw, Gurnam, who belonged to Channanwal, a patrol post not chargeable to the village was established at this village about a year ago;
- (d) whether it is a fact that the said Gurnam was killed recently in an encounter with the police;
- (e) if so, what fresh incidents have occurred to warrant stationing of a punitive police post at that village;
- (f) what new facts indicating the culpability of these three villages have come to light?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes.

(b) For two years. The cost will be Rs. 14,174-7-2 for the first year and Rs. 11,115-7-2 for the second. This will be apportioned among the inhabitants as usual, under section 15 of the Act.

(c) Yes. One head constable and four foot constables were located in Chhannanwal for some time to protect the lives and property of the witnesses who had given evidence against the outlaw Gurnam and his father.

(d) Yes.

(e) and (f): Since the date when the post was ordered to be located in the village (which as it happened coincided with that on which the outlaw Gurnam met his end) there has been no overt misconduct; but even now the inhabitants are giving no assistance in arresting the former associates of the outlaw, who are known to visit the neighbourhood, and there is every reason to believe that if the post were removed they would at once revert to their former lawlessness.

TRAVELLING ALLOWANCES DRAWN BY ALL DISTRICT OFFICIALS OF
LUDHIANA.

***3491. Sardar Lal Singh :** Will the Honourable Minister of Revenue be pleased to state the total travelling allowance of all district officials of Ludhiana for the month of August, 1938, and for the fortnight ending 3rd September, 1938 ?

The Honourable Dr. Sir Sundar Singh Majithia :

*Total travelling allowance for
August, 1938*

Rs. 500-15-0.

*Total travelling allowance for the
fortnight ending 3rd September,
1938.*

Rs. 195-7-0.

QUESTIONABLE MEANS EMPLOYED BY THE DISTRICT OFFICIALS TO SWELL
THE AUDIENCE AT THE VISIT OF THE HONOURABLE PREMIER,
AT JAGRAON.

***3492. Sardar Lal Singh :** Will the Honourable Premier be pleased to state whether he is aware of the fact that on the occasion of his visit to Jagraon, district Ludhiana, on 2nd September, 1938, the district officials to swell the number of audience threatened military pensioners with confiscation of pension, if they did not attend the gathering ?

Parliamentary Secretary (Mir Maqbool Mahmood) : No.

Sardar Lal Singh : May I know whether the journey to Jagraon undertaken by the Premier was at the invitation of anybody or any individual or any official ?

Parliamentary Secretary : How does this arise out of this question ?

Sardar Lal Singh : My point is whether questionable methods were used to gather the villagers round the Premier. I want to know what was the occasion for his going there.

Mr. Speaker : That question does not arise.

Sardar Lal Singh : May I know whether officials were employed to collect the villagers round the Premier ?

Sardar Sohan Singh Josh : Is it a fact that a sub-inspector and a head constable of police of tahsil Jagraon visited certain villages of the *ilaga* with an express purpose of threatening the Government pensioners that unless they came their pensions would be forfeited ?

Parliamentary Secretary : I have already answered that question.

Sardar Lal Singh : May I know whether the services of the local officials were employed to gather people round the Premier on that day ?

Parliamentary Secretary : If the services of the officers were employed to give information to people that the Premier is visiting them on a particular day, surely there is nothing wrong ; it is one of the duties of the officials.

Diwan Chaman Lall : Hear, hear. It is an admission. *Shabash.*

Sardar Lal Singh : Were the people told what was the purpose of his visit ?

Mr. Speaker : That question does not arise.

Sardar Lal Singh : How were the services of the officials employed? Did they go individually and inform the people or through some advertisement or notice?

Parliamentary Secretary : I do not know the details of the methods employed in giving the information to the villagers when the Honourable Premier visits an area.

Pandit Muni Lal Kalia : Were patwaris employed for the purpose?

Parliamentary Secretary : I am not aware if they were employed. There is nothing wrong in it.

Diwan Chaman Lall : Is that part of the duty of the patwari?

Parliamentary Secretary : It is part of duty of every official.

Sardar Lal Singh : When the officials were employed what was the official duty of the Premier or the officials?

Pandit Muni Lal Kalia : Were the patwaris, school masters and other officers of the Government asked to come, and were even the courts closed that day?

Parliamentary Secretary : My honourable friend has asked a series of questions about patwaris, school masters, courts, etc. If he puts each as an independent question and makes it relevant, I shall be delighted to answer.

Sardar Lal Singh : That is part of the general question. The method employed is questionable.

Pandit Muni Lal Kalia : My question is whether district officials were employed to swell the number.

Sardar Sohan Singh Josh : Is it not a fact that a head constable from Jagraon and a constable were sent?

UNSTARRED QUESTIONS AND ANSWERS.

REPRESENTATION OF MUSLIMS ON DISTRICT BOARD, GURDASPUR.

494. Mian Badar Mohy-ud-Din Qadri : Will the Honourable Minister of Public Works be pleased to state whether it is a fact that Muslims are not adequately represented on the District Board, Gurdaspur, for reason of unsatisfactory arrangement of the wards, and if so, whether the Government intends to remove this defect in the wards before the next district board elections?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : At the last four general elections Muslims have obtained fewer seats on this district board than the number due to them on the combined basis of population and voting strength. Whether this is due to the existing constitution of circles I do not know, but enquiries will be made.

CHAKWAL MUNICIPAL COMMITTEE.

495. Raja Muhammad Sarfaraz Khan : Will the Honourable Minister for Public Works be pleased to state, whether it is a fact that the Punjab

[Raja Muhammad Sarfaraz Khan.]

Government has recently issued a notification revising wards of the Chakwal Municipality in a manner that *Muslims* should return 5 members instead of 6 and *Hindus* to return 8 members instead of 2; if so, the formula on which this distribution of wards has been effected and whether this formula conforms to the formula of the mean of the population and voting strength laid down by Government in 1923 and if not, why not?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : Yes. The revised distribution of wards is in accordance with the formula mentioned by the honourable member.

INCOME DERIVED FROM VERNACULAR FINAL AND MATRICULATION EXAMINATIONS.

496. Lala Deshbandhu Gupta : Will the Honourable Minister of Education be pleased to state the net amount of income derived by the Punjab Education Department and the University of the Punjab during each of the last 3 financial years for conducting the Vernacular Final Examination and the Matriculation Examination, respectively?

The Honourable Mian Abdul Haye :

	Examination.	NET INCOME IN THE YEAR.		
		1935-36.	1936-37.	1937-38.
1	2	3	4	5
		Rs.	Rs.	Rs.
(i) Punjab Education Department.	Vernacular Final Examination.	17,722	12,784	9,968
(ii) Punjab University.	Matriculation Examination.	41,477	68,006	77,779

TRAINING OF PUPIL TEACHERS IN SCHOOL OFFICE WORK.

497. Lala Deshbandhu Gupta : Will the Honourable Minister of Education be pleased to state whether pupil teachers are being trained in the rudiments of school office work in normal schools and the Central Training College, Lahore; if not, why not, and the action proposed to be taken in the matter?

The Honourable Mian Abdul Haye : Office work forms part of the course of training both at the Central Training College, Lahore, and the normal schools of the Punjab. During the period when pupil teachers are attached to the practising schools, as whole time teachers, registration work is attended to by them as a part of their normal duties.

PRIMARY SCHOOLS FOR CO-EDUCATION.

498. Lala Deshbandhu Gupta : Will the Honourable Minister of Education be pleased to state the number of municipalities conducting primary school for the co-education of boys and girls in the Punjab at present and the number of boys and girls reading in those schools, respectively ?

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

NUMBER OF SCHEDULED CASTE GIRLS UNDER INSTRUCTION.

499. Lala Deshbandhu Gupta : Will the Honourable Minister of Education be pleased to state the number of girls of each scheduled caste under instruction on 31st March, 1938, in girl schools conducted by Government, municipalities and district boards ?

The Honourable Mian Abdul Haye : The total number of girls of scheduled castes in all kinds of recognised schools for general education, on 31st March, 1938, was 1,288. Figures for each scheduled caste and for each kind of school, separately, are not readily available, and the time and labour involved in their collection are not commensurate with the use to which they are likely to be put.

GRANT-IN-AID TO MUNICIPAL BOARD PRIMARY SCHOOLS IN AREAS WHERE COMPULSORY PRIMARY EDUCATION IS IN FORCE.

500. Lala Deshbandhu Gupta : Will the Honourable Minister of Education be pleased to state—

- (a) whether municipal board primary schools having in their employ more than one fifth of untrained teachers earn the same grant-in-aid from provincial revenues in areas where compulsory primary education is in force as board schools engaging all trained hands on their staffs ;
- (b) if not whether any grant-in-aid has been determined for such municipal board primary schools as are partly manned by untrained teachers ; if so, what ?

The Honourable Mian Abdul Haye : (a) Yes. The present system of grant for compulsory education in urban areas does not take into account the proportion of trained teachers in the staff employed in municipal board primary schools.

- (b) Does not arise.

REFRESHERS COURSES FOR MEDICAL MEN.

501. Lala Deshbandhu Gupta : Will the Honourable Minister of Education be pleased to state—

- (a) the number of refresher courses which were arranged during the last ten years for doctors, compounders and dressers employed by Government and local bodies at the expense of these medical men or that of the Government ;
- (b) if such courses were not arranged on an adequate scale, the manner in which their knowledge is renewed and kept up to date ?

The Honourable Mian Abdul Haye : (a) None.

(b) The attention of the honourable member is invited to the following paragraphs and appendices of the Punjab Medical Manual, a copy of which is available in the library of the Punjab Legislative Assembly :—

- (1) paragraphs 164 (2), 166, 248, 297 A(c) and Appendices X and XV in respect of doctors, and
- (2) paragraph 322 and Appendix XVI in respect of compounders and dressers.

AGES FIXED FOR BOYS AND GIRLS FOR STUDY IN MIXED SCHOOLS.

502. Lala Deshbandhu Gupta : Will the Honourable Minister of Education be pleased to state—

- (a) whether it is a fact that in primary schools where co-education exists only the class in which a scholar reads is taken as the standard and not his or her age ;
- (b) if not so, up to what ages boys and girls can study in a mixed school ?

The Honourable Mian Abdul Haye : (a)-(b) Government has decided that no girl should be allowed to stay in a co-educational school after attaining the age of 12.

PREPARATION OF CENSUS LISTS OF BOYS AND GIRLS OF SCHOOL-GOING AGES IN COMPULSORY EDUCATION AREAS.

503. Lala Deshbandhu Gupta : Will the Honourable Minister of Education be pleased to state whether the authorities who maintain birth and death registers in different districts supply the district inspecting staff in the compulsory education areas with particulars like dates of birth, ages, parentage and names of native places of children for the purposes of compiling their annual census lists, and the checking that boys of school-going age are attending schools ; if not, reasons for the same ?

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

NUMBER OF LITERATE AND ILLITERATE SCHEDULED CASTE STUDENTS IN INDUSTRIAL SCHOOLS.

504. Lala Deshbandhu Gupta : Will the Honourable Minister of Development be pleased to state the present number of literate and illiterate students of scheduled caste in Government industrial schools of the Punjab, and their percentage as compared with that of other communities ?

The Honourable Chaudhri Sir Chhotu Ram : The present number of literate and illiterate students of scheduled castes in the Government industrial schools is 54 and 6, respectively, and their percentage as compared with that of other communities is 4.

SCHEME REGARDING CONSOLIDATION OF HOLDINGS.

505. Lala Deshbandhu Gupta : Will the Honourable Minister of Development be pleased to state—

- (a) whether the recent schemes for the consolidation of holdings also include alignment of suitable roads and the provision for suitable areas for grazing cattle and other public purposes ;
- (b) if not, whether any steps are intended to be taken in this direction ?

The Honourable Chaudhri Sir Chhotu Ram : (a) The rules, as they stand at present, do not give specific authority to the consolidation staff for the alignment of suitable roads and provision for suitable areas for grazing cattle and other public purposes. In case, however, of villages whose right-holders agree to this being done, action is duly taken by the consolidation staff for the alignment of roads, the setting apart of suitable areas for grazing cattle and other public purposes. The roads that already exist are straightened as far as possible during the course of consolidation and there is usually no difficulty in doing so.

(b) No action is being taken where the parties do not agree.

INCOME AND EXPENDITURE ON GOVERNMENT INDUSTRIAL SCHOOLS.

506. Lala Deshbandhu Gupta : Will the Honourable Minister of Development be pleased to state—

- (a) the total amount of income derived during the last financial year from the sale of articles made by students in Government industrial schools, and the total amount of expenditure incurred by Government on them during this period ;
- (b) the names of industrial schools which are meeting about $\frac{1}{4}$, $\frac{1}{2}$ and $\frac{3}{4}$ of their annual expenditure, respectively ?

The Honourable Chaudhri Sir Chhotu Ram : (a) (i) The total amount of income derived during the last financial year from sales of articles—Rs. 25,195.

(ii) The total amount of expenditure—Rs. 4,67,501 (*includes Rs. 46,161 on account of expenditure of capital nature incurred on purchase of equipment, etc.).

(b) The Government Industrial School, Kulu, only is meeting 80 per cent. of its expenditure. The remaining schools which have been reorganised have not yet reached the full development of production. It may be noted that efforts are being made to run the schools on commercial or semi-commercial basis.

DEATH OF KALA SINGH.

Mr. Speaker : I have received notice from Mr. Dev Raj Sethi to the following effect—

"I hereby give notice of my intention to raise a debate on the subject matter of question No. 3471 put by me to-day, for half an hour, under rule 12 (3) (b)."

I want to know whether the honourable member has the leave of the House.

Leave was not granted.

MOTIONS FOR ADJOURNMENT.

WARNING TO MANAGEMENT OF HARYANA TILAK, ROHTAK.

Pandit Shri Ram Sharma (Southern Towns, General, Urban): 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 unnecessary and uncalled for warning to the management of the Haryana Tilak, Rohtak, for the so-called objectionable publications, through the Deputy Commissioner, Rohtak, on the 3rd November 1938, with a view to suppress legitimate criticism of the Unionist Party.

Mr. Speaker: I hold that the motion is out of order. An adjournment motion must raise a larger issue than a merely individual grievance. As it does not raise a larger issue but relates only to an individual grievance, I hold it out of order.

COMMUNAL CLASH AT MULTAN.

Munshi Hari Lal (South-Western Towns, General, Urban): I beg to ask for leave to move for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the failure of the local and district authorities of Multan, to take effective preventive action in time to avert the recent serious communal clash and the consequences following therefrom.

Mr. Speaker: The motion moved is 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 local and district authorities of Multan to take effective preventive action in time to avert the recent serious communal clash and the consequences following therefrom at Multan.

Parliamentary Secretary (Mir Maqbool Mahmood): I beg to object to this motion.

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

As more than 35 members have risen, Munshi Hari Lal has the leave of the House to move his motion, which will be taken up at 5 P. M. or earlier; if the business of the House is finished.

PRIORITY OF GOVERNMENT BUSINESS.

Premier (The Honourable Major Sir Sikander Hyat-Khan): Sir, I move—

That Government business shall have precedence on Thursday, 17th November, 1938.

I do not think that it is necessary for me to make any lengthy speech, but I hope you will allow me—

Lala Deshbandhu Gupta: May I request the Honourable Premier to be a little louder?

Premier: I have just moved the motion which my honourable friend Diwan Chaman Lal suggested the other day that we should move on another day. I have got nothing to add to what I have already stated except this

that you will have noticed that during the two and-a-half days, that we have met, Government have utilized only 25 to 30 minutes of the time and the rest of the time has gone to the private members' business. That is a fact which the House should keep in view in taking a decision on this motion, only 25 to 30 minutes at the most have been taken up by Government business and the rest of the time has all gone to the private members' business. This is all that I have to say.

Mr. Speaker : Motion moved is—

That Government business shall have precedence on Thursday, 17th November, 1938.

Chaudhri Krishna Gopal Dutt : On a point of order. May I draw your attention to the rule that one day's notice should have been given? One day's notice has not however been given in this case. Yesterday was Sunday and to-day it is Monday and since notice could not be given yesterday and has not been given it is not in order. The notice should have been given to-day and it should be discussed to-morrow. In my opinion the motion moved by the Honourable Premier is out of order.

Mr. Speaker : In my opinion the motion is not out of order on that ground. One day's notice has been given. Yesterday was not a working day and no notice could have been given.

Chaudhri Krishna Gopal Dutt : Your decision was that working day shall not be counted.

Mr. Speaker : No second speech, please.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) (*Urdu*): Sir, I rise to oppose the motion moved by the Honourable Premier. On the 10th November when he first moved a motion of a similar kind he advanced only two arguments. At that time, however, a point of order was raised and the Premier discontinuing his speech replied to the point of order. Since the time allotted expired on the discussion of the point of order you could not give your ruling about the matter. To-day he has advanced one more argument. He has complained to the effect that all the time of the House has been occupied by the members of the Opposition and only 20 or 25 minutes have been spared for the Government. On the 10th of November the first argument which he offered was that since the Government business was very heavy it was necessary to make use of the time usually allotted to the private members' business under the new Rules. The second argument was that the Honourable Premier did not know that the Rules of Procedure passed by this House were to be enforced from the 1st October 1938, and that he was under the impression that so long as the new Rules made by the Governor were not received the interim Rules would remain in force. He, therefore, chalked out the programme of the November Session under the interim Rules. My submission is that since the honourable Deputy Speaker himself moved a motion in the last Simla Session about the enforcement of the new Rules with effect from 1st October, 1938, he ought to have had the definite knowledge of the situation.

And what is more, even in the notice issued by the Secretary, Punjab Legislative Assembly, it was definitely stated that the business of the House would be transacted according to the new Rules. When the Government realised that under the new Rules we could not be easily deprived of our

[Dr. Gopi Chand Bhargava.]

proper privileges the new Rule was deemed fit to be suspended timely. The new Rules were not passed by this august House so that they could be moulded according to the convenience of the Leader of the House. When these Rules were passed the Government made the Opposition party feel indebted by the statement that in future we would have at least one whole day in every week for non-official business. But on the 10th November which has been considered by the Government as an auspicious day in the History of Assembly a motion was moved with a view to deprive us of our legal rights. Moreover, this motion headed the list of the business issued by the Secretary. It seems that he too was under the impression that since this proposal was being presented by the Government there was every likelihood of its being easily accepted. Taking the proposal as accepted he did not feel necessary to show non-official business in the List for Thursday. Although in general practice the notice for ballot is issued some seven days before the actual date fixed for the purpose yet he did not care to issue any notice of ballot for the 10th and 17th November, because he was confident of the fact that any motion moved by the majority party would surely be accepted. This is a clear indication that the Government wishes to snatch away with its left hand what it once condescended to offer with the right. The Government considers the 10th of November an auspicious day but the business is started in a manner which makes me look upon the day as inauspicious. On the very first day of the Session the Government has tried to trample over the rights and privileges of private members. I already had some apprehensions, for the site of the new Chamber was suggested by a Lieutenant-Governor whose every action has proved fateful for the province.

Dr. Sir Gokul Chand Narang : Who was he ?

Dr. Gopi Chand Bhargava : Sir Michael O'Dwyer. It is said that the building of the new Chamber is exquisite because acoustic system has been set up. But as regards the voice even the nearest member cannot be heard speaking. And the arrangement of seats is so defective that the passages left are insufficient for moving to and fro. We are rather bulky and therefore there is not much to be said if the passages proved narrow for us as we are non-agriculturists. But even the agriculturists who appear so thin and reduced (*laughter*) find it difficult to pass through.

Mr. Speaker : Please speak to the motion which is now before the House.

Dr. Gopi Chand Bhargava : Sir, I am speaking on the motion showing that the Government was not right in trying to trample over our rights and not allowing us to expose them. In short it appears from the attitude of the Government that it is determined to tread over the privileges of the private members. On the 1st day prayer was offered and it appears to me that the Government prayed to God for strength enough to proscribe the privileges of private members. The Government is acting in a way which is not worthy of any responsible and popular government.

The notice issued by the Secretary on the 4th November contained mention of the Punjab Land Alienation (Fourth Amendment) Bill, but no copy of the said Bill was attached to it. It appears that the Bill was sent to the press on the 4th November and was published on the 5th in an extraordinary issue of the Government Gazette. This shows that the business which the Government thought was urgent, was not ready when the Secretary was asked to issue the agenda.

I wish to refer yet to another thing. It was given out that the Government had some business of an urgent nature which it wanted to transact on the 10th. We were left with the hope that the next day falling to the share of business other than Government business would not be appropriated for Government business. But our hope has been sadly frustrated. The Government has come forward with a resolution that even on the 17th no business other than Government business will be allowed to come up. This is most objectionable. After all, what are those extraordinary circumstances which have led the Government to deprive the minority of its right to transact business of its own choice? I refer you to the agenda for the 11th. It was finished, as has been admitted by my honourable friend the Premier, within half an hour. Why did the Government, then, deprive us of our right to transact non-official business on the 10th? The difficulty with the Government, most probably, is this that it is never ready in time with its programme. The Bills are drafted in haste and sometimes members get the copies of these Bills at the eleventh hour. How it all happens in spite of there being a sufficient establishment to assist the Government, surpasses our comprehension. When the work is delayed to some extent due to the fault of Government's own organisation, it rushes to deprive the Opposition of its already small share in the days allotted for the transaction of the business of its own choice. But even under the present circumstances, there are no cogent reasons for the Government to ask this House to permit the transaction of Government business on the 17th. The Gurdwaras Bill will not take much time. The report of the select committee on the Agricultural Produce Marketing Bill is ready to be presented to the House. But even for this the Government need not usurp the time meant for non-official business.

The Opposition knows it very well, Sir, that it has no chance of getting any resolution or Bill of its own through this House. It cannot even introduce a Bill. So far one resolution recommending the introduction of a scheme of prohibition in five districts moved by non-official members has been passed. Under these circumstances is it not desirable that Opposition is given fair chance at least of being heard on the floor of the House on the points on which it feels most strongly? The Government has very good chance of rushing through all measures after its own heart. The Opposition has no power to put a check on its activities. It is the right of the Opposition, therefore, at least to express itself on most vital issues.

Premier : You are most probably referring to your own story with a particular reference to agrarian Bills.

Dr. Gopi Chand Bhargava : I am not sorry that you have been successful in passing those Bills. But my complaint is this that when a measure to test what big zamindars can do for the small land-holders is brought

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forward on behalf of the Opposition you do not even let it be introduced. You even refuse to discuss it. The ways of this Government do not rebound to the credit of a responsible Government. It is snatching the rights of the private members of this House. After all, these rules of procedure were not made to be suspended on the very first day of their coming into force. But, who can stop Government from doing what it intends to do with the help of the majority at its back? The Government sometimes resorts to ridiculous tactics. It does not permit our Bills even to be introduced. But I have heard that it is now busy drafting Bills on the lines of Bills sent in by us but which were refused even leave for introduction. The Government, if it has a mind to introduce Bills, can draft them without any difficulty as it has got staff and statistics at its disposal. Why should it try to deprive the Opposition of a chance to introduce its own Bills? But we are extremely surprised to see that the Government is not so prompt in drafting its own Bills as it is in the matter of offering resistance to the Bills given notice of by the Opposition. I have seen on several occasions that the notice of a Government Bill is received in advance of its publication. I wish the Government had attended more to its work in the legislature than to the party propaganda work. I cannot over-emphasise the need of giving proper hearing to the Opposition. But the present Government is guilty of an abuse of the majority vote. If they had been inclined to discuss some important matter of urgent nature like relief to be afforded to the famine-stricken people I would have perhaps raised no objection to the appropriation of time meant for non-official business. I would have perhaps felt happy over it. But the Government claims preference for that business which can conveniently be transacted on other days allotted for Government Business. I know my voice is not sufficiently strong as I am in a minority; but I cannot help registering my strong protest against this attitude of the Government which is nothing but a challenge to the privileges of private members and to the dignity of this House. The rule under which the present resolution has been moved was meant for occasions of emergency. The Government, I am pained to observe, is giving an emergency the shape of a rule and changing the rule to the form of an exception. There is no reason why we should vote with the Premier. On the contrary, we have every right to protest against the curtailment of the privileges of this House. The

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days allotted for transacting business other than the Government should, on no account, be taken back. These are the only days that provide us an opportunity to ventilate our grievances against the Government. We can, by introducing resolutions and private legislation on such days, point out to the teeming millions outside the House, as to where the Government is at fault and what beneficial measures the Opposition seeks to sponsor for the amelioration of the condition of the masses. If the Government allows us this opportunity, it is afraid of being exposed. But we are bent upon giving vent to our feelings and thoughts and no one can stifle our voice. We refuse to be gagged by the Government. We are wedded to doing our duty both in this House and outside. In vain do the Government seek to take away our freedom of speech. We shall have our say

whether the Government likes it or not. Let me make it plain to the Premier that those who have confidence in themselves and in the cause they plead, are never afraid of the odds they may be required to face. We rely on truth and justice and nothing can deter us from the right path we have chosen and the programme that we have chalked out for ourselves and for the country. We cannot, therefore, suffer the Government taking shelter behind a so-called emergency and thus trampling under foot the rights of the minority in this House.

With these words, I strongly oppose the motion that is now under consideration.

Mr. Speaker : If the motion moved by the Honourable Premier is carried, what will happen? Government will gain 3½ hours, because the first hour is devoted to questions and 4½ hours is the duration of daily sittings. So Government will get 3½ hours at the most. In fairness to the Leader of the Opposition I have given exactly half an hour for his speech. Now, I propose to put the motion to the vote of the House. (*Voices from Opposition Benches : No, no. It is a very important question.*) I am not going to allow the valuable time of the House to be wasted.

Dr. Sir Gokul Chand Narang : The Honourable Premier is snatching away something from us and when we try to protect it, you say that it is a waste of the time of the House.

(*At this stage Sardar Sohan Singh Josh stood up and said something.*)

Mr. Speaker : I am not going to tolerate that any more. (*Sardar Sohan Singh Josh again stood up and tried to interrupt the Honourable Speaker.*) If the honourable member stands up and speaks again without being called, I shall have to direct him to leave the Chamber.

Parliamentary Secretary (Mir Maqbool Mahmood) : Sir, I have listened with great attention to the speech of the Honourable Leader of the Opposition. He seems to assume that in the ballots which are going to be held hereafter on non-official days, priority of all motions will come for the members of his party. He seems further to assume that members on this side of the House have no right to table motions or discuss Bills on non-official days. I wish to assure you that so far as the rights of members on non-official days are concerned, we on this side of the House are as much concerned as our friends opposite. (*Voices : Question.*) In fact more, because we are in a large number and have better chances of securing priority in ballots. Moreover, in the hands of the honourable the Leader of the House, all of us who are privileged to sit behind him, we feel confident that Parliamentary conventions and the rules of this House are a safe trust and they cannot be entrusted to better and cleaner hands than those of the Honourable the Leader of the House. (*Voices : Question.*) Sir, in dealing with this question, we have to apply ourselves dispassionately to two main questions. Firstly, is the action of the Honourable the Premier a violation of the rules? Secondly, is the action of the Honourable the Premier a negation of Parliamentary conventions and precedents, as has been given out by the Honourable the Leader of the Opposition? I wish to confine myself to these two aspects of the question. I need not waste time over the

[**Mir Maqbool Mahmood.**] argument of the Honourable the Leader of the Opposition that this motion is intended to gag the criticism brought by the other side. The insinuation is wholly unwarranted. The Honourable the Premier, on more than one occasion has gone even beyond the Rules and declared here that if there is a substantive motion from the Leader of the Opposition on a matter involving policy even as a motion of no-confidence of the Government, he shall be prepared, even if there are not 50 members to support it, to find time for its discussion. We on this side of the House do not shirk any fair and legitimate criticism of the Government policy. We welcome it. But the recent public activities of the Honourable the Premier and his colleagues, who have done real service to the province, appear to have pinched some of our friends opposite who now try to exploit and mislead the public.

Mr. Speaker : The word 'mislead' is unparliamentary.

Diwan Chaman Lall : On a point of order. Has that irrelevancy become a principle with members of that side of the House?

Parliamentary Secretary : If you hold that that word is unparliamentary, I shall withdraw it and say that the activities of my honourable friends opposite cannot be described in Parliamentary language.

Diwan Chaman Lall : Sir, we are not worried about any expression that my learned friend may use. He is at liberty to use the worst expression possible subject to your ruling that it is in order. What we are worried about is this. My learned friend is not speaking to the motion which relates to whether Thursday should be taken away by the Government or not taken away from private business. He is making a propaganda speech. That has nothing to do whatever with the motion before the House.

Mr. Speaker : What the honourable member means is that Mir Maqbool Mahmood is irrelevant. But in view of what the Leader of the Opposition has said in his speech, I think irrelevancy is the rule and relevancy an exception.

Mir Maqbool Mahmood : Now I wish to deal with the main proposition before the House. I am sure that no one in the House can say that the motion of the Honourable Premier is against the rule. Rule 13 with the proviso definitely makes it permissible that "on a motion made after a day's notice by a Minister this rule may be suspended and the Assembly may transact Government business on a Thursday." I concede that so far as this rule is concerned, it was our intention to draft that rule following the precedent of the Parliament. This is ordinarily not intended to be applied every day. This rule in the Parliament as well as here is intended to apply to emergencies when it is felt that there is urgent legislation which cannot be delayed or when there are important matters which in public interest must be pushed forthwith. I am sure my friend Sardar Hari Singh who is listening with rapt attention and whom I have been seeing closely studying up the Parliamentary debates will bear me out that the decision of special urgency or emergency in such cases is invariably left to the Leader of the House and in the Parliament it has been rather liberally interpreted, so much so that I have here the Parliamentary debates ranging over several years in which practically every year private members' day has been

utilised for official Government business. I submit, Sir, that if honourable members will refer to the Hansard debates of 1920, 1923, 1924, 1925 and 1931, they will find that it has been definitely admitted even by the Opposition that, fortunately or unfortunately, it has become a regular practice for the Leader of the House to take over private members' time for Government business. Not only that. You will find that in 1924 when the Labour Government was in office—I want particularly this instance to go down—that it was not once but twice in the Labour Government's term of less than two years that the Leader of the House came forward and similarly appropriated the time of the private members for Government measures. He said, it is the right and duty of the Government to transact business and to legislate and we must hold that more important than the business of private members.

Lala Deshbandhu Gupta : May I know the purpose for which the Labour Government took up the time of the private members?

Mir Maqbool Mahmood : Legislative programme.

I want to invite the attention of my friends to another matter. In speaking on this very question in 1924 Mr. Clynes who was speaking on behalf of the Labour Government stated that it was for the Government to decide whether Government business is urgent and whether there is time available for the private members' motions. Similarly I wish to assure my honourable friends opposite that the Honourable the Premier is not trespassing on the rights of the private members, and that he is in the same position as Mr. Bonar Law, Mr. Asquith, Mr. Lloyd George and other reputed British Premiers of all Parties who have had the privilege of discharging the duties of the Leader of the House. As such in fairness it must be conceded that the motion of the Honourable Premier is neither against rules nor against Parliamentary convention. That being so, we have next to see how far he is justified in taking up the time of the House. Now the Government's legislative programme, the important question of grants for famine relief for the stricken areas, I submit, are of sufficient urgency to justify the Honourable Leader of the House to claim as much time as he requires. But I would make one personal appeal to the Leader of the House and it is this. I beg to invite his attention to the debate on this question in the House of Commons when Mr. Austin Chamberlain was the Leader of the House. He was asked, will you give us a promise that you will reserve so many days for non-official business later. He said: No, I cannot give a definite promise because such a promise was once given in 1920 and it was found at the end of the year that members on both sides of the House took so much time that the work was congested and in the following year the whole programme was upset. Therefore the promise which he gave in 1920 was this, that if the business at the end of his programme left sufficient time he shall be delighted to give back to the private members the time that is available even out of the Government time. I would appeal to him that if at the end of the Government programme there are spare days he may give them over to the non-official members for the discussion of private motions. Finally I wish to make an appeal to my friends on both sides of the House that on a matter of this nature we must frankly face two questions (1) whether the action is against the rules, and, (2) whether it is against Parliamentary convention. If it is not so, I submit

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that it is the right and the duty of the Leader of the House to see that the legislative programme, for which the whole country is anxiously waiting and is anxiously following the proceedings of the House, is not unduly delayed owing to dilatory tactics. I hope that the Leader of the House will rise to the occasion, as he has always done, and will push forward the important legislative measures for which the country is waiting.

Sardar Hari Singh (Kangra and Northern Hoshiarpur, Sikh, Rural) : The motion moved by my honourable friend the Premier to the effect that next Thursday be given over for Government business is justifiably to be deplored. He has moved this motion under rule 13 which reads :—

On Thursday business of private members shall have precedence. On all other days no business other than Government business shall be transacted except with the consent of the Leader of the House.

The proviso to this rule is—

Provided that on a motion made after a day's notice by a Minister this rule may be suspended and the Assembly may transact Government business on a Thursday.

This proviso is only an enabling proviso, yet its sole meaning is that only in special emergency cases the Government may take a portion of the non-official days. This interpretation which I place on this rule and the proviso will be clear if you refer to the debate on rule 13 when it was discussed and passed in this House on the 10th of January, 1938. I moved an amendment to this motion. If you refer to Volume II of our Debates at page 78, you will see that I moved an amendment which was placed before the House as it emerged from the select committee. My amendment was to the effect that no less than 25 per cent. sittings shall be given to non-official business. That is, if a day is taken up which is meant for non-official business then some other day should be provided for non-official business. Three honourable members from the Treasury Benches took part in this debate. They were the Honourable Minister for Revenue who was officiating as the Leader of the House because the Premier was then on his sick bed. Then the Finance Minister and then Mir Maqbool Mahmood who has just preceded me spoke on the motion. What interpretation did they place on this rule on that occasion? You will see when I read out from their speeches. The Honourable Minister for Revenue, then the Leader of the House said :

Government has hitherto tried to meet our friends on the Opposition benches by giving them every facility that is possible at least to provide them with one-fourth of the time of the House. We have done that and it has been the practice in the past; it should be the practice in future.

Then he went on to say—

But possibility may arise when Government business may be very urgent and the work of the administration will come to a standstill if we stick rigidly to the proposal of my friend.

Mr. Speaker, if the next Thursday is given to non-official business, Government business is not going to come to a standstill.

The House should not permit that sort of thing. I, therefore, urge that the proposition of my honourable friend should not be accepted by the House. If honourable members will refer to the proceedings of the House of Commons they will find that this provision has been used only in case of

emergencies. In the case of the last war which worked havoc in Europe when immediate Government measures had to be considered this provision was made use of. Now it cannot be argued that this Marketing Bill is on the same footing as the measures adopted by the Government during the Great War. This Bill cannot be called a war measure or an emergent measure by any stretch of imagination. (*An honourable member*: It is a self-preservation measure). It is only to meet emergent cases that the right is reserved for the Government to bring forward Government measures on Thursdays with the permission of the House. But there is now no emergency to warrant the devouring of non-official day by Government to satisfy the purposes of the Unionist Party. (*Hear, hear.*) This provision is only an enabling provision to meet special emergencies and even then the whole day may not be taken up for Government business, but only a few hours of that day leaving the rest of the time for non-official business.

Now, coming to the Honourable Finance Minister's speech on that occasion, he said—

Government has in this rule laid that one day out of the four in a week should be set aside for non-official business. The proviso is only an enabling proviso where an emergency may arise, and a Minister has to move that Government business may be transacted on a Thursday. It is not suggested that the whole of that day will be absorbed for that purpose; but only emergent Government business will be transacted.

He also said—

We must work this proviso in a reasonable spirit. We must be very careful before we adopt an amendment the effect of which may be the suspension of emergent Government business.

Now, if non-official business has precedence next Thursday it cannot mean that emergent Government business will be suspended. Therefore this motion amounts to murdering the letter and spirit of Rule 13. By moving this motion Government evidently wants to gag our mouth, wants to gag legitimate criticism of the opposition. This motion corresponds to the internment and externment orders of the Government. This motion is on the same footing as the application of the Criminal Law (Amendment) Act. We cannot allow that sort of thing. We must resist to the best of our ability this insidious attempt on the part of Government to gag our mouth and prevent our voicing the grievances of the public. If the honourable members on the Treasury Benches were to read carefully the debate on Rule 13 they will realise the real meaning and interpretation of the rule and will not insist on carrying out this motion with the huge majority at their back.

Mir Maqbool Mahmood: I move that the question be now put.

Diwan Chaman Lall (East Punjab, Non-Union Labour): It lies ill in the mouth of my friend, Mir Maqbool Mahmood, after having made a speech which merits a reply to shout at the top of his voice for closure. I should think that ordinary common courtesy demands that my honourable friend should not adopt tactics which are of an utterly irresponsible character but should permit a debate on an issue upon which there is so much feeling on the floor of the House—and particularly so when he with the lack of knowledge that he usually displays on such matters when he rushes to the Library and picks up a volume and reads a sentence and forgets that there are other sentences also in the book, and gives alleged facts and figures as

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he did the other day by quoting the reports of the Madras Government and when he was caught mis-quoting he contended himself by saying "refer to two pages—11 and 12 of the report." In these circumstances he ought to be very careful not to raise his voice in favour of closure. What was the plea that he raised? His plea was that in the House of Commons it is possible for the Government to take up non-official time for Government business. That is perfectly true. Nobody denies that. But he left out all the relevant factors which might contribute to a proper understanding of the position in the House of Commons. In this Assembly under the rules we are allowed only one day in a week, that is Thursday, for the transaction of non-official business. But is it true that there is only one day of three and a half hours in a week in the House of Commons for non-official business? Evidently he does not know that. If he does not know, let him say so. I may inform him that on four days in a week private business may be transacted in the House of Commons. Adjournment procedure and committee stage procedure are regularly resorted to by the Opposition to ventilate manifold grievances which here form the subject of non-official resolutions. If he did not know this he ought to have been more careful in quoting parliamentary precedents. If he had only realised his own responsibility in the matter, if he had realised that what he utters in this Chamber is understood and criticised by everybody outside, if he had realised that he could not hoodwink the public of the Punjab by making wrong statements on the floor of the House, he would not have made the remarks that he has made which I might characterise as *suggestio falsi*.

Mr. Speaker: The honourable member will, please, refrain from making personal references.

Diwan Chaman Lall: No, Sir. I do not want to be personal. I have no intention of being personal, but I do want the public life of the Punjab to be cleared of all these evasions and prevarications that seem to be destroying the morale of my friend opposite. Now, if only a portion of the time allotted for private business is taken over by the Government for the transaction of emergent business no great damage is done. But when only one day in a week is allowed for private business and that day also is appropriated by Government, then I submit that real cause for serious complaint arises. In the House of Commons private business is taken on Monday, Tuesday, Wednesday and Thursday at 7-30 or as soon thereafter as the adjournment of the House standing over in the earlier part of the sitting has been disposed of. Every Monday, Tuesday, Wednesday and Thursday after 7-30 of the clock private business is transacted in the House of Commons; and if on any occasion an hour or two or even the rest of the night is taken over by the Government for the transaction of official business, then another rule operates and that is this, private business is distributed as nearly as may be proportionately between the sittings on which Government business has precedence and the other sittings. Apart from that up to 11 o'clock on Mondays, Tuesdays, Wednesdays and Thursdays private business can be transacted, and at 11 o'clock on Fridays and Wednesdays before Easter or if their business is not concluded before it is interrupted at 7-30. Imagine day after day private business in some form or other or for some time or other.

Premier : Can be transacted.

Diwan Chaman Lall : My honourable friend says "can be transacted." Has he any authority to say that it is not?

Premier : Has he any authority to say that it is?

Diwan Chaman Lall : Yes, I have. I am quoting the standing order.

Premier : It says, "Unless the House otherwise directs."

Diwan Chaman Lall : True, true.

Premier : And the House has always so directed except on rare occasions during the last few years.

Diwan Chaman Lall : My honourable friend says 'the House has always directed'. My honourable friend's knowledge is what he has gathered for the last two or three minutes from my honourable friend, Mir Maqbool Mahmood, who has been good enough to find him a few books which he is now very hastily perusing. My honourable friend's knowledge goes as far as that.

Premier : On a point of order. Can my honourable friend quote a portion and leave out the very relevant sentence from that particular provision? There is the sentence: "Unless the House otherwise directs."

Mr. Speaker : It is not a point of order. The honourable member may correct him.

Diwan Chaman Lall : The complaint that this side of the House makes is amply justified by the last few remarks of the Honourable Premier. So regardless are my honourable friends opposite of the proper appreciation of the rules that my honourable friend wants to get up edge-wise and put in a fictitious plea of a point of order knowing perfectly well that no point of order arises in reference to what he has stated. This is how you interpret the rules also. (*Laughter.*)

Premier : My honourable friend has made a mis-statement and I have pointed it out. My friend has not read the opening portion which says "Unless the House otherwise directs." It is a very big and qualifying order and that is what we are going to do, asking the permission of the House.

Diwan Chaman Lall : Has the Honourable Premier had his say? Has he disburdened himself or does he want to say something more? Having disburdened himself of thoughts that are overwhelming him, confused thoughts, he gets up and calls my statement a mis-representation.

Mr. Speaker : He did not use the word "mis-representation."

Diwan Chaman Lall : Fortunately the acoustics of this House are not very good as far as that side of the House is concerned.

Mr. Speaker : According to parliamentary practice if any honourable member quotes wrong figures or makes a wrong statement, he is corrected by any other member, either immediately or after he finishes his speech.

Diwan Chaman Lall : I was saying the acoustics on that side are rather defective. My honourable friend has stated that I have mis-represented facts.

Premier : I never said "mis-representation."

Diwan Chaman Lall : I do not mind.

Premier : I know. My honourable friend is thick-skinned. But I do mind. What I have said was that my honourable friend had not fully quoted his text.

Diwan Chaman Lall : The only trouble is this. My honourable friend has got one book in his hand and I have got another book in my hand. (*Laughter.*) My honourable friend is quoting from one book and I am quoting from another. (*Loud Laughter.*) I may be thick-skinned, but he is thick of understanding in these matters. This is the Manual of Procedure in the House of Commons which I have got in my hand.

Premier : I have also got the Manual of Procedure.

Diwan Chaman Lall : He has *now* got the same book. (*Laughter.*) Unfortunately the trouble is he is not displaying sufficient agility in handling books showered on him. May I draw his attention to this? Let him look at page 55 of the House of Commons Manual of Procedure. He will find—I will read out the entire text of this provision—

Private business is taken at the commencement of a sitting.

Private business not set down by order of the House has precedence of business so set down.

No private business may be considered after three o'clock on Monday, Tuesday, Wednesday and Thursday, and any business not reached stands over to the next sitting. Private business entered upon but not disposed of by that time is postponed until such time as the chairman of ways and means may determine.

Opposed private business may not be taken at a Friday sitting.

Opposed private business, if so directed by the chairman of ways and means—

(a) is taken on Monday, Tuesday, Wednesday or Thursday, at 7.30 or as soon thereafter as any motion for the adjournment of the House standing over from the earlier part of the sitting has been disposed of; and

(b) is distributed as near as may be proportionately between the sittings on which government business has precedence and the other sittings.

Where have I misquoted? I have quoted word for word the particular provision of this standing order.

Premier : Except the opening sentence.

Diwan Chaman Lall : There is no sentence there in this particular rule—

Rule 48, Chapter VI—Matters taken before and at commencement of public business, page 55.

Premier : I am referring to page 48. (*Laughter.*)

Diwan Chaman Lall : In a hurry he was passed on this book and he had no time to digest its contents.

Premier : What is the standing order?

Diwan Chaman Lall : I am not here to instruct my friend in the rules of procedure of the House of Commons. What I was driving at was this, that in the House of Commons there is not one day or a single hour, but many days during the week, several days during the week that are devoted for the purpose of transacting opposed or unopposed private business. If my learned friend knew why this rule is there he would understand the necessity for it, because a great deal of legislation that goes through the House of

Commons is legislation which is private Bill legislation, that is to say, certain interests promoting certain legislation that is known as private Bill legislation and the necessity for it is there every time. Therefore time is there for that purpose—time not of one day but of several days. In regard to an emergent matter, such as the Munich Agreement for instance or a war with Hitler, time is taken by Government to complete its own programme or to discuss matters of great import to the nation. Then certainly Government is within its rights in taking up this time. But here a double argument arises.

And the second argument is this. No question of an emergent nature has arisen. What was the business which my honourable friend could characterise, if he is not stretching the meaning of words too far, as of an emergent nature on the 10th when this House held its session? Can he honestly, straightforwardly inform this House and the country outside this House whether there was any emergency which compelled him to take away the rights of honourable members of this House to transact private business? The reason is this. They know perfectly well that they have been going about the country preaching the doctrine of their being the supporters and the great champions of the cause of the poor man in this country. I see the champions of the poor sitting over there. One of them sits over there and draws his 25 per cent of the total produce of the poor peasant.

Mr. Speaker : The honourable member should not be personal.

Minister for Public Works : What do you get from your tenants?

Diwan Chaman Lall : Not for supplying them with water. Now, the reason is this that if we have a private day we can then expose the tactics which they employ, the methods which these champions of the poor employ. This is the only day that the Opposition can get not only to expose the Government regarding its false claim that it is the champion of the masses but also to promote private legislation for the benefit of the masses. We did suggest that no holder of a six acre plot of land should be charged any land revenue, but who was it who turned it down? My honourable friend over there. They did not want us to suggest legislation of that nature which they know perfectly well could benefit the peasant.

Premier : Hear, hear.

Diwan Chaman Lall : My honourable friend says "hear, hear," but he was the first to prevent us from discussing the ordinary merits of the Bill, and my friend says "hear, hear." Such are the friends of the poor. But it is because they want to prevent us from promoting legislation of this nature, from exposing their false claims that they are the true friends of the poor that they are taking this step of throttling the Opposition and the minority. You, Mr. Speaker, have a great responsibility in this connection. This rule, after all, rests upon an emergency. It is for you, Mr. Speaker, to give us the interpretation of the word emergency. Is there such an emergency as to warrant the Government to claim the non-official day. You have to interpret according to the nature of the rules of precedence already existing. The precedents already existing will warrant you in holding that no emergency has been shewn by my honourable friend which will enable you to take away the right of the minority to discuss its own private Bills on that

[Diwan Chaman Lall.]

particular day. I, therefore, hope that you will hold that there is no such emergency and that my honourable friend is not right in withholding from the Opposition this particular privilege, which they have and that you will hold that this motion is not in order and that my honourable friend cannot take away the 17th of November as the non-official day. (*Hear, hear.*)

Voices : Question may now be put.

(*At this stage Dr. Sir Gokul Chand Narang and others stood up to speak.*)

Mr. Speaker : I think three honourable members of the Opposition have already spoken.

Dr. Sir Gokul Chand Narang : The minority must have an opportunity to express their views.

Mr. Speaker : Some members of the minority party have already spoken. I think that is enough.

Sardar Sahib Sardar Santokh Singh : I want to speak on this motion.

Mr. Speaker : If I allow the honourable Sardar Sahib, I shall have to allow Dr. Sir Gokul Chand Narang first, but I do not consider this necessary.

Question is—

That the question be now put.

The Assembly divided : Ayes 84 ; Noes 48.

AYES

Abdul Haye, The Honourable Mian.
Abdul Rab, Mian.
Abdul Rahim, Chaudhri (Gurgaon).
Ahmad Yar Khan Daulatana, Khan Bahadur Mian.
Ahmad Yar Khan, Chaudhri.
Akbar Ali, Pir.
Amjad Ali Shah, Sayed.
Anant Ram, Chaudhri.
Ashiq Hussain, Captain.
Badr Mohy-ud-Din Qadri, Mian.
Chhotu Ram, The Honourable Chaudhri Sir.
Dasaundha Singh, Sardar.
Faiz Muhammad, Shaikh.
Faqir Chand, Chaudhri.
Faqir Hussain Khan, Chaudhri.
Fateh Muhammad, Mian.
Fateh Sher Khan, Malik.
Fazl Ali, Khan Bahadur Nawab Chaudhri.
Fazl Din, Khan Sahib Chaudhri.
Fazal Karim Bakhsh, Mian.
Few, Mr. E.
Ghulam Mohy-ud-Din, Maulvi.

Ghulam Qadir Khan, Khan Bahadur.
Ghulam Rasul, Chaudhri.
Gopal Singh (American), Sardar.
Gurbachan Singh, Sardar Sahib Sardar.
Haibat Khan Daba, Khan.
Hans Raj, Bhagat.
Hari Chand, Rai.
Harnam Das, Lala.
Het Ram, Rai Sahib Chaudhri.
Indar Singh, Sardar.
Jagjit Singh Bedi, Tikka.
Jagjit Singh Man, Sardar.
Jogindar Singh Man, Sardar.
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 Amin, Khan Sahib Sheikh.
Muhammad Ashraf, Chaudhri.

Muhammad Azam Khan, Sardar.	Nasrullah Khan, Rana.
Muhammad Faiyaz Ali Khan, Nawabzada.	Naunihal Singh Mann, Lieutenant Sardar.
Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar.	Nawazish Ali Shah, Sayed.
Muhammad Hassan, Khan Bahadur Makhdum Sayed.	Pir Muhammad, Khan Sahib Chaudhri.
Muhammad Hayat Khan Noon, Nawab Malik Sir.	Prem Singh, Chaudhri.
Muhammad Hussain, Chaudhri.	Pritam Singh Siddhu, Sardar.
Muhammad Hussain, Sardar.	Ranpat Singh, Chaudhri.
Muhammad Jamal Khan Leghari, Nawab Sir.	Ripudaman Singh, Thakur.
Muhammad Nawaz Khan, Major Sardar.	Sahib Dad Khan, Khan Sahib Chaudhri.
Muhammad Nurullah, Mian.	Shahadat Khan, Khan Sahib Rai.
Muhammad Saadat Ali Khan, Khan Sahib Khan.	Shah Nawaz Khan, Nawab Khan.
Muhammad Sadiq, Shaikh.	Sham Lal, Rai Bahadur Chaudhri.
Muhammad Sarfraz Khan, Chaudhri.	Sikander Hyat-Khan, The Honourable Major Sir.
Muhammad Shafi Ali Khan, Khan Sahib Chaudhri.	Sohan Lal, Rai Sahib Lala.
Muhammad Yasin Khan, Chaudhri.	Sultan Mahmood Hotiana, Mian.
Mushtaq Ahmad Gurmani, Khan Bahadur Mian.	Sumer Singh, Chaudhri.
Muzaffar Ali Khan Qizilbash, Sardar.	Sundar Singh Majithia, The Honourable Dr. Sir.
Muzaffar Khan, Khan Bahadur Captain Malik.	Suraj Mal, Chaudhri.
Muzaffar Khan, Khan Bahadur Nawab.	Talib Hussain Khan, Khan.
	Tara Singh, Sardar.
	Tikka Ram, Chaudhri.
	Ujjal Singh, Sardar Bahadur Sardar.
	Wali Muhammad Sayyal Hiraj, Sardar.

NOES

Ajit Singh, Sardar.	Harjab Singh, Sardar.
Bhagat Ram Choda, Lala.	Harnam Singh, Captain Sodhi.
Bhagwant Singh, Rai.	Kabul Singh, Master.
Bhim Sen Sachar, Lala.	Kapoor Singh, Sardar.
Binda Saran, Rai Bahadur.	Kartar Singh, Chaudhri.
Chaman Lall, Diwan.	Kartar Singh, Sardar.
Chanan Singh, Sardar.	Kishan Singh, Sardar.
Deshbandhu Gupta, Lala.	Krishna Gopal Dutt, Chaudhri.
Dev Raj Sethi, Mr.	Lal Singh, Sardar.
Duni Chand, Lala.	Mazhar Ali Azhar, Maulvi.
Duni Chand, Mrs.	Muhammad Hassan, Chaudhri.
Girdhari Das, Mahant.	Muhammad Iftikhar-ud-Din, Mian.
Gokul Chand Narang, Dr. Sir.	Mula Singh, Sardar.
Gopal Das, Rai Bahadur Lala.	Muni Lal Kalia, Pandit.
Gopi Chand Bhargava, Dr.	Partab Singh, Sardar.
Hari Lal, Munshi.	Prem Singh, Mahant.
Hari Singh, Sardar.	Raghbir Kaur, Shrimati.

Rur Singh, Sardar.
 Sahib Ram, Chaudhri.
 Santokh Singh, Sardar Sahib Sardar.
 Sant Ram Seth, Dr.
 Satya Pal, Dr.

Shri Ram Sharma, Pandit.
 Sita Ram, Lala.
 Sohan Singh Josh, Sardar.
 Sudarshan, Seth.

Premier (The Honourable Major Sir Sikander Hyat-Khan) (*Urdu*): May I crave your indulgence for a few minutes to explain a little further the real import of the rules that my honourable friend, Diwan Chaman Lall quoted a little while ago. But before I do so, I would like to meet the objections which my honourable friend, the Leader of the Opposition, has thought fit to raise against the motion now before the House. One of the charges that he has brought against the Government is that by moving "that Government business shall have precedence on Thursday, the 17th of November, 1938," we have sought to rob the minority party of their legitimate rights and privileges in the House. His main contention was that the day that had been earmarked for transacting non-official business should not be taken away and utilised for carrying on Government business. In this connection I may be pardoned for reminding the honourable members of the Opposition that on the opening day of our first session in this new building, we began our first sitting by praying to the Almighty that he may guide us in our deliberations. Let me say that I did invoke the blessings of God that in the discharge of our duties, we might, by His grace, be able to acquit ourselves honourably both before God and man. We did seek His help and guidance in doing things beneficial to the poor and needy. I believe the honourable member opposite did also join us in that prayer though it was not answered or had a contrary effect because you would remember what took place afterwards.

3 P.M.

Lala Deshbandhu Gupta: May I suggest that loud speakers may be installed for the sake of those benches?

Premier: It was asked what emergent business there was to justify the motion now before the House, that is, that Thursday should be allotted for Government business. Let me tell the honourable members over there, if they do not know already, that in the next week Friday will be a holiday. The Muhammadans will be busy in the Juma-tul-Wida prayers. I earnestly desire that the public work should not suffer and the people may also take a holiday. Had there been no business of vital importance or if there had not been enormous amount of work, I would not have proposed as is going to be proposed in the next motion that stands in my name that we should also meet on Wednesday. This arrangement is being made in view of the emergency of the Government business. But if the honourable members opposite are prepared to sit late at night every day, I am ready to do the same. But even in that case we will have to look to the convenience of the House. There are many members who keep fast during the day and it would be very hard for them to sit late in the night. But if the honourable members opposite will go on obstructing the Government business as they have been doing hitherto we will have to sit very late in the night say till 2.0 or 3.0 A.M. every day. I think during the last week only half an

hour was actually given to Government business. Let me take this opportunity to make it clear that I cannot delay a legislation which is most useful and beneficial to the poor. If need be I would not hesitate sitting very late at nights. I am referring to the Marketing Bill. It must be passed into law during this very session. I am sure the honourable members over there would not achieve their object by these dilatory tactics.

Dr. Gopi Chand Bhargava : We do not mind your threats.

Premier : I know you do not mind threats.

Lala Deshbandhu Gupta : On a point of order. Is the Premier justified in imputing motives to members on this side of the House by saying that it is because of the Marketing Bill ? It is not fair.

Premier : I was saying that if this state of affairs continued we would have to sit very late at nights. I know the honourable members opposite do not mind threats. They are not even afraid of the threats of the Congress High Command.

Dr. Gopi Chand Bhargava : I bow before the orders of the Congress High Command as respectfully and submissively as you obey the orders of the Governor.

Premier : I have to deal with a constitutional Governor. It was asked what urgent business was there —

Mr. Speaker : I would request the honourable members of all parties not to make irrelevant remarks or personal allusions.

Lala Deshbandhu Gupta : Point out the emergency.

Premier : The honourable members asked why I presumed that the new rules would not come into force on 1st October. Let me tell them that whatever was done, was done under my authority. The Secretary is not to blame. All responsibility lies on me. There has been no mistake.

Lala Deshbandhu Gupta : There was nothing to prevent rectifying the mistake.

Premier : Unless all rules were ready they could not be promulgated. There was no mistake. Well, Sir, it is a very important Bill. We want to pass it into law as soon as possible in order to avoid loss of lakhs of rupees to the poor. I know my friends do not feel concerned, but the poor people are anxiously waiting for it. Another emergency which may or may not appear to be so to my honourable friends over there, will be obvious when the supplementary demands are placed before the House, because some of the demands relate to famine relief for Hissar. If they are not prepared to treat it as urgent let them please themselves. But the Government is in duty bound to look after the welfare of the poor. This measure is intended for the benefit of the poor and is not meant for those who remain on pleasure trips in foreign countries for eight months and spend the remaining four months in a year in this country.

An honourable member : You also arrange pleasure trips even here.

Premier : We are not fond of pleasure trips. Our tours are mainly intended to remove the effect of mis-statements and mis-representations on the country-side.

An honourable member : Oh! You take out processions on elephants.

Premier : It has been decided for the future to use carts driven by one hundred oxen. I have respect for this animal and will prefer the use of it to that of an elephant or a horse.

Sir, I will now read some quotations from that very book to which my honourable friend, Diwan Chaman Lal, was referring us. You will excuse me if I say that it has become a habit with my honourable friend to take undue advantage of his ability, ingenuity and mastery over the English language and to try to mislead the House by partial and incomplete quotations. I tried to correct him, but I know he will not agree to anything unless I read out some quotations to clarify the matter.

First of all, he read out a quotation from page 55 of the Manual of Procedure of the House of Commons, but he very conveniently omitted the preamble of the chapter which reads as follows :—

It seems convenient to group under this head the matters which are usually dealt with before the regular business of the day is begun.

This shows that the reference is to such private business as is absolutely non-controversial. A case in point was the Resolution of Syed Mubarak Ali Shah which the House accepted yesterday. It was a non-controversial matter and so was allowed to be moved before the commencement of regular business.

But I would also like to inform my honourable friends that in the House of Commons the expression "private business" has very different implications from those suggested by the ordinary meanings of these words. There "private business" means the business concerning private individuals.

Then I would draw your attention to Standing Order 41 to clarify the issue—

Unless the House otherwise directs—

- (a) until Easter Government business has precedence at every sitting except the sitting on Wednesday and the sitting on Friday. At the sitting on Wednesday notices of motions and public bills, other than Government bills, have precedence of Government business, and notices of motions have precedence of orders of the day;
- (b) after Easter, Government business has precedence at all sittings, except the sittings on the first, second, third and fourth Fridays after Easter day, and the sittings on the third, fourth, fifth and sixth Fridays after Whit'sun-day.

My honourable friend purposely omitted any mention of these points. He did not deem it useful to refer to this Standing Order.

Now I will present a summary of effect of this Standing Order so that there may be no doubt about the exact position in the matter—

In the matter of the time of the House the Government has acquired complete control—a control which on occasions becomes monopoly. The private member complains of the loss of his rights, but the House as a whole acquiesces in the sacrifice required for the prosecution of public business.

This is the position about which my honourable friends are raising a hue and cry that the Government is trying to trample over their rights. I submit that there is no question of trampling over their rights. It is only that we want to utilize the time for transacting more useful business.

Now I will read out one or two extracts from a speech of Mr. Baldwin in the House of Commons. In 1931 he said in respect of a similar motion—

The right honourable gentleman who sits opposite me and myself have often voted on these motions, but unfortunately not in the same lobby. The difference between the mover of a motion of this nature and those who oppose it is the perennial difference between the motorist and the pedestrian—it all depends upon the point of view and where you are..... It has become the common practice of all Governments to take the time of private members during the weeks immediately preceding the Christmas Recess, and therefore this motion is not an infringement of the rights of private members.

And then, with your permission, Sir, I will read another quotation. It is also a motion made by Mr. Baldwin and reads as follows :—

That until the adjournment of the House for Easter, Government business do have precedence at every sitting.

This motion was moved on the very first day of the first session of the Parliament after the King's address.

Lala Deshbandhu Gupta : That is a National Government.

Premier : And so are we. In the course of his speech on this motion he remarked—

I say nothing about the War time, when, of course, private members had to sacrifice time. It is a fact that for two whole years, in the time of the Coalition Government of which I was a member—the last year but one and the year before that—the Government took the whole of private members' time.

And I may inform my honourable friends that it is still the practice in the House of Commons that Government business has precedence at almost all sittings. It is very rare, say once or twice a year, that such precedence is not given to Government business. My friends opposite may be surprised to hear that during the last ten years only one Bill of a private member, i.e., the Divorce Bill has been passed by the Parliament and that too with the consent of the Government of the day. This should satisfy the honourable members opposite that there is no question of trampling over their rights and privileges.

Some of the speakers have suggested that the Government is afraid lest the Opposition should bring forward some measure which might shake the foundations of the Government. Let them rest assured that their efforts during the last one year and a half have resulted in making the position of the Government much stronger. They should know that the people at large are no longer going to be taken in by them. (*Voices : By you.*) With these words I commend my motion to the acceptance of the House.

Mr. Speaker : Question is—

That Government business shall have precedence on Thursday, 17th November, 1938.

The Assembly divided : Ayes 76 ; Noes 38.

AYES

Abdul Hamid Khan, Sufi.
Abdul Haye, The Honourable Mian.
Abdul Rahim, Chaudhri (Gurgaon).
Afzalali Hasnie, 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.

Chhotu Ram, The Honourable Chaudhri Sir.

Dasaundha Singh, Sardar.

Faiz Muhammad, Shaikh.

Faqir Hussain Khan, Chaudhri.

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.

Ghulam Mch-y-ud-Din, Maulvi.

Ghulam Qadir Khan, Khan Bahadur.

Gopal Singh (American), Sardar.

Gurbachan Singh, Sardar Sahib Sardar.

Haibat Khan Daha, Khan.

Hans Raj, Bhagat.

Harnam Das, Lala.

Bet Ram, Rai Sahib Chaudhri.

Indar Singh, Sardar.

Jogindar Singh Man, Sardar.

Karamat Ali, Shaikh.

Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.

Kishan Das, Seth.

Manohar Lal, The Honourable Mr.

Maqbool Mahmood, Mir.

Muhammad Akram Khan, Khan Bahadur Raja.

Muhammad Amin, Khan Sahib Sheikh.

Muhammad Ashraf, Chaudhri.

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 Hussain, Chaudhri.

Muhammad Hussain, Sardar.

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 Shafi Ali Khan, Khan Sahib Chaudhri.

Muhammad Yasin Khan, Chaudhri.

Mushtaq Ahmad Gurmani, Khan Bahadur Mian.

Muzaffar Ali Khan Qizilbash, Sardar.

Muzaffar Khan, Khan Bahadur Nawab.

Naunihal Singh Mann, Lieutenant Sardar.

Nawazish Ali Shah, Sayed.

Pir Muhammad, Khan Sahib Chaudhri.

Prem Singh, Chaudhri.

Pritam Singh Siddhu, Sardar.

Ripudaman Singh, Thakur.

Sahib Dad Khan, Khan Sahib Chaudhri.

Shahadat Khan, Khan Sahib Rai.

Shah Nawaz Khan, Nawab Khan.

Sham Lal, Rai Bahadur Chaudhri.

Sikander Hyat-Khan, The Honourable Major Sir.

Sohan Lal, Rai Sahib Lala.

Sultan Mahmood Hotiana, Mian.

Sumer Singh, Chaudhri.

Sunder Singh Majithia, The Honourable Dr. Sir.

Suraj Mal, Chaudhri.

Tara Singh, Sardar.

Tikka Ram, Chaudhri.

Ujjal Singh, Sardar Bahadur Sardar.

Wali Muhammad Sayyal Hiraj, Sardar.

NOES

Bhagat Ram Choda, Lala.

Bhim Sen Sachar, Lala.

Binda Saran, Rai Bahadur.

Chaman Lal, Diwan.

Chanan Singh, Sardar.

Deshbandhu Gupta, Lala.

Dev Raj Sethi, Mr.

Duni Chand, Lala.

Duni Chand, Mrs.
 Girdhari Das, Mahant.
 Gokul Chand Narang, Dr. Sir.
 Gopi Chand Bhargava, Dr.
 Hari Lal, Munshi.
 Hari Singh, Sardar.
 Harjab Singh, Sardar.
 Harnam Singh, Captain Sodhi.
 Kabul Singh, Master.
 Kapoor Singh, Sardar.
 Kartar Singh, Chaudhri.
 Kartar Singh, Sardar.
 Kishan Singh, Sardar.
 Krishna Gopal Dutt, Chaudhri.
 Lal Singh, Sardar.

Mazhar Ali Azhar, Maulvi.
 Mula Singh, Sardar.
 Muni Lal Kalia, Pandit.
 Partab Singh, Sardar.
 Prem Singh, Mahant.
 Rur Singh, Sardar.
 Sahib Ram, Chaudhri.
 Santokh Singh, Sardar Sahib Sardar.
 Sant Ram Seth, Dr.
 Satya Pal, Dr.
 Shri Ram Sharma, Pandit.
 Sita Ram, Lala.
 Sohan Singh Josh, Sardar.
 Sudarshan, Seth.
 Uttam Singh Dugal, Sardar.

Mr. Speaker : The House will now proceed to the business of the day.

ELECTRICITY BILL.

Minister for Public Works : I beg to present the report of the select committee on the Punjab Electricity Bill.

THE SIKH GURDWARAS (AMENDMENT) BILL.

Minister for Education (The Honourable Mian Abdul Haye) : I beg to introduce the Sikh Gurdwaras (Amendment) Bill. I also move—

That the Sikh Gurdwaras (Amendment) Bill be taken into consideration at once.

This is a very small Bill. Section 85 of the Sikh Gurdwaras Act deals with the constitution of the managing committees of certain Gurdwaras. Nankana Sahib and Tarn Taran are included in those Gurdwaras. In 1925 when this Bill was enacted, Nankana Sahib was a notified area and Tarn Taran was a small town committee. Since then these have been constituted into municipalities and in view of the impending Gurdwara elections it is desirable that correction should be made and the description brought up to date. It is also proposed to call Nankana in future as Nankana Sahib as it is in consonance with common parlance.

Mr. Speaker : The question is—

That the Sikh Gurdwaras (Amendment) Bill be taken into consideration at once.

The motion was carried.

Mr. Speaker : The Assembly will now proceed to consider the Bill clause by clause. The question is—

That clause 2 stand part of the Bill.

The motion was carried.

Mr. Speaker : The question is—

That the Preamble be the Preamble of the Bill.

The motion was carried.

Mr. Speaker : The question is—

That the title be the title 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 Education : I move—

That the Sikh Gurdwaras (Amendment) Bill be passed.

The motion was carried.

AGRICULTURAL PRODUCE MARKETS BILL.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) : I move—

That the Punjab Agricultural Produce Markets Bill as reported by the select committee be taken into consideration.

In moving this motion I want to make a short speech in order to draw the attention of the House to some of the changes which have been made by the select committee. These changes are all in accord with the general principle of the Bill. They are all improvements in the direction desired by the Opposition though they are not very material. Some of them are really mere changes in drafting and arrangement ; but some of them are of importance inasmuch as they have been made partly or wholly, in order to meet the criticism in the House as well as outside. Two new definitions have been added in clause 2, of the terms 'grower' and 'market'. Clause 4 has been split up into three different clauses, namely, 4, 5 and 6. Under the original clause as it stood it was left entirely vague to whom to apply for the grant of a licence and the conditions under which a licence could be cancelled or the period for which it could be cancelled. The present clauses 4, 5 and 6 make all these matters quite clear. Now, the Government will have power to specify the authority to whom applications for the grant of a licence should be made. The grant of a licence will be automatic. Government will have power to cancel a licence after an opportunity has been given to the licensee to show cause why the licence should not be cancelled. Further, clauses 5 and 6 have been re-drafted and re-arranged. They have been replaced by clauses 7 to 13. The most important change that has been made in the clause is that which relates to the composition of market committees and the method of appointment of members. The original clause only allowed a pure nomination. Under the clause as it stands at present representatives of growers will be nominated by Government, while the representatives of licensees will be chosen out of a panel which will be submitted by the licensees. Further there is also a provision that after the expiry of five years, if the Assembly passes a resolution suggesting any other method of appointment of these members, the course suggested in the resolution will be followed. There is one more change with regard to the removal of members. In the original clause the whole thing was left to Government and no provision was made for giving an opportunity to members whom it was sought to remove to show cause against the proposal of removal. Now under clause 11 it has been provided that before a

member is removed he will be given an opportunity to tender his explanation and it will be only after that explanation has been considered that Government will be able to remove him. Another addition is clause 17. This clause has been modelled on the corresponding clause in the Municipal Act and declares the members of market committees and their employees to be public servants. Three items have also been added to the clause which deals with the rule-making power of Government. In the original clause as drafted there was no reference to the determining of the scale of fees payable by the licensees or their realisation or their disposal. Nor was there any reference in it to any payment which may be made to members of the market committee who came to attend the meetings of the committee. These are all the changes that have been made by the select committee and as I suggested that in the very beginning they do not alter the principle while certainly some of them are of considerable importance. But no change which can be called one of substance has been suggested by the select committee. I now move my motion in order that we may proceed with the consideration of the Bill clause by clause.

Mr. Speaker : The motion is —

That the Punjab Agricultural Produce Markets Bill as reported by the select committee be taken into consideration.

Sardar Sahib Sardar Santokh Singh (Eastern Towns, Sikh, Urban):
Sir, I rise to move an amendment—

That this Bill as reported by the select committee be recommitted to the same select committee with instructions to tour the important marketing centres, record evidence of both growers and *ahria* traders and to resubmit their report in the light of evidence recorded.

Mr. Speaker : According to rule 96, the honourable member's amendment is out of order.

Sardar Sahib Sardar Santokh Singh : The reason why I did not give notice of this amendment earlier is that two of my Congress friends had already given notice. The matter is of such a controversial nature and is of such a great importance that I seek your assistance in this matter. You have a right under the rules to waive notice.

Mr. Speaker : I have already invited attention of the honourable member to rule 96. If one of the amendments mentioned in that rule is moved and carried, then it will be open to the honourable member, after giving notice, to move that in carrying the wishes of the House such and such instructions shall be followed by the select committee. So, the honourable member may move one of the amendments mentioned in the rule and if it is carried, then the further question will be considered.

Sardar Sahib Sardar Santokh Singh : I move —

That the Punjab Agricultural Produce Markets Bill as reported by the select committee be circulated for the purpose of eliciting opinion thereon.

I just want to make a few observations. As everybody will agree, this Bill is of a highly controversial nature. The sponsor of the Bill, the Honourable Minister for Development, is never tired of telling the people over and over again even in the remotest parts of the country that this measure, if enacted into law, will bring a new heaven and a new earth for the farmers. On the other hand the consumers and others equally honestly believe that the measure will do no good to anybody. This is the position

[S. S. S. Santokh Singh.]

that has got to be considered. My view point is that the Honourable Minister for Development, although he undertook the most expensive tours—of course at the expense of the tax-payer—has never thought it fit to visit marketing centres, such as Amritsar, Okara, Lyallpur, and others, much less the smaller places. He has never in his superior wisdom thought it necessary to talk to, much less seek the advice of trading associations of which there are plenty in this province. If the Minister for Development had taken this advice and taken those people into his confidence, it was likely that he would have revised most of his opinions. But knowing him as we do this was perhaps too much to expect of him. Nevertheless he should have added something to his knowledge. I am sorry that in a matter of this importance he has not thought it necessary to consult the people who are most affected by this measure, people who have been carrying on this business for generations.

Now, what does this Bill seek to achieve? The ostensible object as given out is to bring to the farmer a higher price of his produce. Let us, therefore, look to the means that are sought to be employed for achieving this end. They are, in the first place, the imposition of fees not only on the trader, warehouseman, measurer, broker, etc., but also fees on the sale and purchase of agricultural products. These are the means that are sought to be employed to bring out the much talked of higher prices according to the Government. I fail to understand how this Bill will help the zamindar at all. All of us who know the ABC of business do know—and I claim to know something of this business, as I am in this trade for the last 38 years—that all these charges will ultimately fall on the zamindar whom the Honourable Minister for Development wants to help and protect. I might just say that if he had taken the trading classes into his confidence he might have found out that there were other and better means whereby he could really improve the lot of the farmer. My point is that those means have not been tried, they have not been even thought of. Look first at the question of exchange ratio, the exchange at 1/6 or 1/4. Our province is the most important producing centre and the reversion to 1s. 4d. exchange ratio will bring crores of rupees to the poor zamindars of this province. This remedy has not been thought of at all, much less availed of. We had expected that anybody who had the interest of zamindars at heart would in the first place try to persuade the Government of India to make this change. I have read in the papers that some other Governments have approached the Government of India in this matter, and I should like to know if our Government has done anything in this matter. It is a simple question and I expect a clear answer from the Honourable Minister for Development whether anything has been done in this matter. The second important point is that Australian wheat is being sold even up to this day in the ports of Calcutta and Bombay. Has the Punjab Government done anything to persuade the Government of India to impose import duty upon this imported wheat? I feel quite sure that if the import duty were imposed on the wheat imported into India, the conditions to-day in this province would be far different from what they are. But, here the question is not of the real protection of the interests of the agriculturists but to find ways and means to come to pin pricks with the urban trading classes, and

try to do them harm for the supposed benefits to the agriculturists. The question is to rob the trader and *ahria*, if at all possible, for the money not to go to zamindars, but to find jobs for those on whom Government wishes to lavish favours for party purposes. This is what this Bill aims at. It will not benefit the farmer at all, but may benefit some people who will be brought into the service of marketing committees to draw their salaries, allowances, provident fund, etc.

Let us now come to the constitution of the marketing committees. There is going to be cent per cent nomination in the committees. Have we ever heard of such a thing in this 20th century anywhere else? Is it contended that the people in the Government are the only people and that there are no others who know how to conduct business? Are those people who have been doing this business for centuries and generations become suddenly incompetent and dishonest? Government are to define under this law how sales will be made, how purchases would be effected, and how payments will be made, as if Government are the only experts. Why should they feel shy of elected committees? What is the achievement of the sponsors of this Bill, except that there has been a wholesale copying of the Bombay Act? All the good clauses therein have, however, been scrupulously avoided and all those clauses which have no bearing on the conditions prevalent in this province brought in. The sponsors of the Bill ought to have, by first hand information, studied the question in all its aspects to find out what the disease was and then try to root it out. Nothing whatever seems to have been done in this direction. The Premier has been lured into the belief that in the absence of this Act the farmers are losing lakhs of rupees. I make bold to make a prophesy and it is this that it will not take long for the zamindar after the passing of this Act to find that he has been duped and that the Act is more harmful to him than to any other. By bringing in these measures you have already shaken the rural credit and you are now out to kill the trade of the province. After all trade is the mainstay of this province as much as agriculture. I ask the Honourable Minister for Development to point out what are the things that he finds objectionable, the defects that he wishes to remove, and whether they cannot be removed by mutual consultations. Let him take it from me, business-man as I am, that this measure will prove an utter failure as the remedy proposed is worse than the disease. It would not take you long to find this out. You have already shaken the credit of the rural areas and you will be further killing trade by measures such as this. In the Bombay Act which has been mostly copied by you, there were certain good points which have been entirely ignored by you. In that Act Karachi and Bombay markets do not come within the purview of that legislation.

Premier : Karachi is no longer in Bombay Presidency.

Sardar Sahib Sardar Santokh Singh : At the time when this enactment was passed, it was. I am talking of the enactment which was passed in 1927. At the time they exempted the markets of Bombay and Karachi from the operation of this Act. Is that or is that not the case? If it is, as I submit, it is, why are not the big markets such as Amritsar, Lyallpur and Okara similarly exempted here? Another reason for bringing forward this measure, we have been

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told, is that the consumers are getting only Re. 0-9-3 out of a rupee. From the minutes of dissent of the Congress members to the select committee's report, one finds that even the Honourable Minister for Development could not explain how this figure had been arrived at. Reference presumably is to a remark on page 77 of the Report on the Marketing of Wheat in India (abridged edition), but the Honourable Minister for Development ought to have seen what it referred to. This remark refers to the sale of Lyallpur wheat in Calcutta and a comparison was being made with the price that the cultivator got in Lyallpur of his wheat sold in Calcutta. But if any one had taken the trouble to find out he would have seen that nobody robbed the cultivator of the remaining Re. 0-6-9 per rupee. Out of this no less than Re. 0-6-9 represented the railway freight alone from the place of despatch to Calcutta. The critic would have seen that it was not that the producer was robbed of Re. 0-6-9 by any middleman or by any trader, but that the amount represented the railway freight. I ask the Honourable Minister for Development what he has done to reduce the railway freight. Has he ever tried to bring pressure on the Government of India to persuade the Railway Board to do something in this matter? Evidently, no. It has perhaps never occurred to him. I put it to you that the charges in this province are no longer higher than in other provinces. If anything, the charges are very low. As a matter of fact, I say without fear of contradiction, the charges of *ahrtias* in this province are nowhere more than twelve annas to one rupee per hundred rupees be it from the seller or buyer or be it in the shape of *ahrat*, or *dami*. I do say with all the emphasis at my command that the total mandi charge of produce that comes to the market for sale is no more than six to nine pies per maund. I want you to note that, and I want you to challenge my statement if you can. Do you know what are the charges in other countries? I tell you that one has got to pay abroad one rupee per hundred rupees to the *ahrtia* or agent through whom the produce is sold and eight annas per cent to the buyer by way of rebate or trade allowance. You have got to pay Rs. 1-8-0 for every hundred rupees and mind you, you pay on what? You have to pay this on big consignments of lakhs of bags, and not on small lots of 5 or 10 bags. This is, Sir, the situation. You ought to have gone into all this. My submission is this that no such enquiry has been made, not even considered necessary. You are not looking to the real interests of the farmers. You cannot improve their lot by imposing taxes. You should give them credit, you should give them money at cheap rates. Have you done anything of the kind? You have absolutely done nothing of the kind. You may be fool some people for some time, some others for all times, but not all people for all times. I claim to speak from certain experience in this business extending over thirty or thirty-five years, and have no hesitation in saying that this Bill, which you are introducing, is not for the benefit of the farmers at all. You want to exploit the people for political ends by keeping them under your thumb. I make this charge on the floor of this House, and repeat that you are bringing in this measure only to exploit the people for political ends. (*Interruption.*) You want to have them under your thumb.

Chaudhri Tika Ram : On a point of order. Can the honourable member discuss the principles of the Bill. They have been accepted by the House.

Mr. Speaker : No. He cannot.

Sardar Sahib Sardar Santokh Singh : I have not heard a word.

Mr. Speaker : The objection taken is that the honourable member should not discuss at this stage the principles of the Bill, because those principles were accepted by the House when the Bill, was referred to the select committee.

Sardar Sahib Sardar Santokh Singh : I am simply discussing what the Government should have done in proceeding with this Bill. They cannot improve the condition of the farmers with this measure. We are all aware of the experience that they had had of opening of co-operative shops. We all know how these shops are running. They were opened as a needless competition with the *ahrtias* and they have proved an utter failure. I tell you that you are going to repeat the same mistake over again in a worse form by the enactment of this measure. This measure is not going to do any good to anybody. You have ignored in this measure the recommendations of your own Board of Economic Enquiry. I will read out to you what your own Board of Economic Enquiry says. You have not given the least consideration to what it has said. I will just read out to you from the Report of Enquiry into the Market Practices in the Punjab (Publication No. 39) which was conducted by Mr. L. R. Dawar, M.A., under the supervision of H. Calvert, Esq., C. S. I., C.I.E. On page 11 of the Report it is said as follows :—

It seems, therefore, that in the Punjab where the majority of traders and the growers generally belong to different castes and religions and where there is a risk of all Government measures which tend to protect the agriculturists being misunderstood, marketing legislation on the lines of the Bombay Act, if proposed, would need to be adapted to the Punjab situation, e.g., the creation of a distinction between pucca and kacha *ahrtias* so as to include kacha *ahrtias* among the growers' representatives. Some representation for the village trader in markets where he is of some importance, would appear to be necessary also since he too is vitally interested in the improvement of the market.

What do you propose doing instead? You say that your committee will consist of no less than two-third growers. In the statement that the Honourable Minister for Development made on the floor of the House only the other day, he said that 85 per cent of these simple folk do not understand what even a select committee is. These are not my views, but those of the Honourable Minister for Development, and it is with these men, that you insist on overcrowding your marketing committees to manage and control the trade of the whole province. If you had left it to the zamindars to elect their representatives to the marketing committees, there was something to be said for the proposal although the two-third representation will be excessive in any case. But the Government is not content with that. They want to secure the entire control in their own hands by having cent per cent nominations, so that they could lavish favours on those whom they considered dependable. People with no business experience will, therefore, be in overwhelming majority in these committees, and with their inexperience confusion will become worse founded. In these nominations the actual tillers of the soil will hardly have any place which will likely be monopolized by big landlords in the garb of growers. Your real object is to exploit the people to political advantage and you want to exercise control over all these marketing committees and all persons concerned in trade who may have invested lakhs will have

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to be at your mercy. So, my submission is, that the Bill is of a very controversial nature and a measure of this kind should be given the fullest publicity before being enacted into law. It must have been the duty of the Honourable Minister for Development to do so : but so far as I am aware nothing of the kind has been done. There need be absolutely no hurry to carry through this legislation. Things have been going on for generations like this. Some of the defects that have been pointed out can very well be removed through the proper exercise of powers by the municipal committees and district boards in so far as the weights and measures are concerned, why then rush through this measure at break neck speed? Nobody will lose anything by the postponement of this measure for a few months. You have an overwhelming majority in this House on which you can at all times depend. I do not think your number will in the near future become so small as to cause any apprehensions about this measure being passed. In your own interest, in the interest of the province and in the interests of the farmers—whom you say, you are protecting—it is very necessary that this Bill should be re-circulated for eliciting public opinion. Consult the farmers in a proper manner to find whether they hope to benefit through this measure. I have my own factories and I know from personal experience that when the markets at Bombay and Karachi go high the zamindar is paid a higher price even after they have ceased to attract his goods again the next day. There is a cut throat competition amongst the factories and anyone who suggests that the zamindar is not paid the proper price for his goods only shows his ignorance of the actual state of affairs. My honourable friend, a parliamentary secretary sitting on the Treasury benches, has his factories. He knows the actual state of affairs. Will he have the courage to get up and say what the real situation is, and whether he differs from me in any way in my description of it? You want to make marketing committees work like municipal committees. I have been a member as well as President of an important municipality for more than 15 years (*Premier* : We do not like a committee like that), and know how its working differs from efficient business houses. It is also a fact that fortunately or unfortunately *ahrtias* and traders belong to one particular community : but I have not advisedly touched that aspect of the question, lest it may be said I was bringing in communalism. These traders are quite honest people. An average trader is as honest as the Minister himself, although he may not be so vocal. The zamindars will derive no benefit from this Act. It will further add to their troubles and difficulties. No external interference from the Government or by any other body would be conducive to the benefit of the zamindars in the matter of trade.

With these words, I move that the Bill be re-circulated for eliciting opinion thereon.

Mr. Speaker : The motion moved is —

That the Punjab Agricultural Produce Markets Bill as reported by the select committee be circulated for the purpose of eliciting opinion thereon.

Lieutenant Sardar Naunihal Singh Mann (Sheikhupura, Sikh, Rural): I rise to congratulate the Honourable Minister for Development on the introduction of this Bill. I do so because of the urgency of the problem. I know and feel that there is some opposition to the Bill in certain quarters;

but this does not deter me from placing my views before this honourable House and through the House to the country at large. The main objections that have been levelled against the Bill or are likely to be levelled during the course of the debate are that it is a legislation intended to benefit the agriculturists at the expense of non-agriculturists, that the framers of the Bill intend to seriously prejudice the work of the commission agent and thus replace this institution by new experiments which according to critics are likely to prove disastrous to the trade and commerce of the province. If I say that the Bill when passed would not bring any misfortune to the country or the province as its opponents fear, I say so on good authority. I feel, and feel rightly that it is likely to introduce a higher sense of morality, better integrity in the mutual relations between the primary producers and the middlemen. The critics of the Bill do not seem to realise some fundamental facts of Indian life. India's main source of wealth is agriculture. Its agricultural produce is mainly consumed in India itself. Thus it is in the interests mostly of the consumers themselves that the marketing problem should be settled in a satisfactory manner. The value of total agricultural produce of British India amounts roughly to about 1,800 crores of rupees. Out of this in the best days of India's export trade, about 200 crores was exported to foreign countries in the shape of vegetable fruits, grains, oil seeds, tea and coffee. Thus the internal consumption was over six times the value of the grains exported and if the figures of the present day are to be taken into consideration when the export has dwindled down to a negligible quantity, practically the whole of the produce is consumed in India itself. Therefore, the agricultural producer almost entirely depends upon the internal markets. Sir, in view of all this, the problem of marketing of the agricultural produce is a first rate problem before the House, which ought to be considered at the first instance. That the agricultural producer markets his produce under the most disadvantageous conditions is a fact which cannot be denied even by the worst opponents of this measure. The Royal Commission on Agriculture reported on the following points. With your permission, I would read a few lines. It says:—

From all provinces we received complaints of the disabilities under which the cultivator labours in selling his produce, that scales, weights and measures were manipulated against him, a practice which is often rendered easier by the absence of standardised weights and measures and of any system of regular inspection. Deductions which fall entirely on him but against which he has no effective means of protest are made in most markets for religious and charitable purposes and for other objects. Large "samples" of his produce are taken for which he is not paid even when no sale is effected. Bargains between the agent who acts for him and the one who negotiates for the purchaser are made secretly under a cloth and he remains in ignorance of what is happening. The broker whom he is compelled to employ in the larger markets is more inclined to favour the purchaser with whom he is brought into daily contact than the seller whom he only sees very occasionally.

The disabilities described in the preceding paragraph can only be removed by the establishment of properly regulated markets and we hold that the establishment of such markets would confer an immense boon on the cultivation classes of India.

Sir, the disabilities pointed out in this report are not the last word on the subject. It is notorious that even when the prices have been settled, the commission agent, the purchaser, tries and more often than not successfully tries, to bring down the settled rates by refusing to take delivery on

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the pretence of inferiority in quality. This is a rampant dishonesty in marketing. Who is there, who calls himself the elected representative of the people and yet would not condemn in strongest terms such dishonesty? Who is there, who boasts of the patriotism and yet will not be a party to root out such sinful fraud upon his own fellow countrymen?

There is one thing more. The term "commission charges" covers a multitude of sins, for instance, *dharmau*, *gaushala*, *tola*, *rola* and various other small items too numerous to be enumerated which are charged from the poor ignorant seller, who must dispose of his produce in the only market available in the vicinity. Thus the agricultural producer does not receive full price in the market, but is penalised in the matter of weight and other charges at every step. The commission agent, who thus fleeces his innocent victim forgets that his method of marketing ultimately re-acts upon himself and upon the country's larger interests. He not only gains at the expense of the individual cultivator but he unconsciously becomes instrumental in stopping all improvements on the part of the cultivator. I hope honourable members will agree with me that much has been done and must still remain to be done towards the improvements of the quality of agricultural produce by the introduction of improved methods and improved seeds. This can only be possible and can only give necessary incentive to the producer when the improved quality of the producer gets better prices in the market. Sir, bad marketing surely results in stopping necessary improvement on behalf of the cultivator. If a man, who produces better quality, does not get better price, what is the use of such quality at all? The Royal Commission on Agriculture again explained this position in the following words:—

The incentive to grow the improved varieties introduced by the agricultural department is *pro tanto* diminished if the cultivator fails to obtain the full premium justified by their superiority over those ordinarily grown. Again, he has little incentive to market his produce in the best possible condition unless that condition is recognised in the price he gets for it.

Will the honourable members turn their serious attention towards this aspect of the question that bad markets actually diminish considerably the production of wealth in the province and actually affect everybody whether he is an agriculturist or a non-agriculturist? When the *quantum* of wealth is reduced, the distribution is necessarily reduced. This affects the export trade of the agricultural produce. The foreign market does not recognise any sympathy or charity. The agricultural produce must satisfy the conditions of the foreign market in the matter of quality and other matters and if these conditions are wanting there is bound to be an inevitable reaction on the internal market to the great detriment of the cultivator. I will quote a few lines from the Provincial Committees Reports on Banking on this point in order to impress the opponents of this measure with the urgency of the problem. Let us take Bombay first. The Report says:—

The Bombay Committee point out that some of the practices in unorganized markets, such as fixing prices secretly and reduction of prices on the ground of alleged inferior quality, act to the detriment of the agriculturist. The Committee also refer to the diversity of measurements which makes it impossible for a cultivator to know whether he is getting the same price as is paid to cultivator elsewhere.

Now, coming to the Punjab, the Report says :—

The Punjab Committee report that the ordinary market is dominated by the trader, and the cultivator has no voice in the control of market arrangements, no say in the fixing of market dues, no representation on market *panchayats* and little or no means of ascertaining outside prices. In both villages and markets the cultivator is defrauded by the use of inaccurate weights and scales. As an instance, it is stated that 42½ seers of cotton are taken to be equivalent to a maund. The Provincial Committee also examined 1,407 scales and 5,907 weights and found that out of these 69 per cent. of scales and 29 per cent. of weights were incorrect.

With regard to the United Provinces, the Report observed as follows :—

The United Provinces Committee enumerate the following defects in marketing: the use of a variety of local weights and measures, false weighment, the levy of a number of incidental charges and imposts, the absence of grading and secret settlement of prices. In paragraph 261 of their report they refer to the practice in a novel form of the well-known evils of cornering and dumping; they say that there is some evidence to show that exporting firms are occasionally guilty of dumping agricultural produce to facilitate purchase at lower prices.

Surely all the provinces have not combined in their findings against commission agents and their practices. There is no conspiracy against them. But if you once recognise the fact that the present system of marketing of the agricultural produce is nothing but a fraud upon the agriculturists, you will have to concede that there is an immediate necessity of legislation to save the victims of the fraud and to cure the perpetrators of the fraud as well.

I will not take much time of the House to impress the necessity of this measure. This Bill is not so much in the interest of the agriculturists as it is in the interest of the country's morals as well. I will conclude by impressing on the honourable members of this House a truism and that is that in the well-being of the cultivator lies the well-being of all the constituents of society. With these words, I oppose the motion for circulation.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural): It has given me much pleasure to hear my friend, Lieutenant Sardar Naunihal Singh Mann, but it pains me to see that his views which he has just now expressed should be as they are. I expected that he had some acquaintance with the usages of markets and he would be able to throw some light on the subject, but I am afraid that he has spoken almost as a partisan and has not done justice to the other side, as I expected of him. I would draw your attention to the casual remark which the Honourable Premier let drop to-day. That really gives us a clue to the motive for the introduction of this Bill and the other Bills which have been before this House. He said, his party is stronger than it was because of the Bills that he has been able to pass and it would become still stronger when some other Bills which he has up his sleeve are passed. Will it not be a legitimate deduction from this statement that the *raison d'être* of these Bills has been the Premier's anxiety to consolidate his party and to throw a bait to them and to create an idea in their minds that he is so very solicitous of the welfare of the zamindars of the province, as he has been saying from time to time? This was also the motive which led these honourable gentlemen to tramp the country from one end to the other. They have been trying to impress upon the minds of the simple-minded zamindars of the province how solicitous they are and have been for their welfare, although it appears

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that they have not taken pains to take their zamindar friends through the various provisions of this Bill or of the Bills which have already been passed and for a very good reason. The member in charge of the Bill was pleased to say the other day that the zamindar is so simple-minded that he is incapable of understanding what is a select committee or what the various provisions of a Bill mean or the report of a select committee can be. They had, therefore, a very easy task before them when they went out preaching their gospel to the zamindars of the country. They collected them by official agency, through tahsildars and magistrates and sufedposhes and lambardars and patwaris and panchayat officers and members of the panchayats who were enjoined to bring a specific number of men along with them to hear these gentlemen when they went there. And what did they preach? They preached presumably that when a zamindar took his produce to the market, 6 annas and 6 pies were allowed to the *ahrtia* and only Re. 0-9-6 were left with the grower. I am sure this must have been one of the points placed before the zamindars for their enlightenment as it is mentioned in the Statement of Objects and Reasons appended to the Bill. It says :

Careful enquiries conducted under the guidance of the Marketing Adviser to the Government of India have brought to light startling facts, for instance, out of a rupee which the consumer pays for his wheat or rice the producer gets only 9½ annas.

This is one of the statements made in the Statement of Objects and Reasons.

Similarly the grower of linseed gets about 60 per cent. while the grower of tobacco in Guntur gets only about 44 per cent. of the price paid for these commodities in the United Kingdom.

Guntur is probably in the Madras Presidency and is not to be seen anywhere on the map of the Punjab or found in any geography of the province. Not only has the Honourable Minister been travelling from one part of the province to the other, he has jumped from the Punjab to Madras and from Madras to Kashmir.

The producer of Kashmir apples has to be content with only about 20 per cent. of what the consumer pays. For bananas and oranges 30 to 40 per cent. is about the most the producer can expect.

Then when he comes to the various charges that are imposed by the cursed *ahrtia* in the various *mandis*, he enumerates eight of them and he says :

Many of the dues having the sanction of usage have to be paid, generally by the seller alone. These are—

(1) *Ahrai*, that is, the commission payable to the *ahrtia*.

He did not take the trouble of telling us either in this House or outside what the amount of *ahrai* was. He should know—I speak on good authority—that this *ahrai* does not always exceed one pie per maund which goes to the *ahrtia*. If you take wheat at Rs. 2 a maund, it means that even at the cheapest price at which wheat is selling at present he charges one pie on Rs. 2. That was perhaps his charge when wheat was selling at Rs. 5 or Rs. 8 or Rs. 10 a maund, and no one is going to pay him more even when the price of wheat increases. This is certainly not a charge which can be considered as exorbitant or as in any way calculated to suck the blood of the grower of this province. Then he says :

(2) *Dalali*, that is, the commission payable to the broker.

This *dalali* comes to 5 pies for Rs. 100. If a zamindar takes 50 maunds of wheat to the market, the grower has to pay 5 pies as *dalali* on 50 maunds of wheat and any one who has any knowledge of the market knows that these *dalals* in lieu of this paltry fee render all sorts of service to the people who bring their wares to the market. They are the guides, they explain the position to them, they provide accommodation for them, they provide them with beds and they also provide in some cases food and drinks—I mean innocent drinks and not the drinks that some of the big zamindar might be accustomed to.

Then comes the question of *rolai*. This is one pice per maund according to the report that I have got before me. Of course it is open to any of those gentlemen to question the figures which I might give. My Honourable friend, the Premier said *raula* as if he was rolling in money or wealth. He and his friends are so much accustomed to *raula* that even *rolai* they consider as *raula*. This *rolai* simply means cleaning, taking away straw and kankar and other impurities from the wheat. For this they charge one pie per maund. This is only by way of cooly charges for cleaning the grains. And it is against this one pie which goes to the coolies that the honourable members opposite raise so much hue and cry. Then there is the *charhai*. Probably this means putting the grains in the scales. This is also done by coolies. Then there is the question of *otai*. (An honourable member: *Kotai*.) *Kotai* is not a Punjabi word. Perhaps it is used in the hinterlands of Rohtak and Jajhar. Then comes *palledari*. I am not sure if any money is usually charged in all markets, but even if it is, it is really taken out of the *ahrtia*'s charges, otherwise the *ahrtia* would put on his own charges and his charges would be more than are usually taken from the grower who takes his produce to the markets. Moreover, this *palledari*, if I understand it correctly, means cooly charges or wages paid to coolies who work there. If we examine all these charges it will be observed that all these charges go to the labourers who mostly come from the poorer classes and probably from the zamindar classes. They may be humble people whose lands may have been swallowed by bigger zamindars, who have been rendered landless and who are driven to *mandis* to earn their livelihood. It is these classes that the honourable member opposite was pleased to describe as *be-i-mans*. (Interruption.) He said so in one of his speeches as reported in the papers. Well might the other side describe those who support the Bill as *be-i-mans*.

Mr. Speaker : The use of that word with reference to honourable members of this House is unparliamentary.

Dr. Sir Gokul Chand Narang : I did not use that expression with reference to any particular member. I said that if one party can call the other party by this choice epithet, it is open to the other party also to use the same expression and, therefore, no one should use such expressions. So far as this Bill is concerned there may be honest differences of opinion, the other side may consider it a golden Bill while we consider it a black Bill, the blackest that has ever been passed in any legislature. While therefore they are welcome to have their opinions we should also be allowed to express our own opinions. Instead of allowing us to do so, they use all sorts of expressions which are really unparliamentary. By way of replying to supplementary questions the other side said that these gentlemen who

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were tramping from one part of the province to another at public expense were doing their official duty, that they were counteracting the mischievous and malicious propaganda which was being carried on by some other people. Can it be not said that these gentlemen themselves at public expense were carrying on mischievous and malicious propaganda? It is open to us to say that their propaganda is malicious and mischievous if they persist in calling ours as mischievous and malicious. What do they mean by going to simple-minded zamindars and cutting all sorts of jokes at the expense of the *baniyas*, mahajans, traders and other non-agricultural people?

Mr. Speaker : I would request the honourable member to speak to the motion.

Dr. Sir Gokul Chand Narang : They may say that they have been going about the province to ascertain the people's wishes. But I say that they have done nothing of the kind. They have gone to the simple-minded zamindars and have been trying not to place the real facts before them—I will not use an expression which might be considered unparliamentary. They have carefully avoided towns from where they could get some information. They had not the courage to go to *mandi* towns, because they knew what reception they would get in those *mandi* towns. So, they did not tap the real sources from which they could have got proper information.

Mr. Speaker : Is the honourable member supporting the motion for circulation?

Dr. Sir Gokul Chand Narang : Yes, Sir. The honourable members opposite avoided the places from which information could have been got. Therefore, it is absolutely necessary that what they have failed to do up to this time they should do now and they should ascertain the opinions of people who are really in a position to give an opinion. Now to go to people and tell them that nine annas and six pies is the only share that a grower gets out of the rupee is entirely wrong. If they had gone to the people who are in a position to give information, if they had gone to the *mandis*, they would have come to know that it is not 9 annas 6 pies, but it is something like 15 annas or 15 annas 6 pies which the grower gets from the market. The other charges are the inevitable expenses which a zamindar has to incur in any case. Can the zamindar avoid the freight for carrying his produce to the markets in carts? He has to employ coolies for unloading his produce. Can he avoid this charge? He has to employ labourers to clean the wheat, etc., which he brings to the market. Can he avoid the labour charges for this? If we take all these factors into consideration it will be found that the report which has been presented by the Government is grossly mis-leading and exaggerated. The Government is not in possession of correct information on the subject. Before drafting this report of the select committee did they even consult their own officers, the deputy commissioners or the commissioners who are in closer touch with these matters?

Therefore, they are not in possession of the correct information on the subject. I ask them through you whether when they moved this Bill or after it came out of the select committee, they have consulted even their

own officers. Have they consulted the deputy commissioners who are in closer touch with the *mandis* than the Ministers? Have they consulted the commissioners who are still in greater touch with the *mandis* than these Ministers? Which of these Ministers has ever dabbled in *mandis*? There may be a gentleman who understands the theory of purchase and sale and the rise in prices and the fall in prices and the higher and the complex principles of Economics, world prices and so on. But even he, so far as I am aware, is a *bania* only in name, though of course he has been given all sorts of names by his own colleagues which I need not repeat on the floor of this House. But which Honourable Minister here knows the details which have been placed so precisely and so very clearly before the House by my honourable friend, Sardar Santokh Singh? Then what is most painful is this. One would expect that these gentlemen would realise the un-wisdom of having sponsored a Bill like this after the last session when it was partly discussed in this House. But what have they done in the select committee where they commanded a majority as they do in this House? They have made the Bill much worse. They have made it more unjust and more inequitable. In fact the changes they have introduced in the select committee are most astounding. No government which has a grain of sense or of justice in it would ever approve of the provisions which have now been added by the select committee. Look at the provision regarding the constitution of the market committees. In the original Bill the provision was that of the members of the committees who would be appointed in the various *mandis* two-thirds would consist of representatives of growers and of persons who will take out licence under this Act. What have they done in the select committee? They go and introduce a change which makes the Bill absolutely unjust and inequitable. This is what they say:—

Every market committee shall consist of not less than 8 and not more than 16 members.

Of these members not more than two may be appointed by Government from among salaried servants of the Crown by virtue of their office.

Of the remaining members not less than two-thirds shall be appointed by Government from among the growers of the district in which the notified market area is situated and the rest from among the persons licensed under section 6 of this Act.

Now supposing a committee consists of 16 members and the Honourable Minister is pleased to be very generous, is very liberal in his mind and he appoints only one official out of 16—a tahsildar for instance, I am sure he must be a zamindar. I cannot expect that the Minister in charge of the Bill would ever appoint a non-zamindar Government servant to this office. His whole career has belied such expectations. He cannot bear even the sight of a non-agriculturist.

Minister for Development: You are right.

Dr. Sir Gokul Chand Narang: I am perfectly right. I am glad the Honourable Minister admits my estimate of his character and of his views as correct. Then there remain 15 members. Out of these 15 not less than two-thirds shall be zamindars. This is what it means. Not less than two-thirds will be growers. They may all be zamindars as the provision stands and it will depend upon the sweet will of the honourable mover

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of this Bill whether he appoints two-thirds or whether he appoints three-fourths or whether he appoints all from among the zamindars because there is no limit whatever. Whatever will be left will be thrown like crumbs to men like Sardar Santokh Singh who deal in lakhs and who have lakhs at stake whereas a twopenny halfpenny Jat from Rohtak may be placed over his head or in some other place. I hope the Honourable Minister will have the candour to admit that even here my estimate of his conduct is correct. But leave it at that. Now, let us suppose that he will have the decency not to appoint all zamindars but that he will leave some place for the poor *ahrtias* and others who take out the licence. This provision means that at least two-thirds will be zamindars. That is, out of 15 there will be ten zamindars and added to the one there will be 11 and there will be 5 left to be distributed among the *ahrtias*, brokers, *tolas*, *rolas* and others who may be licensed by that committee there. Who will be those persons? It is not very difficult to guess. Even in the distribution and grant of licences I know what principle would be observed. It might open the eyes of the *ahrtias* and they have already realised it. Licences may not be given to people who have any pronounced views on politics. The selection will have to be made by the Government agency and those people who may have lakhs at stake may not be given a licence. But let us suppose that they will be very just and they will not refuse licence to anyone for his political views or for any other reason or for having taken part in according 'warm' receptions to some of the Ministers. Suppose that will not be taken into consideration. Let us hope so and let us assume so. Even then considering that out of 16 only 5 seats would be left there for the representation of the trading classes, the merchants, the *ahrtias* and so on, the whole position is so inequitable, so unjust that one cannot contemplate it with patience and one cannot find sufficiently strong words to condemn the brain from which this provision has emanated. This is the position. Here is an *ahrtia* who has built a house, a shop, he has built rooms to accommodate his customers and he is a permanent resident of that place. But these zamindars come occasionally. They may have nothing to sell in any particular year, because if anything verging on correctness was said by the Sardar Sahib, very little is left for exporting, so that most of these poor zamindars will have nothing to do with this Bill or with the Act when it becomes an Act. They will have no surplus to bring to the *mandis*. They produce just enough for themselves and their families and for their cattle or to meet their local wants. They take a little grain to the local shopkeeper to buy a little gur or a little tobacco or occasionally a piece of cloth for their children or for their wives or for themselves, so that it is only the bigger zamindar who brings his produce as a rule to the markets and even he is an occasional visitor as compared with the permanent residents of those *mandis* and yet these occasional birds of passage are allotted 11 out of 16 seats and those people who have sunk lakhs are given five seats out of 16 seats. Is this the justice which provincial autonomy is going to bring into this province?

Mr. Speaker: It is now 5 P. M. So the House will take up the adjournment motion.

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

MOTION FOR ADJOURNMENT.

COMMUNAL CLASH AT MULTAN.

Munshi Hari Lal (South-Western Towns, General, Urban): I rise to move—

That the Assembly do now adjourn.

It is not a matter of pleasure for me to move this motion. When I was just entering the Hall two honourable members remarked that I might be stirring up the ashes of communal controversy by discussing this motion. Far from it is my mind. I wish the House to understand that my motion is confined to the censure of the local and district authorities who are responsible and who did not take proper steps in time to avert the recent communal clash. There is no spectacle which finds less favour in my eyes than to see the Hindus and Muhammadans at loggerheads in the old historic and ancient town of Multan. Unfortunately Multan is a *volcano* of communal frenzy. Probably in no town of the Punjab there has been so frequent recurrence of the communal clashes as in Multan and everybody expects that officers who are stationed there to administer the town should be alert, watchful and fully conscious of the history of Multan which is so painful. In order to appreciate my motion, I will submit in a few words the history of Multan, which contains inflammable stuff and materials likely to flare up into a communal riot at the slightest possible touch. Multan presents a sad tale in this respect. It was annexed to the British Crown in 1850. Thirty years after the first communal riot broke out in Multan, in 1880, and that was the first communal riot in the Province. There was a quiet for about 20 years and in 1898 we had another communal riot. The results of these riots were, I may tell you, and I tell you on authority, that the executive officers in charge of the district who allowed the riots to grow up and break out were transferred to the judicial line. For about 23 years Multan was calm. In 1922, three years after the Jallianwalla Bagh tragedy was enacted, when the Congress activities were at their height, communal riot burst out on the occasion of the Muharram. On that occasion the havoc of course was greater than now, but the Deputy Commissioner and other officers of the district were not held responsible for the outbreak with the result that after 1922 we have had frequent communal outbreaks in the town. In 1922, 150 buildings were burnt. There were murders, there was arson and there was loot but the then Deputy Commissioner was applauded as a saviour of the town and he rose to the highest position in the province. In 1927, there was of course comparatively less loot and there was no arson or incendiarism, but there were several murders of innocent Hindus and Muhammadans. In 1933 there was again a recrudescence but riot was averted in time by the timely action of the authorities. In 1935 again, the communal riot broke out and three innocent lives were lost. About one of the murdered there was a report also made to the police to the effect that the man was condemned and a fatwa about his murder was given but the police did not take any step in time to prevent the occurrence. There were murders in the town. Even an innocent boy of about 4 years was done to death. In 1937 there was again an indication of the disturbance but somehow or other it was quelled. The point of irritation that arose in 1937 still exists. I am sure the authorities are fully aware of it. This is a dispute about the temple of Lala Jas Rai. Just

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in the days when provincial autonomy was to come into existence, the temple of Lala Jas Rai was desecrated and the pacca walls of the temple were demolished, walls as high as 11 feet. The Hindus kept cool. With the timely action of the authorities the trouble was nipped in the bud. The point of contention still remains. The Muhammadans feel that the Hindus go to their temple by passing over their graves and the Hindus feel that they have no regular path to their temple. Questions were asked in the Assembly. They were answered, as they are generally answered, but no steps were taken by the authorities to settle the point. In 1938 there was again a trouble. A *kotha* in the precincts of the D. A.-V. School was claimed by the Muhammadans as a mosque. A civil suit was started. The two civil courts decided in favour of the D. A.-V. School authorities and held the building to be a *kotha* and not a mosque. On the strength of the judgment obtained from the courts the D. A.-V. School authorities razed the *kotha*. This irritated the Muhammadans. In August 1938 the City Inspector of Police wrote to the higher authorities that there was a danger of communal riot and that he required additional police to guard the town. Towards the close of September a Hindu was murdered and two Hindus were stabbed and a short while after another Hindu was so severely wounded that he succumbed to the injuries. Such is the material that exists in Multan. The authorities were fully in the know in the month of August and in the month of September. On the 6th of October, a deputation of influential people consisting of honorary magistrates, lawyers and members of the Municipal Committee, waited upon the Deputy Commissioner informing him that communal tension was on the increase and that steps should be taken to safeguard the town and to see that no riots broke out. How did the present trouble arise? An individual case was given a communal turn and it has unfortunately resulted in the buildings being burnt, in arson and incendiarism, and in murders being committed. I am not to discuss the merits of these cases. I only make a statement of facts, and that is that seven days after the Deputy Commissioner was informed that the communal tension was increasing in the town and that he should take proper steps against it, a small incident occurs and that small incident takes the shape of a communal riot which is so serious in effect, which is far-reaching in consequence and which must open the eyes of every civilised Government. How did it happen? Three women went to a cloth dealer's shop and it is alleged that one of them stole cloth. A report was lodged with the police and an investigation was conducted by a Muhammadan sub-inspector of police, the women being Muslims. As soon as they went to the police station, a rumour got abroad that the women were molested with the consequence that communal passions were immediately aroused, people rushed to the police station and participated in the investigation. The result of the investigation which the sub-inspector made, was that he detained one of the women and let off the other two. This was on the evening of the 12th, the occurrence of the alleged theft having taken place in the morning. It was proclaimed, on the night of 12th by beat of drum that on the following morning, i.e., on the 13th the Muhammadans should observe *hartal* and they should meet together. Meetings were held and speeches were made that night with the consequence that on the morning of the 13th there was a complete *hartal* observed by the Muhammadans. All the

Muhammadan shops were closed. Tonga drivers were asked to go on strike. Muhammadans wanted to take part in the investigation further. On the 13th, people met in groups, they had closed their shops. The rowdy element collected and marched with flags flying and shouting slogans to the courts for complaining to the District Magistrate and the Additional District Magistrate that no action was being taken by the police in the matter of the alleged molestation of the women. The Additional District Magistrate, instead of recording the complaint himself, sent back the mob to the police station and said that he would follow them. The mob on its way back to the police station swelled and grew in numbers. Such was the situation. Proclamation for *hartal* was made by beat of drum. Meetings were held. Exciting speeches were made. *Hartal* was observed. I am given to understand, and the information does not require any further confirmation, that the Superintendent of Police, the first in command of the district, left Multan at about 9 or 10 o'clock on 13th October. Why? He had forgotten completely that Multan is full of communalism and is a place where there have been so many communal riots. What arrangements did he make before his departure on 13th October must be known to the authorities. Why did he leave the place? Where did he go? These are the questions which I want to put to the Treasury benches. I submit that he, being a responsible officer, being aware of the conditions of Multan and knowing that Multan contained inflammable stuff, ought to have taken sufficient precautions and ought to have remained on the spot. Anyhow, when the Additional District Magistrate asked the crowd to go to the main police station, the Muslim mob moved towards the Harem Gate and collected in large numbers—in thousands—at that Gate. The police was there. The City Inspector was there. The Additional District Magistrate arrived at the gate. None controlled the situation. The Additional District Magistrate had entirely forgotten the provisions of the Criminal Procedure Code—Section 144 or the sections under which he could declare the assembly an unlawful assembly and disperse it. He remained quiet at that time as if he had forgotten every law. Neither the City Inspector nor the Additional District Magistrate took precautions in time to disperse the mob. Naturally there was a panic in the town. All shops of the Hindus and the Sikhs were also closed as they were threatened with breach of peace. Finding themselves in danger, people collected and a clash ensued. Incendiarism started. The first building that was burnt was the building occupied by the Congress—by the Khaddar Bhandar and by the Sewa Samiti. The building was tenanted by innocent people—by people whose sole object is to serve humanity and who serve the Hindus and the Muhammadans alike and who have got a brilliant record at their back.

Mr. Deputy Speaker: I would remind the honourable member to finish his speech within three minutes.

Diwan Chaman Lall: Why?

Mr. Deputy Speaker: I am giving him five minutes more.

Munshi Hari Lal: I started at five minutes after five. Hardly had the Congress office been lit, when the General Secretary of the Congress, who was at a distance of a few yards, rushed to the spot. He was prevented by the police to proceed in that direction. He had volunteers with him—volunteers who are known as experts in extinguishing the fire—volunteers

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whose record and whose services in this respect have often been recognised by the town committee and by the authorities. They were prevented with cynical contempt on the part of the police who were probably feeling jubilant over the Congress office being burnt. The police did not allow them to proceed. The result was that they remained standing there seeing the Congress office being burnt to ashes. It was after about half an hour or more than half an hour, in no case less than half an hour, when the flames of the Congress office had reached their height, that ten persons were allowed to proceed in order to extinguish the fire but it was all in vain. Everything had by then been reduced to ashes. It was all cinders then. Nothing but live charcoal was left. Now, I submit, that the police was there but the police would not permit anyone to go there. If they could not cope with the situation, if they could not quell the fire, there was absolutely no justification for them to stop people and not to allow them to save the Congress office, to save the Seva Samiti office and to save the Khaddar Bandhar. There was something in the mind of the mob. I have every reason to believe that feelings had run high on account of the breeze which blew from Karachi because in those days the Conference of the League was being held. There were inimical feelings in the minds of the rioters against the Congress; otherwise the Congress office had never been touched before. Their office had always been held sacred during the last communal riots and the Congress flag had always been respected. Afterwards there was fire in the house of Lala Bodh Raj—*ex-Member of the Legislative Council and ex-President of Congress*—just near the Congress office. Along with the Congress office in the same row there were 3 or 4 houses but they were not touched. The mob moved on and burnt the house which is near the house of the vice-president of the Congress, probably thinking that that was the house of the vice-president. Here a woman with a child on her breast jumped from a height of 13 feet in order to save her life. In the Subzi Mandi thirty to forty shops were set on fire. I believe it will be no matter of pleasure for anyone on the Treasury benches to know that the account books of the shop-keepers containing advances were all burnt and one man who was chased was so much injured that he later on succumbed to the injuries. In front of the Subzi Mandi there is a mandir. The shops attached to it were all burnt. Afterwards the mob moved on to the Lahori Gate and there a sad and tragic event occurred which I would like to bring specially to the notice of this House. Eight or nine shops together were set on fire. A woman was burnt alive there. Her piteous cries did not attract the attention of the police. The people were not allowed by the police to reach the spot in order to save the woman. On the 13th evening the house was set on fire. The woman was burnt alive there but her remains were not recovered till 5 o'clock on the 16th. Let it be said to the credit of the Honourable Ministers who paid a visit to Multan on the 16th, that when this fact was brought to their notice, they issued special instructions to the district authorities to recover the remains of the woman. What did the police and the authorities do on the 13th, 14th and 15th? It was on the 16th that her remains were recovered—though a report was lodged in the police at 5 o'clock on the 14th. People who were there wanted to help but were prevented by the police which had blocked the way. Then, Sir, there was an attack

by the rioters over the house of Dr. Diwan Chand commonly known as Gandhi building. The proprietor of the Gandhi building went to the police who were near by at a distance of something like 50 yards. I may here remark that the Congress office and the Lahori Gate buildings are just within the sight of the police station. The proprietor of the Gandhi building, which was occupied by Dr. Diwan Chand, sought the assistance of the police. No help was given and the property worth Rs. 20,000, the hard earned money of Dr. Diwan Chand, Municipal Commissioner, was reduced to ashes and the buildings burnt. A few people wanted to help the proprietor but were kept back by the police at the point of the revolver. The police recovered a broken iron safe containing money and ornaments of Dr. Diwan Chand from the old fort where it appears to have been broken and emptied by the rioters. The fort is at a distance of some 20 yards from the building. Just think, Mr. Deputy Speaker, if the police had taken some measures to stop the fires, the Gandhi building and Dr. Diwan Chand's property would have been spared. The police was there and people were there to render aid but no help was allowed to be given and the police stood calm with folded hands. Afterwards there were other buildings put on fire. The mob wanted to invade the National Bank building. The Manager of the National Bank fired a revolver shot in the air to ward off the rioters with the consequence that the crowd was dispersed; but the poor Manager is in trouble. His revolver has been taken away and has not been returned yet. He did not aim at anybody. The police did not come to the help of the people.

Mr. Deputy Speaker : The honourable member has taken 20 minutes.

Munshi Hari Lal : Only two minutes more. I submit that these are the facts, stern facts, undeniable facts to which none can shut his eyes. The Ministers have seen with their own eyes all these buildings that have been burnt to ashes. They have seen the ashes; they have seen the ruins. I submit this was all due to the indifference, to the negligence and to the dereliction of duty on the part of the local authorities. If the local authorities had taken action in time, surely all this would have been averted. I hope prestige—the word about which Sir Rash Behari Ghosh says that it is a word born of evil parentage—will not stand in the way of an enquiry into the conduct of the local officers. I trust that the Government, if they are as they call themselves popular Government, will not hesitate to enquire into the conduct of the local officers and to see that such things do not recur in future. An inquiry will redound to their fair name and to their credit. I hope that they will see facts in their true perspective.

Mr. Deputy Speaker : Motion moved—

That the Assembly do now adjourn.

Rai Bahadur Chaudhri Sham Lal (West Multan Division, General, Rural) (Urdu) : Sir, I come from the same unfortunate city that has been visited by a serious communal riot, and concerning which we are discussing this adjournment motion to-day. I cannot fancy any honourable member in this House who has not been shocked to receive the sad news of the outbreak of the bloody riot at Multan. No one can help feeling grieved over the slaughter of innocent men and women in that city because Multan is, indeed, a sacred city and abounds in tombs of Muslim saints and sacred temples

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of the Hindus, which remind us of our glorious past and noble associations connected therewith. Sir, I have to hang my head in shame when I note that ever since 1922 communal riots have continued occurring in that city. In this connection I cannot blame the Government so much as I have to blame myself in my capacity as a citizen of Multan and all the other citizens as well. It is a matter of belief with me that unless there is change of heart between the various communities residing in the city, no amount of physical force in the shape of any number of guns, pistols and *lathis* can prevent the recrudescence of such hideous occurrences as the communal riots. It is up to the residents of a place to promote mutual love and inter-communal unity.

At this stage the Assembly adjourned for half an hour to enable Muslim members to break their fasts and offer prayers.

The Assembly re-assembled at 6 p. m. Mr. Deputy Speaker in the Chair.

Rai Bahadur Chaudhri Sham Lal: Sir, I was saying that it was a matter of great regret that most unfortunate events took place at Multan. The worst happened on the 18th October. I reached there on the 14th and was greatly pained to see what had happened there on the previous day. The next morning I got into communication with the Honourable Premier on the telephone and he told me that he was not unaware of the happenings at Multan and he had received a severe shock when he got the unfortunate news regarding the outbreak of communal riot and that he was going to send two Ministers there to make enquiries on the spot. Consequently on the same day we received a message on the telephone to the effect that the Honourable Mr. Manohar Lal and the Honourable Mian Abdul Haye would reach Multan on the 16th October.

Lala Duni Chand: What is the honourable member saying? Is he supporting the adjournment motion?

Rai Bahadur Chaudhri Sham Lal: I am saying what I am saying. You may draw any conclusions you like. When the Honourable Ministers arrived at Multan on the 16th October, they first of all visited Khaddar Bhandar near Haram-Gate and the office of the Congress, the scenes of incendiarism. They made enquiries there for about 1½ hours when Lala Bodh Raj, ex-M. L. C. and Mr. Kewal Krishen, Vice-president, Municipal Committee, were also present.

Munshi Hari Lal: I rise to a point of order. My motion relates to the failure of authorities to maintain law and order.

Rai Bahadur Chaudhri Sham Lal: The Honourable Ministers made enquiries on the spot in the presence of local officers and no question of prestige prevailed with them.

Chaudhri Kartar Singh: Is the honourable member singing the praises of the Ministers or speaking to the motion? (*Interruptions.*)

Mr. Deputy Speaker: Let the honourable member proceed with his speech.

Chaudhri Kartar Singh: There is no use in flattering the Ministers.

Rai Bahadur Chaudhri Sham Lal : After finishing at the office of the Congress they visited many other places where something had happened. They spent the whole day in this way. They met people both low and high and received their deputations and told them that they had come there on the mission of peace as their own kith and kin. This continued till 7 P.M.

Pandit Shri Ram Sharma : May I enquire if the honourable member is relevant ?

Mr. Deputy Speaker : He is only developing his argument.

Rai Bahadur Chaudhri Sham Lal : The next day the remaining places were visited. Leading *raises* of both the communities were interviewed and asked to exercise their influence for the restoration of peace in the city. When the Honourable Ministers paid a visit to the Lahori Gate they were informed that a woman was lying buried under the debris. The Honourable Ministers offered money from their own pockets for engaging men if the gang working already was insufficient to excavate and find out the corpse. When the Commissioner arrived in the evening he went straight to the Honourable Ministers and discussed the whole affair with them.

Pandit Shri Ram Sharma : May I enquire as to whether the honourable member's speech is relevant ?

Mr. Deputy Speaker : He is only developing his argument.

Pandit Shri Ram Sharma : There are only two minutes left to him and he is yet developing his point.

Rai Bahadur Chaudhri Sham Lal : Sir, I am prepared to give credit to my honourable friend, Dr. Gopi Chand Bhargava who implemented the efforts of the Honourable Ministers in the matter of restoring goodwill among the members of both the communities on his visit to Multan. The Honourable Ministers invited certain Hindu and Muslim leaders of the city and discussed with them the situation with a view to find out ways and means to create communal harmony in Multan. Under such circumstances what is essential is to change people's heart. Later on a meeting was held at the Town Hall where a proposal was made by me that the Hindus should choose their representatives from amongst the Muslims and *vice versa*. And so a committee consisting of 12 representatives of both the communities was formed to maintain peace and order in the city and to take any effective step for improving the factious atmosphere of Multan. Unfortunately the committee was dissolved on the objection of certain persons. I hope and trust that the present Government would be successful in eradicating the factious element and in bringing about a new era of peace and harmony in Multan. I believe that the heart of the Honourable Premier is brimming with mercy and kindness and he feels hurt even at the slightest mishap, and that he is spiritually pained to hear of any man's misery. Multan holds high hopes from the Premier that he would not neglect the things brought to his notice.

My respectful submission is that these communal riots cannot be remedied by moving adjournment motions in the House.

Pandit Shri Ram Sharma : Sir, is it that the limitation of time is merely meant for the Opposition and not for the Treasury benches ?

Rai Bahadur Chaudhri Sham Lal : Sir, if we earnestly desire that in future no such communal riot or disorder should break out, we should strive hard to change the mentality of the public at large and create such an atmosphere in which an offender should feel the responsibility of making a clean breast of his guilt before the authorities. Although this sort of attitude may prove harmful to the culprits for the time being the peace of the province would be ensured and would enhance him in the estimation of his fellow countrymen. With these words, I resume my seat.

Dr. Satya Pal (Sialkot-Amritsar, General, Rural) (*Urdu*) : Although all the speeches from the Treasury benches are generally conspicuous by their irrelevancy, yet I must admit that Rai Bahadur Chaudhri Sham Lal has beaten all records. It is evident from his speech that he has not even read the motion. My honourable friend, Munshi Hari Lal did not move this motion to discuss the generosity of the Ministers or what they offered from their own pockets about which the honourable Rai Bahadur Sham Lal waxed so eloquent. It is the criminal negligence and dereliction of duty on the part of magistrates and police officers that was sought to be brought under discussion, but he has not had the courage even to refer to this aspect of the matter. If he expects some personal gain by singing the praises of the Ministers he is welcome to it. But he must remember that the Ministers are not the only people living in this province. There are also others outside this Chamber who have a right and are in a position to sit in judgment on his conduct. He cannot ignore them.

My honourable friend, Munshi Hari Lal has been too modest and has not mentioned certain things about himself. But I make bold to say that these attacks on Congressmen and Congress institutions were purposely arranged and engineered by interested people. This can be proved by the fact that seeing from a considerable distance the National Flag flying on the house of Munshi Hari Lal the mob at once rushed towards that house and if the manager of the Punjab National Bank had not intervened they would have murdered him and his relatives and seriously damaged his house and property. The mob set fire to the Khaddar Bhandar. The house of a well-known Congress leader, Lala Bodh Raj, was burnt and no one can have the cheek to deny that the rioters paid special attention to the houses of Congressmen.

The people who are so fond of singing the praises of the Ministers should note that if there were a court that would listen to what we have to say and then give an honest verdict, I can very easily prove that these riots are the direct outcome of the speeches which the Ministers deliver at various places against the Congress and Congressmen. It is their violent speeches that are responsible for the assaults on Congressmen, disrespect to the National Flag and houses of Congressmen being set on fire. Let me draw your attention to another incident and that will show you what effect these speeches have had. My honourable friend, Munshi Hari Lal is a respectable gentleman, a lawyer of some twenty-five years' standing and a member of this honourable House. During the riots he went to the Additional District Magistrate for a pass for exemption from the curfew order, but the magis-

trate's reply was, "Go away, you cannot get a pass. These passes are for the 'gentry'". Now, Munshi Hari Lal has told me what was meant by the word 'gentry' and, with your permission, I shall repeat it to you. He told me that a pass though not available for a public man, a public woman could get it easily. Afterwards the Deputy Commissioner expressed regret saying that this unfortunate incident was due to the fact that the Additional District Magistrate did not know Munshi Hari Lal. This again is a very strange statement. Munshi Hari Lal is a well-known figure and an eminent lawyer of Multan. He must have appeared many a time in the court of the Additional District Magistrate himself. Still the Deputy Commissioner added insult to injury by saying that the Additional District Magistrate did not know Munshi Hari Lal. I submit that it was not that the magistrate did not know my honourable friend, but he did not want to recognise him because he had on his head a *pagree* of the "dangerous" khaddar cloth. Let me make it absolutely clear that I have not mentioned this incident because we want to make some request to the Government with regard to the insult offered to Munshi Hari Lal. Not at all. We cannot and do not expect any decent treatment from those جو نہیں جانتے، کیا ہے How can we expect an elixir from them when we know that they are bent upon inflicting more injuries? The other day the Honourable Premier was pleased to remark that if people become peaceful and peace-loving the necessity for having resort to the provisions of the Criminal Law (Amendment) Act will never arise. But what is the attitude of the Government towards the peace-loving people of the province? When a complaint is made that the police made so severe a *lathi* charge that even some *lathis* were broken, the reply from the Government is that after all it was the *lathis* that broke and not the bones of the people on whom the charge was made. Similarly when some *goondas* set fire to the Khaddar Bhandar the police would not let people extinguish it lest the Bhandar may not burn to the last thread. We know that under the administration of the present Ministry the life and property of Congressmen is not safe. When the Ministers themselves ask people to break our heads why should the deputy commissioners and the police offer any protection to us or the people at large?

One of the objects of this motion is to show to the people of the province that things have come to such a pass that on account of differences of principle the Government is denying us even the protection of law so that Congressmen may not find a shelter anywhere. (*An honourable member : Question.*) Yes, it is very easy to shout 'question' when you are not the sufferer. I would ask the honourable member whether he would shout 'question' if instead of the house of Lala Bodh Raj it were his own house that was set on fire. Well, Sir, we have not moved this motion to make any request to the Government. What we want is to prove to the world at large that it is these very apostles of peace who excite people to commit crimes against life and property by their fiery speeches. When the Honourable Premier himself says, "if somebody were to break their (Congressmen's) heads I shall not be responsible."

Premier : May I point out to the honourable member that he is not correct? I never used these words.

Dr. Satya Pal : It is not unusual with the Honourable Premier to quote from newspapers and I too read these words in newspapers. I have never heard his speeches outside this Chamber nor do I care to hear them.

Premier : All that is published in the newspapers is not necessarily correct.

Dr. Satya Pal : The Honourable Premier uttered these words at Lyallpur. It has become very usual with the Premier and the Minister for Development to try to make the people at large think that the Congressmen of the Punjab are the worst people in the world (*interruptions*). I see the Honourable Premier smiling at these remarks, but let me tell him that it is a sign of cowardice to take undue advantage of his position. He dare not utter these words in a Congress province like Bombay. If he did he would find himself in a lock-up.

Mr. Deputy Speaker : The honourable member is not relevant.

Dr. Satya Pal : If my honourable friend's arguments were relevant my reply to them is also relevant.

I was submitting, Sir, that it is the duty of the Government to protect the life and property of the people of this province even if they have political differences with them. Why does not the Honourable Premier come forward and declare that the magistracy and the police have been guilty of criminal negligence and that after suitable enquiries he will bring to book all the guilty officials? Let the Government understand once for all that as long as the guilty officials continue receiving support in the House and the Honourable Premier goes on showering encomiums on the police, such cases are bound to continue. The Honourable Premier has never come forward with an assurance that he will do the needful in these matters and the result is that "the heads of Congressmen are broken" at every place where a riot breaks out.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Muzaffargarh North, Muhammadan, Rural) (*Urdu*) : I know, my grief over the unfortunate happenings at Multan is shared by every section of the House. The action of the culprits who in their communal frenzy wounded and murdered innocent people and burnt the houses and property of their fellow citizens, cannot be too strongly condemned. All of us deplore such shameful incidents happening in the province. I am sure, the House joins me in offering our heartfelt sympathies to those who have suffered and sustained losses during the Multan riots. I must however submit that the Opposition has adopted, to say the least, a most uncharitable attitude, in utilising this opportunity to censure the Government and to throw all the responsibility for the unfortunate happenings in Multan, on its shoulders. My honourable friend, Munshi Hari Lal, the mover of the adjournment motion, like a clever lawyer that he is, has laid stress only on those points that strengthen his case and has omitted certain salient points that would alter the whole aspect of the matter. I hope the House will not be carried away by the emotional speeches of the Opposition which mainly contain a doleful note of elegy on the destruction of the Congress office and the Khaddar Bhandar, but will consider this important question dispassionately and with all seriousness that it deserves.

The mover of the adjournment motion has charged the local authorities of not having taken adequate precautions to avert the riot and for being unable to control the situation. I shall presently show that these allegations are baseless and incorrect. Had it not been for the timely action taken by the local authorities, the loss of life and property would have been far greater. As the House must be aware, Multan has an infamous reputation of being a centre of communal tension in the province. The shameful history of communal riots has been repeated in that town time and again and it is not the first time that a communal riot has occurred in Multan. The atmosphere of the town remains electrified with communal passion and a little untoward accident sets the fire ablaze. Hardly a few years elapse when the verse of Mir seems to be in the air :—

اک موج ہوا ہیجان اے میر نظر آئی
 ساکد کہ بہار آئی زنجیر نظر آئی

and the insane and ugly scenes of communal frenzy are repeated. The Opposition has also alleged that the speeches of Honourable Ministers are responsible for creating communal atmosphere. I most strongly repudiate these allegations. The Unionist Party has no place for communalism in its ranks. The Honourable Premier and his colleagues in the cabinet have always condemned communalism in unequivocal terms and one of the main items of the Unionist programme is to eradicate the evils of communalism from the body-politic of our country. If efforts of the Unionist Ministry to free the poor and down-trodden masses of the Punjab from the clutches of the capitalists and money-lenders are termed as communalism by our friends of the Punjab Congress, then the all-India Congress is also guilty of including the same item in its programme, though I agree that this item of the Congress programme is not acted upon by the capitalistic-minded Congressmen of the Punjab. (*Hear, hear.*) Moreover no Honourable Minister has addressed any public meeting in Multan so far. It is, therefore, incorrect to say that the speeches of the Ministers are responsible for communal tension in that town. An *ex-Minister* of Punjab, no doubt, went to Multan to preside over a conference, but the present Government cannot be blamed for the speeches of *ex-Ministers*. Let me point out to my friend Munshi Hari Lal that the speeches delivered at the non-agriculturists conference at Multan in September last and in which he himself took a prominent part, were of a communal nature and were responsible for intensifying the communal atmosphere of the town and aroused the communal passion of the citizens of Multan.

Dr. Sir Gokul Chand Narang : No, no, it is incorrect.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Sir, I would only refer my honourable friend to the press reports of the speeches delivered at the conference to refresh his memory. False accusations were made against the Ministry, communal shape was given to the agrarian measures passed by the Government, an alarm of 'Hinduism in danger' was raised, threats of boycott and civil disobedience were given, a war council was formed, and some of the irresponsible speakers even used foul language against the Unionist Ministers and leaders. If the district authorities had not taken sufficient precautions and the local Muslim leaders had not kept their followers under restraint and control the conference would have

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ended in a serious communal clash. I wish the organisers of the conference had realised that Multan was the least suitable place for holding such a conference. I am surprised at the attitude of my friends who kindle the fire by making inflammatory speeches before uneducated masses and when the town is set ablaze criticise the Government for not being able to extinguish the fire and hold it responsible for the damage done. (Cheers.)

Now, let me briefly state the facts which resulted in a communal riot in Multan. Some trouble arose between a woman belonging to Jhelum district who was accompanied by her two grown-up daughters and certain Hindus in 'Hannun-Ka-Chhajja.' It was alleged by one Hindu shopkeeper that they visited his shop to purchase some cloth and stole a piece of cloth from there, while the women complained that certain Hindus of the locality cut indecent jokes with them and assaulted them and when they protested and raised an alarm, a false allegation of theft was brought against them. The Hindu shopkeeper complained against them at the Kup Police Station where the local police registered a case against the women and took them into custody. Certain Muslims felt dissatisfied at the attitude of the local police for not registering the counter complaint of the women and for not releasing them on bail. A meeting of the Ahrar and Fidayan-i-Islam leaders was held in the evening. The next morning Muslim shopkeepers were asked to observe *hartal* as a protest against the attitude of the local police and a large crowd of Muslims went to the district courts to complain to the Deputy Commissioner against the attitude of the police. The Deputy Commissioner was away on tour and the representatives of the Muslims saw the Additional District Magistrate and placed their grievances before him. The Additional District Magistrate advised the Muslim crowd to disperse and told their representatives to go to the Kotwali and lodge a complaint. He promised to direct the police officer in charge to register the complaint and start investigation and also promised to bail out the women under police custody if the required surety was furnished. The Muslim leaders were satisfied by the sympathetic attitude of the Additional District Magistrate, and proceeded to Kotwali for lodging a complaint as directed. The Additional District Magistrate was later informed that a big crowd of Musalmans had gathered outside Haram Gate near the Kotwali. On receiving this news he reached the spot and requisitioned all the police reserve to the Kotwali. The police was posted at the gate and at other approaches to the city where the crowd had assembled so as to prevent the crowd from entering the city. The Additional District Magistrate assured the Muslim crowd that the case will be investigated properly and advised them to disperse peacefully. In the meantime a large Hindu crowd gathered from inside the city and raised slogans. The Additional District Magistrate ordered the police to form a strong cordon between the two crowds so as to prevent any possible clash. He sent for other available police to disperse the crowd. The crowd was dispersing when a Musalman came running from the city with a wound which excited the Muslim mob. After a short interval two other Musalmans who had received wounds and were profusely bleeding came and an alarm was raised that Musalmans had been murdered by Hindus in the city. Some of the members of the crowd left the scene while the others stayed on. The Additional District Magistrate had

posted other magistrates and police at strategic points to prevent the crowd from entering the city. Finding the police force insufficient to cope with the situation the military was requisitioned. In the meantime some persons who managed to climb the city wall set fire to houses. On the arrival of the military, order was restored. The fire engine of the municipality was inadequate to meet the contingency. The authorities requisitioned the military fire engine and telephoned to Montgomery and Lahore for the immediate despatch of their fire brigades. It was not possible for the Additional District Magistrate and a limited number of police with him to leave the spot where they were because if they had moved from there the crowd would have entered the city and a very serious clash would have taken place resulting in many murders and much greater damage to property. Under the circumstances the local authorities took every possible step to check the storm. The speech of my friend, Munshi Hari Lal indicates that only the Congress and the Hindus suffered loss of property. It is not so. The Muslim citizens have also suffered heavy losses. The fanatics from both sides, in their communal frenzy, set fire to the property of innocent people belonging to the other community. It is surprising to note that, although, Munshi Hari Lal laid great stress on the loss sustained by the Khaddar Bahandar and the Congress office, he did not care to mention others who had suffered equal if not greater loss. The other members of his party, who took part in the debate, also contented themselves by repeating the elegy of the Khaddar Bhandar and the Congress office but did not consider other sufferers deserving of their sympathy.

An honourable member : You are happy over the loss of the Congress office.

Premier : No.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : We can never be happy over the losses of our fellow citizens but our sympathies are not divided. Our hearts go out in sympathy to all those who have suffered loss during the unfortunate communal riot in Multan and we feel equally sorry for all of them. As a matter of fact, we have a double sympathy for the Congress ; *firstly*, because it suffered a loss and *secondly* because it has not been treated as a national and non-communal organisation by the citizens of Multan. The fact that the Congress office and Khaddar Bhandar were burnt in a communal riot is a painful warning for the Congress. It shows that the Congress has not been able, in spite of its Muslim Mass Contact movement, to inspire confidence among the Muslim masses. My friend Munshi Hari Lal and his co-workers in the Punjab Congress should take serious note of this fact and should try to change their policy and live up to the Congress ideals in order to raise the prestige of the Congress.

Chaudhri Kartar Singh : You are throwing out new challenges.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : No, Sir. It is not a challenge but a piece of sincere advice in the interest of my Congress friends themselves and the organisation to which they claim to belong. (*Interruption.*) The honourable member may wait. He too will have an opportunity to have his say. I cannot allow him to interrupt me at this stage because the time at my disposal is limited. The concern of

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 the Government over the Multan riot is evident from the fact that two Honourable Ministers were sent to Multan soon after the news of the riot reached the Government and they met the leaders of all communities and tried to restore peace and order in the city. Another charge levelled against the local authorities was that the dead body of a Hindu woman remained buried in the ashes of a burnt house for three days and it was not unearthed till the Ministers visited the spot. My friend should understand that the authorities were not sitting idle. They were fully absorbed in taking preventive measures to prevent the recurrence of the ugly incidents and in restoring peace and order in the town. They readily responded to every call for help and assistance. My friend has not stated that the help of the authorities in digging out the dead bodies was sought and it was denied. May I, however, ask my friend Munshi Hari Lal, as to what help he and his other fellow workers rendered in the matter? What were the Sewa Samiti workers and Congress volunteers doing? Perhaps they were all crying over the ashes of the Congress office all the time and were so overwhelmed by grief that they could not move from there.

Chaudhri Krishna Gopal Dutt : Mr. Deputy Speaker, I seriously draw your attention to the fact that it has become a habit here to dwell on irrelevant subjects. When one side indulges in irrelevant remarks the other side tries to reply to them. So, the vicious circle goes on. Will you please see that this is stopped? The subject before the House is quite different from what the honourable member is talking about.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : My honourable friends have my sympathy as they find these bitter facts hard to swallow.

Dr. Sir Gokul Chand Narang : Is the Chair seeing the *tamasha* or regulating the debate?

Khan Bahadur Mian Mushtaq Ahmad Gurmani : You have my sympathies for having too many guardians sitting over there. I know my friends sitting opposite find it difficult to face the facts, but I cannot help making them face the real issues. When arguments are advanced from this side and certain salient facts are placed before the House which do not suit my friends they start interrupting and want to take shelter under the pretext of relevancy. My friend, Dr. Satyapal, who claims to hold monopoly for relevancy, although his own speech was anything but relevant, took objection against Rai Bahadur Chaudhri Sham Lal's remarks with regard to the sympathetic attitude adopted and useful work done by the Honourable Ministers who visited Multan.

Chaudhri Krishna Gopal Dutt : May I know what are your observations to my point of order?

Mr. Deputy Speaker : I request the honourable member not to be personal.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : I was only pointing out that even relevant speeches from this side which do not suit the purpose of the Opposition are objected to on grounds of relevancy which is not fair. In a motion of adjournment the object of which is to censure the Government and criticize its policy and administrative responsibility, it is only reasonable that the supporters of the Government should explain to the

House the attitude of the Government and the feelings of the Ministers who constitute the Government, in the matter. I shall, however, not pursue this point any further if it makes my friends over there uncomfortable. Let us not forget that while it is the duty of Government to maintain law and order in the country and to safeguard and protect the legitimate rights, liberty, life and property of its citizens, it is equally the responsibility of every patriotic citizen to help the Government in creating a peaceful and healthy atmosphere in the country so as to make it possible for the Government to discharge its duties efficiently. It is the duty of every patriot and educated person to make his contribution to the peace and tranquillity of the country by training public mind on right lines and by infusing in them respect for law, spirit of toleration and feelings of goodwill for their neighbours. We should not only content ourselves by leveling criticism against the Government and by censuring it. The adjournment motions alone are no remedy for our ailment. The famous poet Akbar of Allahabad described the solicitude of a certain class of political leaders of his time in the following verse:—

قوم کے غم میں ڈنر کھاتے ہیں حکام کے ساتھ
رنج لیڈر کو بہت ہے مگر آرام کے ساتھ

but now the solicitude of our political leaders for the people takes the shape of adjournment motions. I would appeal to my honourable friends to make a substantial contribution towards the welfare and political advancement of their fellow countrymen by co-operating with the Government in creating a peaceful atmosphere in the country and by guiding public opinion in the right direction. Mere criticisms of destructive nature will lead us nowhere. We can do no better than set up good examples ourselves for the others to follow. (*Loud Cheers.*)

An honourable member : The question may now be put.

Mr. Deputy Speaker : Question is that the question be now put.

Dr. Sir Gokul Chand Narang (Urdu) : I claim the right of personal explanation. I have been to Multan and have seen the various shops and houses that have been burnt by the rioters.

Chaudhri Tika Ram : Is the honourable member speaking on personal explanation or is he making a speech?

Mr. Deputy Speaker : He has not made any speech as yet.

Dr. Sir Gokul Chand Narang : I have seen the Khaddar Bhandar and the house of Dr. Diwan Chand Bhutani which have been reduced to ashes.

Mr. Deputy Speaker : That is not a personal explanation.

Dr. Sir Gokul Chand Narang : Sir, if you will listen to me patiently, you will realise that I am speaking on personal explanation and in doing so I have to make a few observations. Brevity will be the key note of my speech this evening. My special claim for speaking at this fag-end of the day is that I have to my credit some personal knowledge of the city as I happened to visit that city and see the various places where the rioters caused havoc and reduced a large number of houses and shops to ashes. I cannot imagine any honourable member to be so stone-hearted as to remain unmoved at the sad spectacle of a most merciless devastation

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that this riot has caused in Multan. I would appeal to honourable members to leave aside for a moment the undignified task of mutual vilification and incrimination. I may also request them not to indulge in vain elegies and mourning over the deplorable happening in Multan. We had better steal some moments from this sentimental discussion and fix our attention on a few hard facts about the riot in question. In this connection I would particularly draw the attention of the Premier to the important points I am going to make. To begin with, I repel with contempt the suggestion of Mr. Gurmani that I had electrified the situation at Multan. I repudiate and condemn this charge with the contempt it deserves.

Mr. Deputy Speaker : I must stop personal references.

Dr. Sir Gokul Chand Narang : I have made no personal reference to any honourable member of the House. I merely wish to draw the special attention of the Premier to a few observations that I am going to make.

Mir Maqbool Mahmood : I rise on a point of order, Sir. Is it a personal explanation that the honourable member is offering or is it a speech?

Dr. Gopi Chand Bhargava : On a point of order, Sir. Two hours are allowed for an adjournment motion and if the Chair finds that frivolous discussion is going on, it would be perfectly within its rights to put a closure motion to the House, but if it finds that the closure motion has been made frivolously in order to stifle discussion and that proper discussion has not taken place, I think it is within the rights of the Chair to refuse to put the motion. The question has not been discussed at length. Those people, who have spoken especially on the other side, have not said a single word against the charge that has been made against the police. I, therefore, would submit that the closure motion be not put, otherwise it would mean that the majority does not want us to discuss the things which we want to discuss. If this is so, then we will know where we are.

Mr. Deputy Speaker : May I know from the Leader of the Opposition as to what more is to be said on the point?

Dr. Sir Gokul Chand Narang : I was going to tell, but you would not allow me.

Mr. Deputy Speaker : Time has already been given to the honourable mover and others.

Diwan Chaman Lall : May I draw your attention to the fact that it is not absolutely essential that time should be given to anybody excepting those who participate in the debate? There is no such convention. There is no such rule as far as motions for adjournment are concerned. Moreover, may I draw your attention to rule 62 regarding closure? I want to read this out for the benefit of the House.

Mr. Deputy Speaker : The honourable member need not take the trouble of reading it out. *(Laughter.)*

Diwan Chaman Lall : I am raising a point of order and I am within my rights in raising the point of order. All that I say is this that the rule specifically stands in order to protect the rights of the minority. The closure motion which has been moved in order to stop the debate should not be accepted by the Chair.

Mr. Deputy Speaker : I took this into consideration when I began to put the question. Nothing more has to be said,

(Voices : How do you know that ?)

Dr. Sir Gokul Chand Narang : Lala Duni Chand stood up and at my request he gave way and I wanted to speak on the motion and I told you that I would not take more than five minutes. Due to you and the impatience of these gentlemen about 10 minutes of this House have already been wasted. And now you are only imagining that nothing more is to be said. Well, I told you, that I wanted to suggest three or four things for the consideration of the Honourable Premier. We are not here for fun. You do not allow me to put before him what I consider to be most important, after having spent a whole day at Multan. You say that there is nothing more to say about it. Is the Chair a thought reader ?

Mr. Deputy Speaker : I ask the honourable member to use dignified language.

Premier : Sir, it is hardly necessary for me to submit that the mover of the motion and another speaker took 15 minutes and we have had only 20 minutes to speak.

Munshi Hari Lal : I took only 20 minutes.

Premier : You took exactly 29 minutes by that clock. If the honourable member who has moved this motion before the House containing charges that he has made, wants to hear me in reply, I would require some time to reply to his points and there are only 40 minutes left. He perhaps will exercise his right of reply and if he wants, he might do so now and then I will try to concentrate within the little time left to me, but if he does not wish to exercise his right, perhaps it may be possible for some other member to speak. But if he wants to exercise his right and they want to talk out the motion, I will not allow it because it is not fair to this side of the House to talk the motion out.

Dr. Gopi Chand Bhargava : I would submit that more than 10 minutes, in which a member could finish his speech, have been wasted because discussion was not allowed to take place. Therefore, I would submit that these 10 minutes should not be counted because what has happened during these 10 minutes was beyond the discussion. I would submit further that you would be within your rights to allow the Government member or the mover more time than ten minutes and you have to see that the other people are not debarred from taking part in the discussion. The discussion is not to be stifled. Whatever the Premier has to say he can say—he can finish very soon—but if he wants that nobody else should be allowed to speak and take the time of the House, that means that he does not want the motion to be voted for. We want the motion to be voted for and not talked out.

Khan Bahadur Nawab Muzaffar Khan : May I suggest one thing ? The Honourable Premier requires time for reply. May I request the mover to cut short his time and let Dr. Sir Gokul Chand Narang speak for five minutes ?

Munshi Hari Lal : I will take six or seven minutes only.

Dr. Sir Gokul Chand Narang : I am not going to speak for more than five minutes. I would have finished long ago. The first thing that I want to bring to the Premier's notice, if he will listen to me, is this. The allegation is that on the 13th of October the Superintendent of Police left Multan although he knew or ought to have known that *hartal* was going on in the city, it was being observed by all Muslims, and that there was danger of a breach of the peace. This is the first point which requires to be looked into. The second point is that when a deputation of Muslims of Multan waited upon Mr. Teal, the Magistrate, there was a large crowd. Instead of taking any other action, he directed them to go to the City Kotwali which is just outside Haram Gate. That led to the increase in the crowd. As is usually the way with crowds, if 50 people gather together, others join and the crowd swells to large proportions. This was another blunder as is alleged by the people of Multan. I do not accuse any one. I want to ask you to enquire into these matters. The third point is that although 13 shops near the Town Hall were burnt at a stone's throw from the old Kotwali, as it is called, and a very big house—I am particularly referring to the House of Dr. Diwan Chand—with all his factory and stock were burnt (and there was another police chouki close to those houses) and then the whole of Sabzi Mandi and some other places including Khadar Bhandar and others were burnt, yet not one arrest was made on the spot. This is a very painful and significant thing, a thing which one cannot understand. The police being so near, not one person was caught red-handed. The fourth point is that just opposite to the House of Dr. Diwan Chand there was a small Muslim furniture shop. The allegation is that a Muslim Sub-Inspector of police went there in a lorry with a pistol in his hand and took out the whole furniture from that small shop and saved it because it was in danger of being burnt. He did a good thing. I am not accusing him of that. He was a God-fearing man perhaps but the question is, if he could be so particular and careful about that small shop, how was it that no police officer or head constable or constables took any trouble to stop the fire anywhere else? This is the next point. The fifth point is that the people, whose houses were being burnt, were not allowed to go near them to extinguish the fire nor were volunteers allowed to go near the burning places to put the fire out. This also requires to be enquired into. The last thing that I would say is this. The whole thing that has occurred there is most painful, most tragic and it is most disgraceful that such a thing should have happened in a big town like Multan where there is also reserve police and it was not called out. You have got to enquire into that also. These five or six points require very sifting and searching enquiry and I trust that you will make that enquiry. Lastly I would submit that the Government should be generous in this instance and should compensate all the sufferers irrespective of caste or creed. If the Government does not do that, I think the Government will have failed in its duty. If the Government cannot do this from the public funds, it should make an enquiry as to the culprits who were responsible for this loss and legal steps should be taken against them to make them pay the sufferers and compensate them for the loss suffered by them.

Lala Duni Chand : I beg to say one word.

Mr. Deputy Speaker : I call upon Munshi Hari Lal.

Lala Duni Chand : I do not want to make a speech but I want to say one word if you will hear me. What I want to say will be absolutely new. (*Interruptions.*)

Mr. Deputy Speaker : Order, please.

Lala Duni Chand : I do not want to speak. I want to tell you that there has been a—(*Interruptions.*)

Munshi Hari Lal : On a point of order. I have to give the reply after those on the Treasury benches have spoken on the subject. My speech will be the last on this adjournment motion. If they do not want to speak I will reply at once. Should I understand that I am now to reply and the debate will come to a close after my reply?

Mr. Deputy Speaker : The Minister in charge will have the last say. (*Voices : No, no.*)

Munshi Hari Lal : How can I know what is in the mind of the Minister?

Lala Bhim Sen Sachar : May I draw your attention to Rule 48? It clearly and specifically lays down "..... the Minister answering him.....". The Minister must be there and it is only then that the right of reply is to come.

Mr. Deputy Speaker : The question is—

That the question be now put.

The motion was carried.

Munshi Hari Lal : Sir, I have heard with rapt attention the speech of Rai Bahadur Chaudhri Sham Lal. I am glad to say that there is not a single word in his speech to defend the local officers. The defence is conspicuously absent. To put it in the words of one of the Secretaries of State for India he is the man on the spot, Rai Bahadur Chaudhri Sham Lal who belongs to Multan, must have gone into the facts and as a responsible member of this House and as a citizen of Multan must have investigated the whole affair. He does not deny what I have said. This non-repudiation of the charges which I have levelled clearly proves my case that the local officers were not vigilant, they were not alert and they were not properly discharging their duties in averting a communal riot. His defence of the Ministers does not at all touch my motion. I have already paid some tribute to the Ministers inasmuch as they asked the local authorities to recover the dead body of the woman on the 16th from the debris. The defence of the Ministers is not the subject of my motion. My motion is clear. My motion amounts to this that when Rome was burning Nero was either fiddling or at least not caring to extinguish the fire. The local authorities did not properly act and they were then acting like Nero. They were standing by with their folded arms and taking no steps whatsoever for putting out the fire and for saving the buildings of those poor people whom the Honourable Khan Bahadur Mian Mushtaq Ahmad Gurmani represents and for whom we are here in this House. My sympathy goes with the sufferers; and the Congress at Multan was the first institution that passed a resolution of sympathy with the sufferers irrespective of their caste or creed on the first Sunday following the riots. Probably Mr. Gurmani does not know the facts himself when he says that

7 P. M.

[Munshi Hari Lal.]

the facts as submitted by me are otherwise. He had not the boldness to marshal and place those facts which he presumes to know, before the House. For the facts which I have placed before the House I take the fullest possible responsibility. They are hard facts, unassailable facts and facts which stand unchallenged. None of the Ministers has got up to reply to my charges up till now. They want to steal a march over us. They want to speak after my speech in reply is over. They do not refute the charges which I have made against the local officers. They do not come forward and place their cards on the table. They do not wish to disclose facts. They think that the facts which are in their possession should go unanswered. The last word is no doubt theirs. But that last word will not be of any advantage to them. On the other hand that last word will mean to the people outside as well as in this House that the Ministry has not the courage to hear a reply to their say. I hope, Sir, when the Honourable Ministers are going to speak on this motion they will not forget the elementary lesson which is taught to the students in schools and colleges and the time which Shakespeare puts in the mouth of Caesar when he was asked to stay away from the Senate on a certain fateful day—'Shall Caesar send a lie to the Senate'. I hope that they will follow Caesar who preferred death to falsehood and will come forward with true facts and admit that the local officers were remiss in their duty. I have got no malice against them. Their conduct requires an enquiry. Let the Government enquire. If they find that the local officers are guilty, punish them and if they are not, praise them. I have placed the motion before the House and I hope that the Government would not be reluctant to make a searching enquiry. If their (officers') conduct is clean, if they have acted honestly and fairly, they should not shirk the scrutiny and an enquiry. If they come out triumphant, surely they would be in a position to clear off the charges which I have lodged in this House against them. This House will realise that up till now nothing has been said to contradict my statement that the local authorities were negligent, that they failed so miserably, so sadly and so ignominiously that they could not control the situation in time. Last of all I appeal to the Treasury benches to inquire into the sufferings of the people and to deal severely with those who are found guilty and to compensate losses.

Premier (The Honourable Major Sir Sikander Hyat-Khan): Sir, I am afraid it would not be possible for me to traverse the whole ground because the time at my disposal is short, but I should like to meet some of the salient points made by my friends opposite and particularly by my friend, Dr. Sir Gokul Chand Narang. Let me very briefly give you the facts as I know them. The facts as reported to me are as follows :—

At about 10.30 A.M. on 12th October 1938, three Muslim women of the Jhelum district entered a Hindu cloth dealer's shop at Multan and are alleged to have removed some pieces of cloth in the absence of the owner. An alarm was raised and a few Hindus collected on the spot. The women were handed over to the Police and one of them was removed to judicial custody the same afternoon. In the evening a Muslim meeting was held at Multan and allegations were made that the Muslim women had been assaulted by the Hindus.

On the morning of 13th October, 1938, the Muslims announced and observed a *hartal* in the city. A crowd of Muslims tried to seek interviews with the Deputy Commissioner and Superintendent of Police, Multan, but as both of them were away on tour the Muslims approached the Additional District Magistrate, Multan

who interviewed them at the Haram Gate Police Station and tried to pacify them. The police were instructed to enquire into the allegations against the Hindus of assaulting the Muslim women and for the moment the Muslims were satisfied.

At about 2-30 p.m. after the Additional District Magistrate had left the police station, the Muslim crowd dispersed peacefully. In the meanwhile a crowd of about 800 Hindus, who had collected near the "Dakhna Sudhar Sabha" Temple inside Haram Gate, came into conflict with some of the Muslims returning to the city. Both parties hurled abuses at each other and shouted provocative slogans, but were successfully pushed back by the police. Suddenly a Muslim, bleeding from the head, emerged from the Haram Gate bazar. He was followed in quick succession by three other injured Muslims. This greatly excited the Muslim crowd who tried to force back their way to the Haram Gate, but were prevented from doing so by the police. A little later, it was observed, that the City Congress office and the Khaddar Bhandar were in flames. The Hindu-Muslim crowds armed with sticks and bits of firewood were in a state of great agitation but were prevented with considerable difficulty by the police from coming into conflict with each other. Brickbats were exchanged at intervals, but were quickly suppressed. The crowds were finally dispersed without the use of force. Between 3-30 p.m. and 6 p.m. however, cases of arson and stray assaults occurred in several places outside the city. Two houses near the Congress office and the whole of the Sabzi Mandi, comprising about 60 shops, were burnt down. A cinema, a few stalls, and a large building near the Town Hall were also set on fire. Some trouble occurred inside the city in *Hussain Aghai*, where a Hindu and a Muslim mob armed with lathis and pieces of firewood opposed each other and exchanged brickbats. Both the crowds were, however, dispersed without much difficulty. Orders were immediately issued under section 144, Criminal Procedure Code, prohibiting the carrying of all firearms, lathis, sticks and other dangerous weapons in public places.

Dr. Gopi Chand Bhargava : When was section 144 promulgated? After the fire or before the fire?

Premier : After 3-30 p. m.

A curfew order was imposed and all necessary arrangements were made to put out the fires and suppress the disturbances. Both the Deputy Commissioner and the Superintendent of Police returned to Multan the same evening and took personal charge of measures to put down disorder. With the help of a detachment of Indian troops and a fire-fighting squad from the Duke of Wellington Regiment, which was generously furnished by the military authorities on their own initiative, the fires were brought under control by midnight. One hundred additional police were drafted into Multan as quickly as possible and British troops were called out and stationed in the city.

Dr. Sir Gokul Chand Narang : Whose report is this?

Premier : This is an official report of the Deputy Commissioner.

Dr. Sir Gokul Chand Narang : Did the Ministers make any report?

Premier : I will come to that. I am sure that there cannot possibly be a single member in this House, who does not deprecate the happenings in Multan. Everyone is very sorry and feels for it. I see that the honourable mover has not uttered a word of sympathy for the innocent victims of those outrages. All those innocent people naturally deserve the fullest sympathy, not only of this House but of every sane man. (*Hear, hear.*) I am certain that I am voicing the feelings of every patriotic person, not only in this House but in the province when I sympathise with the victims of those outrages committed in Multan. (*Hear, hear.*) My honourable friend was very quick and bitter in trying to pillory the police, but those *goondas* of both sides, Hindus and Muslims were, according to my honourable friend, angels and the police, who successfully kept them apart and saved Multan from the bloody riot which would have been in no way less severe than that

[Premier.]

of 1922, are being pilloried. They did their duty well with a handful of men. Multan city is a notorious part in the province unfortunately, and the honourable member should be ashamed that that atmosphere, which he has traced from several years, should still exist in spite of his laudable efforts and those of his colleagues. (A voice: What is the Ministry doing?) I am coming to that. My honourable friend was very bitter against the police and local authorities, who did their very best, under very adverse circumstances, to keep the two communities apart. There had been only a few stray assaults in the remote part of the city. How could a handful of men concentrate themselves in every corner of the city and avoid those assaults? The stray assaults happened here and there. My honourable friend is impeaching the police for their omission, but he has not said a word of praise for those who saved Multan from the bloody riot.

Now, Sir, my honourable friend has mentioned the Khaddar Bhandar and the Congress office. I am very sorry that those places should have been burnt down. But there were several other houses much more in value which have been burnt down. My honourable friend forgets that Khakwanis have 42 shops in the Sabazi Mandi which were burnt down. He mentioned everything else but he did not mention this.

I should like to say a few words with regard to the points raised by my honourable friend, Dr. Sir Gokul Chand Narang. His first point was that the Superintendent of Police should not have left Multan at that time. Let me point out to him that not only the Superintendent of Police, but the Deputy Commissioner and the Deputy Superintendent of Police, all three were out. Why, because a mischief was going on in another part of that very district and it is significant—I am not imputing any motive and I hope it is not true—that that mischief was started merely to draw the police out and this trouble started when they were away. It is most unfortunate that this should have happened. I do not say that this is correct, but the mischief had started in another part of that district and naturally the Superintendent of Police, Deputy Superintendent of Police and the Deputy Commissioner had to go there. While the police was away the mischief was started in this part of the city by people who pose to be Congressmen. When my honourable friend will make enquiries, it will be published in papers that they are no longer Congressmen as happened on several occasions. As soon as these officials got the information, they came post-haste to Multan. They did what was humanly possible to avoid any further trouble and did their best to give relief to those people. I have already told you that the police was drafted from some other district. But the troops were also called for help. If they had not come to our rescue more property would have been burnt down. It was the military fire engine and fire squad which saved the situation because the Multan Municipal Committee fire engine was not in order or was not available.

The other point which he mentioned was that police *chaukis* were close to the place where this arson happened. I have already assured him that a handful of men were concentrated in one place to keep the crowd away. Unfortunately the police was most inadequate. I may add for the information of the House that the Government is considering now to put a big punitive police post at Multan until the disease is eradicated from that

city. I may also inform my honourable friends that I have declared that area as a disturbed area so that people can come forward and put their applications with regard to their claims and recover loss. How it would be assessed is a matter under consideration, but with that object in view I have declared Multan a disturbed area, so that applications could be made, because unless I notified it as a disturbed area, it would not have been possible for these people to come forward and put in their applications. These applications will be considered, but at the same time Multan must get the punishment which it deserves of a huge punitive police, so that no one can create mischief in future.

Diwan Cham an Lall : Police which will act and not police which will not act.

Premier : If the honourable member had been in Multan he would have known what the condition there was like.

My honourable friend has also said that no arrests were made at the time. Dr. Sir Gokul Chand Narang will concede that it is impossible in a riot like that which happens behind the police cordon.

Dr. Sir Gokul Chand Narang : You have not seen the place.

Premier : But the people who have seen the place have told me that the place where these things happened was close to the police *chauki*. It does not necessarily follow that the police was there at the time. They had been sent to keep the groups apart, but I may inform my honourable friend that since then investigation has been going on under the direct supervision of a special officer and several arrests have been made and I hope the real culprits will be brought to book. A special officer has been deputed for that purpose to see that the investigation does not suffer for want of full personnel and time.

My honourable friend, Munshi Hari Lal did not say a word of praise for my colleagues the two Ministers who went there immediately when they learnt of this disaster. They went there at once.

Chaudhri Krishna Gopal Dutt : That is beyond the scope of the adjournment motion.

Munshi Hari Lal : I did give them credit.

Premier : It was the duty of Government to see with their own eyes what was happening and to see what the local officers were doing. I sent them at once so that they should have first hand information. You would be glad to learn that they met the leaders of various communities and sections of the people and had a very friendly conversation with them and it was decided that the *hartal* which had been declared by both sides should be lifted. Both parties agreed to it. Would you be surprised to learn if I tell you that one gentleman, if he likes I will name him if he has the courage.....(*Honourable members : Name him.*) None of you, but if the honourable member himself wishes I will name him. It was decided that the *hartal* should be lifted, but he said, do not lift the *hartal* because if you do it then Government will get the credit. Let Dr. Gopi Chand come and he will get the *hartal* lifted. This is the spirit in which my honourable friend the mover of the adjournment motion wants to get cheap credit. It is a disgraceful thing that the lives of people should be jeopardised in this way.

Munshi Hai Lal : Wrong report, a damnable lie.

Premier : I have several things to say but there is no more time so I must perforce stop now. Before I do so I must appeal to the House with all the earnestness and with all the emphasis that I can command that the lives of people in the cities or villages should not be made a pawn of political game. They should no longer be made pawns merely because the Congress and I do not see eye to eye with each other. What have they done that we should try to exploit these riots and cases of arson and murder ?

Diwan Chaman Lall : Who is exploiting ?

Premier : I have given one instance. I can give several others. But let me appeal to my friends in this House and also to my friend the mover of this motion that when he goes back to Multan he should try to help the authorities and the additional police which I am going to impose on that city and also go to the villages and tell them which people should meet the cost of the police and which should be exempted. I hope he will do so and not try to save people simply because they belong to one political creed or another. That is the patriotic line that he should take. Since the time at my disposal is almost exhausted, I will sit down so as to allow the question to be put to the vote, so that we should see whether the Government stands impeached or not.

Dr. Gopi Chand Bhargava : I have been mentioned by the Honourable Premier in this connection ; so I want to offer a word of personal explanation. I beg to submit that when I went to Multan I never said that people should not open their shops or anything of that sort. What I did was this. I went to the honourable members of the Assembly there and asked them to bring about a compromise so that there may be no riots. I may further submit that the charge that anybody said that when Dr. Gopi Chand comes the shops should be opened has no foundation whatsoever.

Dr. Sir Gokul Chand Narang : May I know whether the Honourable Ministers who went to Multan have submitted any report ?

Munshi Hari Lal : The Honourable Premier has said that I stood in the way of the calling-off the *hartal*. I was one of those who attempted to bring about a compromise and to restore peace. Therefore, the statement made by the Premier has got absolutely no foundation.

Mr. Deputy Speaker : The question is—

That the House do now adjourn.

The Assembly divided : Ayes 33, Noes 66.

AYES.

Ajit Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhagat Ram Sharma, Pandit.
Bhim Sen Sachar, Lala.

Binda Saran, Rai Bahadur.
Chaman Lall, Diwan.
Dev Raj Sethi, Mr.
Duni Chand, Lala.

Gokul Chand Narang, Dr. Sir.
 Gopal Das, Rai Bahadur Lala.
 Gopi Chand Bhargava, Dr.
 Hari Lal, Munshi.
 Hari Singh, Sardar.
 Harjab Singh, Sardar.
 Kabul Singh, Master.
 Kapoor Singh, Sardar.
 Kartar Singh, Chaudhri.
 Kartar Singh, Sardar.
 Kishan Singh, Sardar.
 Krishna Gopal Dutt, Chaudhri.
 Mazhar Ali Azhar, Maulvi.

Muhammad Abdul Rahman Khan,
 Chaudhri.
 Muhammad Hassan, Chaudhri.
 Muhammad Iftikhar-ud-Din, Mian.
 Mukand Lal Puri, Rai Bahadur Mr.
 Mula Singh, Sardar.
 Muni Lal Kalia, Pandit.
 Rur Singh, Sardar.
 Sant Ram Seth, Dr.
 Satya Pal, Dr.
 Shri Ram Sharma, Pandit.
 Sohan Singh Josh, Sardar.
 Sudarshan, Seth.

NOES.

Abdul Haye, The Honourable Mian.
 Abdul Rab, Mian.
 Abdul Rahim, Chaudhri (Gurdaspur).
 Abdul Rahim, Chaudhri (Gurgaon).
 Ahmad Yar Khan Daulatana, Khan Bahadur Mian.
 Ahmad Yar Khan, Chaudhri.
 Akbar Ali, Pir.
 Allah Bakhsh Khan, Khan Bahadur Nawab Malik.
 Amjad Ali Shah, Sayed.
 Ashiq Hussain, Captain.
 Chhotu Ram, The Honourable Chaudhri Sir.
 Faiz Muhammad, Shaikh.
 Faqir Hussain Khan, Chaudhri.
 Farman Ali Khan, Subedar-Major Raja.
 Fateh Jang Singh, 2nd-Lieutenant Bhai.
 Fateh Muhammad, Mian.
 Fateh Sher Khan, Malik.
 Fazl Din, Khan Sahib Chaudhri.
 Fazal Karim Bakhsh, Mian.
 Few, Mr. E.
 Ghulam Mohy-ud-Din, Maulvi.
 Ghulam Samad, Khawaja.
 Gopal Singh (American), Sardar.
 Gurbachan Singh, Sardar Sahib Sardar.
 Hans Raj, Bhagat.
 Het Ram, Rai Sahib Chaudhri.
 Jafar Ali Khan, Mian.

Jagjit Singh Bedi, Tikka.
 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 Amin, Khan Sahib Sheikh.
 Muhammad Ashraf, Chaudhri.
 Muhammad Azam Khan, Sardar.
 Muhammad Faiyaz Ali Khan, Nawabzada.
 Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar.
 Muhammad Hayat Khan Noon, Nawab Malik Sir.
 Muhammad Nawaz Khan, Major Sardar.
 Muhammad Saadat Ali Khan, Khan Sahib Khan.
 Muhammad Sadiq, Shaikh.
 Muhammad Yasin Khan, Chaudhri.
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
 Muzaffar Khan, Khan Bahadur Captain Malik.
 Muzaffar Khan, Khan Bahadur Nawab.
 Nasrullah Khan, Rana.
 Naunihal Singh Mann, Lieutenant Sardar.
 Nur Ahmad Khan, Khan Sahib Mian.

Pir Muhammad, Khan Sahib Chaudhri.	Sohan Lal, Rai Sahib Lala.
Pritam Singh Siddhu, Sardar.	Sultan Mahmood Hotiana, Mian.
Ripudaman Singh, Thakur.	Sumer Singh, Chaudhri.
Shahadat Khan, Khan Sahib Rai.	Sundar Singh Majithia, The Honourable Dr. Sir.
Shah Nawaz Khan, Nawab Khan.	Suraj Mal, Chaudhri.
Sham Lal, Rai Bahadur Chaudhri.	Tara Singh, Sardar.
Sikander Hyat-Khan, The Honourable Major Sir.	Tikka Ram, Chaudhri.
Singha, Mr. S. P.	Ujjal Singh, Sardar Bahadur Sardar.

The Assembly then adjourned till 12-30 P. M. on Tuesday, 15th November, 1938.

PUNJAB LEGISLATIVE ASSEMBLY

4TH SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Tuesday, 15th November, 1938.

*The Assembly met at the Assembly Chamber at 12-30 P.M. of the clock
Mr. Speaker in the Chair.*

STARRED QUESTIONS AND ANSWERS.

INQUIRY INTO THE DEATH OF KALA SINGH, SON OF GURDIT SINGH, ZAILDAR.

***3495. Sardar Kartar Singh:** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that a magisterial inquiry was held into the circumstances leading to the death of one Kala Singh, son of Gurdit Singh, Zaildar, of Chak No. 51/J. B., district Lyallpur;
- (b) if the answer to (a) is in the affirmative, whether the Government has received the report of the magistrate in that case;
- (c) if so, what action has the Government taken or proposes to take in the matter?

The Honourable Major Sir Sikander Hyat-Khan: This has been answered in the reply to question *3471¹ put by the honourable member for the Lyallpur and Jhang (General) Rural Constituency.

RECOMMENDATIONS OF THE FOREST COMMISSION.

***3496. Sardar Kartar Singh:** Will the Honourable Minister of Revenue be pleased to state what action has the Government taken or proposes to take on the recommendations of the Forest Commission which was recently appointed by the Punjab Government?

The Honourable Dr. Sir Sundar Singh Majithia: Government have considered the recommendations of the Punjab Government Forest Commission and accepted the majority of its recommendations either in principle or subject to details being elaborated. Government have further approved administrative measures to carry out the Commission's recommendations which will be provided for in the schedule of new expenditure. For the most urgent work in the Jhelum and Kangra districts a supplementary demand is being presented during the current session. Detailed orders of Government will be found in the copy of letter No. 1522-C (S.), dated the 18th August, 1938, incorporated in Chapter XII of the second edition of the Commission's Report a copy of which is laid on the table.

REPORTS OF LAND REVENUE AND UNEMPLOYMENT COMMITTEES.

***3497. Sardar Kartar Singh :** Will the Honourable Minister of Revenue be pleased to state as to when the reports of the Committees on Land Revenue and Unemployment are expected to be published ?

The Honourable Dr. Sir Sundar Singh Majithia : (i) In regard to the report of the Land Revenue Committee the Honourable Member's attention is invited to the answer given to starred question No. 3197. The Report will be considered by Government as soon as practicable.

(ii) The report of the Unemployment Committee is in the press.

PERSONS INTERNED IN THEIR VILLAGES OR EXTERNEED FROM
THE PUNJAB.

***3506. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state—

(a) the number and names of persons who have been interned in their respective villages under the Punjab Criminal Law (Amendment) Act after the last Simla session of the Punjab Legislative Assembly ;

(b) the number and names of persons externed from the Punjab under the same Act during the same period ;

(c) the reasons, if any, for so doing ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) Eighteen; out of whom nine only are under restriction now.

(b) Three.

(c) These persons had acted or were about to act in a manner prejudicial to the public safety and peace ;

It is not in the public interest to disclose the names of the persons against whom action was taken.

Diwan Chaman Lall : May I enquire who were those who considered that these persons were acting or were about to act ?

Parliamentary Secretary : Finally the Punjab Government.

Diwan Chaman Lall : On what reports produced before them did they take this action ?

Parliamentary Secretary : It is not in the public interest to disclose the details of material on which action was taken.

Diwan Chaman Lall : May I ask whether he has understood my question ? My question is on what reports, from what sources—I am not asking for any details—who were the people who supplied the reports on which action was taken ?

Parliamentary Secretary : My honourable friend's subtlety may permit him to differentiate between the information that he wants and the information that is denied, but I cannot help him.

Diwan Chaman Lall : May I ask whether the reports received by my honourable friend were merely police reports and nothing else ?

Parliamentary Secretary : I can tell my honourable friend opposite that they were reports not only of police but from other sources but I am not free to disclose those details.

Diwan Chaman Lall : My friend says "others." Were these "others" people who were in the secret police or people who were attached to the police ?

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

Diwan Chaman Lall : May I ask whether my honourable friend had any independent record of anything on which action was taken ?

Diwan Chaman Lall : May I ask my honourable friend whether the reports received were dealt with in the first instance by the police and in the last instance by the Government ?

Diwan Chaman Lall : May I ask my honourable friend whether it is a fact that the reports were first dealt with by the police and then by the Government ?

Diwan Chaman Lall : Mr. Speaker, I appeal to you in regard to this matter. My honourable friend can deny the fact and say that it is not in the public interest to answer this. But it is a great discourtesy to the Speaker as well as to the House for my honourable friend to sit and not answer the question.

Mr. Speaker : Sometimes questions are answered by silence.

Diwan Chaman Lall : May I enquire whether it is a fact that merely *ex parte* evidence was taken consisting purely of records prepared by police or by people who are connected with the police and that no independent evidence has been collected on which action has been taken against these people ?

Parliamentary Secretary : I would say once again that the Government does not take action under this section unless it is fully satisfied that action is justified.

Diwan Chaman Lall : May I enquire whether it is not his duty to satisfy fully this House as to the procedure adopted by the Government ?

Diwan Chaman Lall : May I know whether he will continue to flout the opinion of a large portion of this House in regard to this matter ?

Diwan Chaman Lall : May I ask my honourable friend whether this is a right and just and proper method to adopt in robbing individuals of their liberty ?

Lala Deshbandhu Gupta : What is the procedure that Government follows in cases like this ?

Parliamentary Secretary : It is the procedure laid in the Act and it is the same procedure which was applauded by Mahatma Gandhi when it was applied by Mr. Rajagopalachariar of Madras there.

Diwan Chaman Lall : May I enquire whether he will tell this House as to who the persons were in the Government who dealt with these records.

Sardar Sohan Singh Josh : May I know if Bhagat Singh is also one of these persons ?

Parliamentary Secretary : I have already replied to the question that it is not in the public interest to give the information .

Diwan Chaman Lall : Whose interest is it ?

Dr. Gopi Chand Bhargava : May I know whether an enquiry is made from the Madras Government as to the method they have adopted ?

Mr. Speaker : Questions relating to matters in which the Minister is not concerned officially are inadmissible.

Dr. Gopi Chand Bhargava : But the honourable member himself has referred to that matter.

Mr. Speaker : That makes no difference.

PERSONS ARRESTED AND SENTENCED UNDER SECTION 124-A., INDIAN PENAL CODE, IN THE AJNALA TAHSIL.

***3507. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state —

- (a) the number and names of persons arrested and sentenced under section 124-A, Indian Penal Code, in the Ajnala tahsil, during the current year ;
- (b) sentences awarded to them by the lower courts ;
- (c) the names of persons among them who were acquitted or whose sentences were reduced by the Honourable the High Court ?

Parliamentary Secretary (Mir Maqbool Mahmood) : (a) to (c) A statement is laid on the table.

Diwan Chaman Lall : May I know whether he will characterise these large number of arrests as the existence of a reign of terror in that tahsil created by the Unionist Government ?

Mr. Speaker : That is a matter of opinion.

Sardar Sohan Singh Josh : Who sanctioned these prosecutions—Government or any other officer ?

Parliamentary Secretary : I want notice of that question. It does not arise out of this question. (*Laughter.*)

Sardar Sohan Singh Josh : Was the prosecution started to prevent the defence witnesses from appearing in the Fatehwal case ?

Parliamentary Secretary : Certainly not.

Lala Deshbandhu Gupta : Do Government realise that in view of the statement made by the honourable Parliamentary Secretary, the machinery which sanctions prosecutions, etc., is really very defective and needs a complete overhaul ?

Mr. Speaker : It is a matter of opinion.

Diwan Chaman Lall : Does my honourable friend know whether any sanction was obtained from the Government or not ?

Parliamentary Secretary : I have already stated that with regard to actions under Criminal Law Amendment Act action is taken by the Government. With regard to the procedure followed in this particular case, I have only supplied the information asked for. If any further information is asked for and notice is given I shall be delighted to give as much information as can be given in public interest.

Diwan Chaman Lal : Do I take it then that the honourable Parliamentary Secretary who deals with this question is ignorant of the procedure adopted in such cases ?

Mr. Speaker : That is not a supplementary question.

Statement showing names of persons arrested and convicted under section 124-A in the Ajnala tahsil during the current year.

Serial No.	Name.	Sentence by Lower Court.	Sentence by High Court.
1	2	3	4
1	Sohan Singh, son of Gurdit Singh.	One year's rigorous imprisonment.	Sentence reduced to period already undergone.
2	Labh Singh, son of Ch. Jiwan.	Ditto	Ditto.
3	Isher Singh, son of Jawand Singh.	Ditto ..	Acquitted.
4	Pala Singh, son of Mit Singh, Granthi.	Ditto ..	Sentence reduced to period already undergone.
5	Wazir Singh, son of Lachman Singh.	Six months' rigorous imprisonment.	Ditto.
6	Kapur Singh, son of Vir Singh	Ditto ..	Ditto.
7	Dr. Gurbakhsh Singh, son of Nadhan Singh.	Ditto ..	Ditto.

CLASSIFICATION IN JAIL OF PRITHVI SINGH AZAD AS B CLASS PRISONER.

***3508. Sardar Sohan Singh Josh :** Will the Honourable Minister of Finance be pleased to state—

- the date on which Mr. Prithvi Singh Azad, of village Lalru, district Ambala, was transferred from Bombay Jails in the Punjab Jails ;
- the jail and the class he is placed in the Punjab ;
- whether it is a fact that he has been degraded from A to B class ; if so, the reasons for the same ;
- his present state of health ?

The Honourable Mr. Manohar Lal : (a) 12th July, 1938.

(b) He is confined in the Rawalpindi District Jail and is being treated as a B class prisoner.

(c) He was classified as an A class prisoner by the Bombay Government. On his transfer to Punjab Jails he became subject to the Classification Rules in force in this province, according to which B class was the highest class for which he was eligible.

(d) His present state of health is excellent.

Sardar Sohan Singh Josh : What are the rules by which A class prisoners are transferred to B class ?

Minister : It would be more interesting to enquire how the Bombay Government placed him in A class. This particular prisoner was, as the honourable member probably knows, in the first instance sentenced to death. Later on this sentence was commuted to one of transportation. Does the Honourable Member know that sentences of death can only arise if offences involving violence are committed and according to the Punjab Government rules nobody who has been convicted of an offence involving violence can be given any class higher than B ?

Diwan Chaman Lal : Does the question of violence arise even in the case of prisoners convicted of violence under Martial Law ? The Honourable Minister has himself been a prisoner under that law.

Minister : I am not here concerned with that.

Lala Deshbandhu Gupta : Does the Honourable Minister know that Europeans convicted of offences involving violence are sometimes placed in 'A' class as well ?

Minister : No, they are not placed in A class.

Lala Deshbandhu Gupta : Is it not something above B class ?

Minister : No, it is not above B class.

Chaudhri Kartar Singh : Is the Honourable Minister aware that the bureaucratic Government gave A class to Sardar Bhagat Singh and his friends when they were under trial ?

Minister : I do not know the facts. If the honourable member wishes me to find them out, I shall do so, if he gives notice.

Chaudhri Kartar Singh : Will the Honourable Minister give the same class to Sardar Prithvi Singh ?

Minister : It is a hypothetical question.

Mr. Speaker : That is a request for action.

Pandit Shri Ram Sharma : Are not the classes given dependent on the crime committed ?

Minister : I have already said so.

Lala Deshbandhu Gupta : Is the Honourable Minister quite sure that the expenditure incurred on European prisoners placed in B class is not higher than that incurred on B class Indian prisoners ?

Minister : If the honourable member will give me notice, I shall make enquiries, but I do not know how it arises out of the question whether Prithvi Singh is placed in class A or class B or whether class B is suitable for him.

Lala Deshbandhu Gupta : It does arise, because the Honourable Minister has stated that persons convicted of violence are not given A class, while I understand that this rule is not observed in the case of European convicts. They are given treatment which is even better than A class treatment.

Sardar Sohan Singh Josh : Has he ever been ill since he came to the Rawalpindi Jail ?

Minister : He came to Rawalpindi Jail only recently in July, 1938, and so far as I am aware he has not suffered in health. On the other hand, his state of health is excellent.

Chaudhri Kartar Singh : Will the Honourable Minister please state why the Government are not prepared to give A class to persons who were given A class by the Governments of Bombay and Madras, when they are always referring to their examples ?

Mr. Speaker : The question is disallowed.

*3338. *Cancelled.*

ELECTION RESULT OF MUNICIPAL COMMITTEE, PALWAL.

*3339. **Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Public Works be pleased to state—

(a) the date on which the elections to the Municipal Committee, Palwal, were held ;

(b) the reasons for delay, if any, in gazetting the result of elections ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) From the 16th to the 18th of August, 1938.

(b) The names of both the elected and nominated members have to be gazetted simultaneously. The Commissioner of Ambala received several representations from the public in connection with the nominations to be made by him and he had to consider in consultation with the Deputy Commissioner the claims of the various classes and also the suitability of individuals to represent these classes. This explains the delay in issuing the notifications which were not gazetted till the 14th October.

Dr. Gopi Chand Bhargava : May I know whether the Honourable Minister is aware that the cases of those who had been elected were also under examination during this period ?

Minister : The honourable member had asked the dates and the cause of the delay. This is there in the reply. I do not know why the names of elected members should be brought in the question which is only regarding nominated members.

Dr. Gopi Chand Bhargava : May I know whether it was not the cause of delay that the cases of elected members were also under examination ?

Minister : It does not arise out of this question. I have given you the reasons why delay took place in nominating these members.

Dr. Gopi Chand Bhargava : I want to know whether it was also one of the causes of delay. How does the Honourable Minister say that it does not arise ?

Minister : As far as I think, it does not arise.

Dr. Gopi Chand Bhargava : May I know whether this point that the case of elected members was also under examination is one of the causes of delay in gazetting the elected members ?

Minister : I cannot say why it should be.

Dr. Gopi Chand Bhargava : Was it or was it not ?

Minister : There was no inordinate delay. If you see the dates there was little delay but the Commissioner had to go down to the place to consult the Deputy Commissioner.

Dr. Gopi Chand Bhargava : The Honourable Minister has already explained the reasons, I want to know whether it was one of the reasons of delay.

Minister : I have said that there was no inordinate delay.

Dr. Gopi Chand Bhargava : What are the reasons that you have stated ? My question was the reasons for not off-hand gazetting the elections. He has already stated the reasons for that delay, but I want to know whether it was extraordinary, ordinary, inordinate or ordinate delay, whether one of the reasons of this delay was that the case of elected members was also under examination.

Minister : No, as far as I think.

— DACOITIES IN THE HISSAR DISTRICT.

***3340. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state—

- (a) the number of dacoities reported to police in the Hissar district in 1936-37 and 1937-38 and the number of culprits arrested and challaned with the number of those among them who were convicted ;
- (b) whether it is a fact that the number of dacoities in the said district has increased during this period and, if so, the action that is proposed to be taken in the matter ?

The Honourable Major Sir Sikander Hyat-Khan : (a)—

	Cases reported.	Number of accused arrested.	Number of accused sent for trial	Number of persons convicted.
1	2	3	4	5
1936	7	21	19	3
1937	8	9	7	3
1938	15	53	40	2

(b) The number of dacoities in the years 1932 to 1935 averaged something over 10. (In 1932 the figure was 16). There has thus been an increase in the present year, but not to any alarming extent. Measures are, however, being taken in the way of forming a special staff to round up absconders, and the Deputy Commissioner is considering the propriety of issuing extra arms licenses to suitable persons in the areas principally affected.

NAINA SINGH'S ARREST.

***3358. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that Mr. Naina Singh was recently arrested by the police and detained at the Lahore Fort ; if so, why and under what law ;

(b) the interval for which he has been kept in detention ;

(c) his present whereabouts ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : (a) Yes. Naina Singh was arrested under section 2, Punjab Criminal Law (Amendment) Act, 1935, for having acted and being about to act in a manner prejudicial to the public safety and peace.

(b) Two months.

(c) He was present in his home village, Dhut Kalan, in the Kapurthala State, in the month of October.

Sardar Hari Singh : May I ask the honourable member whether it has been brought to the notice of the Government of which he is the Parliamentary Secretary that Naina Singh was accorded harsh treatment in the Lahore Fort ?

Parliamentary Secretary : I have no knowledge.

Sardar Hari Singh : May I ask whether any member of Government has ever visited the Lahore Fort to enquire into the grievances of the detainees in the Lahore Fort ?

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

Sardar Hari Singh : May I ask in what respect Naina Singh was going to act prejudicially to public interest ?

Parliamentary Secretary : It is not in the public interest to give that information.

Sardar Hari Singh : May I ask whether in his dictionary public peace is synonymous with Unionist Party's interests ?

Parliamentary Secretary : No.

Lala Deshbandhu Gupta : Will he please state whether there are any rules which govern the treatment accorded to the internees detained in the Lahore Fort during the period of detention ?

Parliamentary Secretary : If the Honourable member will put a question about it I will supply the information.

Sardar Sohan Singh Josh : Can I know where Naina Singh was arrested ?

Parliamentary Secretary : That information was not asked in the question.

Lala Deshbandhu Gupta : Under whose charge do these prisoners remain as long as they remain in the Lahore Fort ? Is it under the Finance Minister or the Premier ?

Parliamentary Secretary : That is absolutely a separate question.

Lala Deshbandhu Gupta : Is the Parliamentary Secretary in a position to reply to this question or not ?

Lala Deshbandhu Gupta : Is it a fact that he has no knowledge or information on this point ?

Parliamentary Secretary : That does not arise.

Sardar Hari Singh : May I ask the Parliamentary Secretary whether Naina Singh has been externed from the Punjab under the Criminal Law Amendment Act ?

Parliamentary Secretary : I have no information on the subject.

Lala Deshbandhu Gupta : In whose charge is this prisoner at present ? Is it the Honourable Finance Minister or the Honourable Premier who is in charge of this prisoner ?

Parliamentary Secretary : We know nothing about him.

Lala Deshbandhu Gupta : Under whose charge was he when he was detained ?

Parliamentary Secretary : Under our charge, of course.

Lala Deshbandhu Gupta : How is he in a position to say that he was not maltreated ?

Parliamentary Secretary : I never said anything about it.

Sardar Hari Singh : May I ask whether he made any statement while he was under detention in the fort ?

Parliamentary Secretary : I have given that reply.

Sardar Hari Singh : May I ask whether he is quite ignorant of any thing connected with this question ?

Parliamentary Secretary : I know everything that the honourable member had asked in the question.

ARRESTS AND CONVICTIONS FOR POLITICAL OFFENCES.

***3359. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) the number of arrests and convictions under sections 108 and 124-A and (similar sections) dealing with political offences, since the last session of the Assembly and since 1st April, 1937 ;
- (b) the number of those interned in and externed from the Punjab under the Criminal Law Amendment Act, for the periods mentioned in (a) above ;
- (c) the number of persons detained in Lahore Fort during the periods mentioned in (a) above ?

Parliamentary Secretary : (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : (a) Thirty-four persons were arrested and 24 convicted under section 124-A, Indian Penal Code, from 1st April 1937 to 7th November 1938. Eight of these persons were also simultaneously dealt with under section 153-A, Indian Penal Code. Twelve persons were arrested and six convicted under section 108, Criminal Procedure Code during the same period. One person was arrested under section 124-A, one under section 124-A/153-A, Indian Penal Code, and three under section 108, Criminal Procedure Code between 23rd July, 1938 and 7th November, 1938. Only one of these has so far been convicted. It is not clear what the honourable member means by the words "similar sections dealing with political offences." If he will indicate the offences clearly, the necessary information will be supplied.

(b) Twenty-five persons were interned in and nineteen persons were externed from the Punjab under the Punjab Criminal Law (Amendment) Act, 1935, between 1st April, 1937 and 7th November, 1938. Eighteen persons were interned and three persons externed from the Punjab between 23rd July, 1938 and 7th November, 1938.

(c) Eighteen persons were detained in the Lahore Fort between 1st April, 1937 and 7th November, 1938. Of these only three were detained between 23rd July, 1938 and 7th November, 1938.

Sardar Hari Singh : May I ask the honourable member whether I am right in concluding that this Government has beaten all past records in taking action under these repressive laws? I want the Government to compare the figures under the present Government with the figures during the last régime.

Parliamentary Secretary : Is it a question or a speech?

Sardar Hari Singh : Is it a fact that the Government has beaten all the previous records in this respect?

Mr. Speaker : That is not a supplementary question.

Dr. Sir Gokul Chand Narang : Can the Honourable Parliamentary Secretary inform this House what is the number of detainees and externees, say, from the 1st of April, 1936 to the 31st March, 1937?

Parliamentary Secretary : The honourable member has been a Minister and still he asks me that question. Does it arise from the question asked by the honourable member?

Dr. Sir Gokul Chand Narang : I live to learn from the Honourable Parliamentary Secretary and I shall continue to learn.

Parliamentary Secretary : The question asked information from the 1st of April, 1937 and the honourable member wants me to give information for the previous year. I have not brought all the records on the subject with me.

Diwan Chaman Lal : May I ask whether it is a fact that the numbers are very much larger than the numbers of previous years?

Mr. Speaker : The question does not arise for the simple reason that he does not possess that information.

Sardar Lal Singh : Is the Honourable Parliamentary Secretary in a position to deny that the number of the internees is much larger than under the previous Government ?

Mr. Speaker : How can he answer that question when he has not got the necessary figures ?

Sardar Lal Singh : Is he in a position to deny ? He is dealing with such cases daily.

Dr. Gopi Chand Bhargava : He must have seen those figures while discussing or considering the annual report on administration of Criminal Justice 1937 and that was about a month back.

Lala Deshbandhu Gupta : Does the Honourable Parliamentary Secretary know that these figures bear no comparison with the arrests, convictions, internments and externments made in Madras which he is so fond of quoting from time to time ?

Parliamentary Secretary : We do not follow those who have no experience of administration.

Sardar Hari Singh : It was a landlord like Sir Sikander Hyat-Khan who was responsible for taking this action.

Parliamentary Secretary : I know nothing about Madras.

Premier : What about Ghalladher ?

Parliamentary Secretary : Please speak one at a time. I cannot follow the whole House. (*Interruptions*).

Mr. Speaker : Order, order.

Chaudhri Kartar Singh : Will the Honourable Parliamentary Secretary please state the policy under which so many externments and internments were to be made ?

Parliamentary Secretary : I have not followed.

Chaudhri Kartar Singh : Mr. Speaker, part (b) of the question runs as follows :—

“(b) The number of those interned in and externed from the Punjab under the Criminal Law Amendment Act for the period mentioned in (a) above.”

In view of this may I enquire under which policy the Government interned and externed such a large number of persons from the Punjab ?

Parliamentary Secretary : There is no question of policy. Anybody who commits an offence is dealt with by us according to law. We are neither afraid of anybody nor do we spare anyone.

Chaudhri Kartar Singh : Will the Honourable Parliamentary Secretary please state the danger to the State in view of which they have interned or externed such a large number of Jats ?

Parliamentary Secretary : The question of Jats does not arise.

Chaudhri Kartar Singh : On a point of order. I ask your ruling as to whether a supplementary question can be asked in regard to the policy of the Government in connection with this question ?

Mr. Speaker : It is for them to say and not for me.

Parliamentary Secretary : We deal with everybody according to law.

Chaudhri Kartar Singh : May I enquire if there is any red danger to the State? (*Voices :* What do you mean by red danger)?

Sardar Sohan Singh Josh : Will the Honourable Parliamentary Secretary please state if these arrests were made with a view to stabilise the Unionist Government?

Lala Deshbandhu Gupta : Does the Honourable Parliamentary Secretary or the Honourable Premier realise that the large number of arrests and convictions and externments and internments do not suggest a normal state of affairs in the province?

Mr. Speaker : Opinions cannot be asked.

Parliamentary Secretary : That is an expression of opinion but we deal with everybody according to law and we are not afraid of anybody and we do not spare anybody however strong he may be.

Lala Deshbandhu Gupta : Is it not a fact that these figures show that according to the Unionist Government there exists an abnormal state of affairs in the province that they dread something like a revolution in the province.

Parliamentary Secretary : Some of our friends on the opposite benches pretend to hold that view.

Mr. Speaker : The next question.

Sardar Hari Singh : May I ask whether the Premier is aware of the fact that on account of these frequent arrests and convictions under the repressive laws, there is a widespread impression in the public mind that the Government is resorting to these measures in order to weaken its opponents in the country and consolidating its own hold?

Premier : I do not think that the public have got any such idea or impression but if my honourable friend has got that impression it is wholly erroneous.

Sardar Hari Singh : May I ask whether it is not a fact that it is the object of the present government to weaken the Congress by resorting to such action?

Mr. Speaker : That question is disallowed.

Dr. Sant Ram Seth : How many interneers and externeers belong to rural and urban areas respectively?

Mr. Speaker : Disallowed.

Lala Deshbandhu Gupta : How many were statutory agriculturists and how many non-agriculturists? (*Laughter*).

DEMAND OF SECURITIES FROM THE AKALI PATRIKA AND AKALI PATRIKA
PRESS, LAHORE.

***3360. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) the grounds for the demand of securities of Rs. 8,000 each, from the daily *Akali Patrika* and the Akali Patrika Press, Lahore ;
- (b) the substance of the articles on the basis of which the above action was taken ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : (a) The demand for security was made by the District Magistrate, Lahore, under sections 5 and 9 of Act XXIII of 1931, which gave him discretion to make this demand in view of the fact that previous security had been forfeited.

(b) Does not arise. In passing his order it was not necessary for the District Magistrate to refer to the articles on the basis of which the previous security was forfeited.

Sardar Hari Singh : May I ask whether the District Magistrate before taking action against this paper got the permission of the Government ?

Parliamentary Secretary : No, it is not necessary to take the permission of the Government.

Sardar Hari Singh : May I know whether he made any reference to the Government before taking the action ?

Parliamentary Secretary : He should not have but if the honourable member wants information on this particular matter I would like to have notice.

Sardar Hari Singh : May I know whether the Government made any gesture to the District Magistrate in connection with this matter before action was taken ?

Parliamentary Secretary : No.

Sardar Hari Singh : May I ask whether this action was taken by the District Magistrate against the paper because that paper was continuously criticising the Premier and in particular the Revenue Minister ?

Premier : No, no. There are several papers in Lahore which are criticising the Premier day in and day out and mostly without reason, and in some cases they put into my mouth something which I do not say, and they write long editorials in half of which they say they entirely agree and in the other half they say they disagree, but no action is taken against them.

Sardar Hari Singh : May I ask whether before this action was taken there was a talk between the Revenue Minister and the Premier in regard to this matter ?

Premier : No. I can assure my honourable friend that the Revenue Minister has nothing to do with this matter.

Sardar Partab Singh : May I ask the Premier if he told the journalists who went to Simla that before taking any action against any paper he would inform and consult the committee of the journalists ?

Premier : I have not said anything of the kind.

Diwan Chaman Lall : What was the reason for taking this action ?

Parliamentary Secretary : I have already answered this question in the reply. It says : " Does not arise. In passing his order it was not necessary for the District Magistrate to refer to the articles on the basis of which the previous security was forfeited."

Diwan Chaman Lall : May I ask him to repeat it because it is impossible to hear the reply unless the honourable member wants to make himself audible ?

Parliamentary Secretary : I will read out the answer again. " Does not arise. In passing his order it was not necessary for the District Magistrate to refer to the articles on the basis of which the previous security was forfeited."

Sardar Hari Singh : May I ask whether Government would look into the matter to see if injustice has not been done in this case by the District Magistrate ?

Parliamentary Secretary : I have no reason to believe that injustice has been done.

Sardar Hari Singh : May I ask whether they consider that the District Magistrate serving under the Unionist Government is infallible ?

Mr. Speaker : The question is disallowed.

Sardar Partab Singh : Did the journalists' committee of Lahore send any letter to the Premier that he should look into this matter and that injustice had been done ?

Mr. Speaker : That question does not arise.

Diwan Chaman Lall : May I ask the Premier, in view of the large number of questions put to him, whether he will consider it desirable to make an enquiry into this matter and find out the facts ?

Premier : I have made an enquiry.

Diwan Chaman Lall : What is the result of that enquiry ?

Premier : Government does not consider it necessary to interfere with the decision of the District Magistrate.

Diwan Chaman Lall : May we know the grounds on which Government does not consider it necessary ?

Premier : No.

Diwan Chaman Lall : May I take it that it is not in the public interest to disclose those reasons ?

Premier : I have told my honourable friend that Government do not wish to interfere with the discretion of the District Magistrate in this matter. His action is justified on the grounds which he put forward to Government as a result of that enquiry ; and we consider that his action was perfectly justified.

Diwan Chaman Lall : May I ask my honourable friend to enlighten the House whether he would be prepared to enlighten the House as to the grounds he put forward before the Government ?

Premier : This question relates to the security demanded from the paper which had not been behaving properly and had been writing rabid communal articles.

Diwan Chaman Lall : May I ask my honourable friend whether the law is not sufficient, section 153-A is not sufficient for the purpose of roping in anybody who is exciting communal feelings ?

Premier : It is sufficient for some people and it is not sufficient for others.

Sardar Sohan Singh Josh : May I ask the Premier to specify those particular articles on which he bases his opinion that communalism was indulged in by the papers ?

Premier : If my honourable friend goes through the file of the *Akali Patrika* he will find them practically in every issue of the paper.

Diwan Chaman Lall : May I ask the Honourable Premier, who claims to be a democrat with a large following, whether it is not necessary to enlighten the public as to the exact nature of those articles on which my honourable friend was constrained to take action and to specify the article and the particular paragraph in this article which incited my honourable friend to take that action ?

Premier : I would have to keep a very big special department for that purpose if I was going to enlighten my honourable friend what action was taken against several communal papers who write communal articles.

Diwan Chaman Lall : May I ask my honourable friend to bear in mind that I have no intention to ask him to go in for a general enquiry into this matter. All that I am asking is this, in this particular matter what were those articles on which my learned friend took action against this paper and the specific offence committed in those articles which led him to take this executive action ?

Premier : That part has been answered in the main question.

Diwan Chaman Lall : May I point out that that part has not been answered. Will he specify the dates of those articles for which action was taken ?

Parliamentary Secretary : The question is about the demand of security from that particular paper. If any paper forfeits security and a fresh declaration is filed on its behalf, the District Magistrate can demand from it enhanced security to the extent of Rs. 10,000.

Diwan Chaman Lall : Is the honourable member not prepared to enlighten either the proprietor of the paper, or this House or the public in the Punjab as to the exact basis on which Government have taken this action ?

Parliamentary Secretary : That information was not asked for in this question.

Sardar Partab Singh : Is it not a fact that the security was forfeited on an article as was mentioned in the notice, regarding harsh and severe *lathi* charge made by the police on peaceful and non-violent *kisans* on 20th July, 1938 ?

Premier : If that is so, why does the honourable member ask for that information.

Lala Deshbandhu Gupta : Is it a fact that during the last two years of the Unionist régime, no action has been taken against any Unionist paper on account of communal preachings in this province ?

Premier : The Unionist Party is not so rich as to have a paper of their own ; otherwise they would have stopped this kind of communalism.

Lala Deshbandhu Gupta : Is it a fact that those papers which generally support the Unionist Party, have not been proceeded against by the Government ?

Premier : Government has not spared any paper, whether it is pro-Unionist or pro-Congress or pro any other party, if it has in any way infringed the conditions which I have laid down with regard to communal exacerbation of feelings.

Lala Deshbandhu Gupta : Is it not a fact that sometime back the Honourable Premier in a public pronouncement announced that the *Inqilab* was their official organ ?

Diwan Chaman Lall : Is it a fact that the Honourable Leader of the House has been communicated with by the Honourable Leader of the Opposition pointing out to him that a certain paper has supported his policy and definitely preached communal disharmony, a copy of which was forwarded to him. Has he taken any action against that paper ?

Premier : I may assure the honourable member that action is taken against all papers which preach communalism.

Diwan Chaman Lall : Is it a fact that during the last budget session, a particular paper, I will not name it, and a copy of which was forwarded and marked to the Honourable Premier, wrote an article inciting communal disharmony and violence ? May I ask him what action was taken against that paper ?

Premier : Please name the paper. I do not remember it now. Why should you have a delicate feeling about such a paper ?

Dr. Gopi Chand Bhargava : The *Inqilab*. And I should also draw the attention of the Honourable Premier to one of the issues of the *Islah*.

Premier : I am certain that during the course of the last 18 months, the *Inqilab* has been warned at least twice or thrice. This paper the *Islah* to which my attention was also drawn, also wrote some very rabid and even violent articles, but my honourable friend presumably would not want me to take any action against that paper now since he is in correspondence with the Amir of that group to which this paper belongs.

Dr. Gopi Chand Bhargava : May I enquire whether any warning was given to any of those papers which criticised the action of the Honourable Premier ? Was their security ever forfeited or demanded ?

Premier : My honourable friend is asking something which is not relevant to this question.

Dr. Gopi Chand Bhargava : Was any warning given to the *Akali Patrika* ?

Premier: If you want to know it, give me notice.

Dr. Gopi Chand Bhargava: May I know how does the Honourable Premier know that I do not want him to take any action against the *Islah*? (Interruptions).

Mr. Speaker: I think we have already gone far beyond the limit of relevancy.

Dr. Gopi Chand Bhargava: When we say anything it is irrelevant. When the Honourable Premier was pleased to give an irrelevant reply, am I not entitled to give again a reply, specially when it is given against me? How does he imply that I do not want any action to be taken against the *Islah* or is it that he is afraid of Muhammadans?

Premier: In the discharge of my duty to God and my province I am not afraid of Muslim, Hindu or Sikh opinion, if it desires deflection from justice.

Dr. Gopi Chand Bhargava: You are. If not, then why did you join the Muslim League?

Premier: I have been a member of the Muslim League for the last 14 or 15 years. However, that is neither here nor there. But with regard to this paper, the *Islah*, I think my honourable friend has now probably changed his opinion.

Chaudhri Krishna Gopal Dutt: Has the Honourable Premier got any party connection with the *Inqilab*?

Premier: No, Sir.

Dr. Sant Ram Seth: Is it a fact that the security was demanded from the *Akali Patrika* with a view to weaken the Akali Party?

Mr. Speaker: The next question.

LALA NAND LAL, POLITICAL PRISONER.

***3381. Lala Duni Chand:** Will the Honourable Minister of Finance be pleased to state—

- (a) whether it is a fact that a political prisoner named Lala Nand Lal, of Amritsar, who was sentenced in June, 1931, to 7 years' imprisonment which expired in June last is still undergoing imprisonment in Multan jail; if so, the reasons for which he has not been released so far;
- (b) whether he earned any remissions during the period of his imprisonment; and if so, to what extent;
- (c) whether it is a fact that his mother has only recently made a representation to the Honourable Premier for his immediate release; and if so, what orders have been passed thereon?

The Honourable Mr. Manohar Lal: (a) Prisoner Nand Lal was sentenced to an aggregate term of 8 years and 8 months' imprisonment in four different cases. He has not been released because this term has not yet expired.

(b) The total remission earned by him up to the middle of October was 11 months and 13 days.

(c) Yes. She was informed that her son was sentenced to an aggregate term of 8 years and 8 months and not 7 years' rigorous imprisonment as stated by her.

PRITHVI SINGH, AN ABSCONDING PRISONER.

***3382. Lala Duni Chand :** Will the Honourable Minister of Finance be pleased to state—

- (a) whether Chaudhri Prithvi Singh, an absconding prisoner, surrendered himself to the police at the instance of Mahatma Gandhi and that he is now detained in Rawalpindi jail ;
- (b) whether Mahatma Gandhi has made any representation to the Punjab Government for his release, and if so, whether any action has been taken thereon ;
- (c) whether the Government contemplates to start any case against him ; if so, under what law ;
- (d) under what law he is being detained without any trial ;
- (e) how the Government proposes to deal with his case ?

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

(b) No.

(c) No.

(d) and (e) He is a duly convicted prisoner undergoing a substantive sentence of transportation for life.

OPENING OF A CARNIVAL AT AMBALA BY KISHAN LAL SUTHRA.

***3383. Lala Duni Chand :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that one Kishan Lal Suthra of Ambala City has recently applied for permission to open a Carnival at Ambala Cantonment ;
- (b) whether the Government is aware of the fact that the so-called proposed Carnival for which permission has been sought is nothing but a gambling den to swindle simple and unwary persons ;
- (c) what action the Government propose to take in the matter ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) :

(a) No.

(b) and (c) Do not arise.

SUICIDE COMMITTED BY MAHESH DUTT SHARMA OF THE HEALTH DEPARTMENT.

***3388. Pandit Shri Ram Sharma :** With reference to the answer to my question No. *2859¹, put on 28th June, 1933, will the Honourable Minister of Public Works be pleased to state—

- (a) whether he has received from me some documents left by the deceased Mahesh Dutt and whether they throw more light

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on the circumstances which led to his fateful suicide, and the responsibility therein of the Karnal Health Department officials ;

(b) whether a departmental or police enquiry has been ordered ; and if so, to what result ; if not, why not ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) and (b) I received the papers mentioned by the honourable member in the latter half of the last month. They extend to 57 pages and will be examined. Any specific allegations of impropriety will be enquired into, and I shall inform the honourable member of my conclusions.

3402. *Cancelled.*

FREE CONCESSIONS TO STUDENTS.

3411. Pandit Shri Ram Sharma : With reference to the answer to my question No. 461¹, will the Honourable Minister of Education be pleased to state—

(a) whether it has not come to his notice that in notification No. 820-G., dated 10th January, 1938, the following sentence ;

“shall be allotted to Muhammadan pupils and the other half to poor pupils of Hindu and Sikh and other parentage,” has been inserted in place of the following in the previous notifications on the same subject ;

“shall allot to Muhammadan pupils whose parents are poor..... and the other half to poor pupils of Hindu, Sikh and other parentage.”

(b) the reason of deleting the adjective ‘poor’ from the Muhammadan pupils and retaining it for others ?

The Honourable Mian Abdul Haye : The omission is a printing error and is being rectified.

ASSESSMENT OF DAURE-CHAH IN MULTAN DISTRICT.

***3445. Pir Akbar Ali :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether any assessment is made on ‘Daure-Chah’ in the Multan district ;

(b) whether it is a flat rate or a varying rate ; and

(c) lay on the table the rules governing the assessment of ‘Daure-Chah’ in the Multan district ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) Yes, except in the Khanewal tahsil, which was reassessed recently as a part of the Lower Bari Doab Colony, and such estates elsewhere as are under a purely fluctuating assessment.

(b) It is in the form of a lump sum fixed for each well at settlement, but varies from well to well according to circumstances.

(c) The honourable member's attention is invited to Appendix III to the Multan district Dastur-ul-amal.

Pir Akbar Ali : Is it in addition to the settlement assessment rate ?

Parliamentary Secretary : I would advise the honourable member to go through the answer and I will get all the necessary information.

Pir Akbar Ali : Has the Government ever considered to abolish these rates ?

Parliamentary Secretary : I am afraid not yet.

PURCHASE OF REQUIREMENTS BY JAIL FROM THE INDIAN STORES DEPARTMENT.

***3446. Pir Akbar Ali :** Will the Honourable Minister of Finance be pleased to state—

(a) whether it is compulsory for the jail authorities to purchase their requirements for jails from the Indian Stores Department ;

(b) whether it is a fact that the jail authorities have to pay to the Indian Stores Department higher than the market rates ; if so, why ?

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

(b) Purchases made by the Indian Stores Department for the Punjab Jails Department are based on competitive rates obtained throughout India. A departmental charge of 2 per cent is levied by the Indian Stores Department on such purchases for arranging and testing the supplies.

Pir Akbar Ali : Is it a fact that the Jail authorities have been asserting that they have to pay higher rates because they have to purchase from the Indian Stores Department ?

Minister : Not to my knowledge, but I shall enquire if the honourable member so desires.

NOMINATION OF DEPRESSED CLASSES ON MUNICIPAL COMMITTEE, PALWAL.

***3450. Chaudhri Sumer Singh :** Will the Honourable Minister of Public Works be pleased to state—

(a) whether it is a fact that Lala Ram Chandar, who is a big money-lending Mahajan, has recently been nominated as a member of the Municipal Committee, Palwal ; if so, the reasons justifying his nomination ;

(b) the number of elected Mahajan members of the Municipal Committee, Palwal ;

(c) the population of depressed classes in the Palwal Municipal Committee area ;

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- (d) the number of members of depressed classes elected for the said municipal committee and if no member belonging to the depressed classes has been elected the steps taken by the Government to safeguard the interest of depressed classes residing in Palwal ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Lala Ram Chandra was nominated to the Committee as being a public-spirited gentleman who had done well as president of the outgoing committee.

(b) Two.

(c) About 1,500 out of a total population of 10,800, but at the last census they were not enumerated separately in the Palwal Municipal Area.

(d) No member of these classes obtained a seat by election. None was nominated because amongst other reasons the Commissioner was not of opinion that there is at present any individual who would be suitable. I am informed that these classes in Palwal are at present much divided by faction.

Chaudhri Sumer Singh : Will the Honourable Minister for Public Works please state the definition of a suitable candidate ?

Minister : It means suitable. The definition may vary according to people, but suitable means suitable. If he wants to know any further, the honourable member may consult the dictionary.

Chaudhri Sumer Singh : I wish to know the criterion of suitability which you accept. Your criterion may be different from that of my honourable friend Diwan Chaman Lall.

Minister : Each man has different ideas about suitability.

Dr. Gopi Chand Bhargava : Does suitability mean that he would follow blindly the orders of the Ministry ?

Minister : No, when I say 'suitable', I mean suitable from the public point of view and suitable for the interests of the local body concerned.

Dr. Shaikh Muhammad Alam : What should be the size of a suitable person and what should be the size of his turban ? (*Laughter*).

Minister : That depends upon the heads of various persons wearing it.

Mian Iftikhar-ud-Din : Do the persons generally nominated by the Unionist Government have any measure of intelligence ?

LEASING OUT TERMINAL TAX COLLECTION IN THE MUNICIPALITIES OF LAHORE DIVISION.

*3478. **Malik Barkat Ali :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that in the municipalities of the Lahore division the system of leasing out terminal tax collection has been introduced on the report of the Inspector of Local Bodies ;

- (b) if the answer to (a) above be in the affirmative, whether he intends to take any action to stop this practice utterly at variance with all civilised methods of tax collection?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) The system is in force in three municipalities of the Lahore division—Pathankot, Dinanagar and Patti.

(b) No; the procedure is allowed by section 83 of the Municipal Act and Government have received no complaints regarding it.

FINE IMPOSED ON POLITICAL OFFENDERS IN 1930 AND 1932 AND ITS REFUNDING.

***3482. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

- (a) the total amount of fine imposed on political offenders during the civil disobedience movement in 1930 and 1932 ;
(b) whether the Government has considered afresh the question of refunding the fines so imposed ; and if so, with what result ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : (a) and (b) If the honourable member will please explain what he means by the term 'political offenders', I will try to collect the required information.

Dr. Sant Ram Seth : I beg to point out that every body who participates in civil disobedience movement is a political offender.

Parliamentary Secretary : Some people think that religious fanatics should be released, others think that even those debtors who murder their creditors are pardonable and yet other people have different views altogether. So opinions on the subject are many and varied as my honourable friend knows.

Dr. Sant Ram Seth : Is the Government prepared to restore the properties of all those people whose properties were confiscated as a result of their convictions in the civil disobedience movement ?

Premier : You ought to have given notice of that question. No answer to it can be given *ex tempore*.

Dr. Sant Ram Seth : Surely you can reply to my question now.

Parliamentary Secretary : This is responsible Government, Sir.

Dr. Gopi Chand Bhargava : The question is about the total amount of fine imposed on political offenders during the civil disobedience movement.

Parliamentary Secretary : Which according to others may not be political offences ?

Dr. Gopi Chand Bhargava : The question concerns the political offenders during the civil disobedience movement. It does not concern any other offenders.

Diwan Chaman Lall : Will the Honourable Parliamentary Secretary please state whether it is easy enough to find out the details regarding each particular prisoner who was convicted during the civil disobedience movement ?

Parliamentary Secretary : If the honourable member makes the question, I will give him the information.

Diwan Chaman Lal : Will the Honourable Parliamentary Secretary apply his mind and give a considered reply later, but will he undertake to give a reply ?

Parliamentary Secretary : When I get notice of a fresh question, I will certainly give a reply. The present question is not quite clear.

LIVES AND PROPERTIES OF PUNJABIS IN BURMA.

***3493. Sardar Lal Singh :** Will the Honourable Premier be pleased to state—

- (a) whether he is aware of the fact that the lives and properties of Punjabis have been and are in danger in Burma ;
- (b) what steps, if any, did the Punjab Government take to impress upon the Central Government the need for taking effective steps to safeguard their lives ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : (a) No. The Punjab Government have not seen any reports to this effect. If the honourable member has any particular information on the subject, of a reliable kind, I should be grateful if he would forward it to me, so that we may consider whether any sort of representations should be made to the Government of Burma or to the Central Government in India.

(b) In view of reply to part (a), does not arise.

Dr. Gopi Chand Bhargava : Will the Parliamentary Secretary please define the expression 'reliable information' ? What does he mean by 'reliable' ?

Parliamentary Secretary : Information which Sardar Lal Singh believes to be reliable.

Dr. Gopi Chand Bhargava : I want to know what will satisfy the Parliamentary Secretary as to the reliability of evidence, whether it is the police report or something else ?

Sardar Lal Singh : Are we to understand that the Punjab Government is utterly ignorant of the fact that there have been widespread riots in Burma and that emigrants are returning from Burma to India and among them there have been several Punjabis ?

Parliamentary Secretary : No representation has been made to us so far.

Sardar Lal Singh : Is the Punjab Government aware of the fact that almost all the military police to defend Burma is mainly recruited from the Punjab, and they have been quite helpless to defend the Punjabis ?

Premier : Yes, but why were they helpless ?

Sardar Lal Singh : It is for you to enquire.

Premier : The military police was not helpless. There are thousands of Punjabis in Burma. Punjabis are still there and are living happily.

Sardar Lal Singh : Is the Honourable Premier aware of the fact that there has been a commission of inquiry appointed into the riots and it is still sitting?

Premier : Not a commission of enquiry against the Burma police. The commission of enquiry is to enquire into the rioting incident. If the honourable member has any information he may give it to me and I will make enquiries if there are any particular hardships on the Punjabis. It is my duty to the House to enquire and we have already addressed Government of India on the subject, but if I receive reliable information that any particular Punjabi has suffered, I shall certainly follow it up.

Sardar Lal Singh : Is the Honourable Premier unaware of the fact that there was widespread rioting due to a pamphlet published by a Muslim of Burma and the whole trouble spread?

Premier : The Muslims of Burma are not Punjabis.

Chaudhri Abdul Rahim : Will the Honourable Premier please state as to how much loss of life and property was sustained by Punjabis in Burma riots?

Premier : I have no statistics to show what was the extent of the losses sustained by the Punjabis as distinct from other Indians. If any gentleman had any definite information in this connection he ought to have conveyed it to me.

Chaudhri Abdul Rahim : Will he kindly state what action was taken by Government to protect the life and property of the Punjabis living in Burma. (*Hear, hear from Opposition benches*).

Premier : Government have already addressed the Government of India on the subject and would lend their good offices to any special cases if information about the loss suffered by any particular Punjabis in Burma is conveyed to them.

PANEL OF CHAIRMEN.

Mr. Speaker : Under Rule 10 I nominate the following honourable members as members of the panel of chairmen—

Major Sardar Muhammad Nawaz Khan ;
Sardar Sampuran Singh ;
Shaikh Karamat Ali ; and
Chaudhri Suraj Mal.

SECURITIES FROM THE AKALI PATRIKA AND ITS PROPRIETOR.

Mr. Speaker : Sardar Partab Singh has given notice to raise a debate on the subject matter of question *3360¹. Has he the leave of the House?

The Assembly refused to accord the necessary leave.

MOTION FOR ADJOURNMENT.

PREMIER'S PROMISE TO KISANS OF AMRITSAR DISTRICT.

Sardar Partab Singh (Amritsar South, Sikh, Rural) : 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 Punjab Government in carrying out the promise made by the Premier to a deputation of 17 Kisans of Amritsar district on the 10th August 1938, at 7 P. M. regarding the release of the prisoners connected with the Amritsar Kisan agitation.

Mr. Speaker : What was the promise ?

Sardar Sohan Singh Josh : The Honourable Premier can explain it himself.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : I can repeat what the promise was. Not only has my honourable friend referred to it in the adjournment motion, but I have also seen certain items in the press and also posters with famous torch-light procession which my honourable friend took in Amritsar or his friends took in Amritsar, that I did not redeem my pledge. My honourable friend will remember that what I told him and his other friends was that all the dupes would be released. As regards the ring leaders a few prominent ring leaders may have to be retained, though I could not give a definite undertaking on this point, because it was for the District Magistrate to do so, but I said I would advise the District Magistrate to retain only the very prominent ring leaders and the rest should be released. They have all been released since except the prominent ring leaders.

Sardar Sohan Singh Josh (*Punjabi*) : Is it not a fact that the Honourable Premier promised in the presence of Dr. S. D. Kitchlew that all the arrested persons excepting two leaders would be released ?

Premier : All the arrested persons except two leaders or so from each party. As a matter of fact the first batch was released within two or three days.

Sardar Sohan Singh Josh : Is it not true that the Premier has given way to the wishes of the Deputy Commissioner and the Superintendent of Police ?

Premier : Not a bit of it.

Sardar Partab Singh : The point is that the Premier promised to release all these leaders in a day or two.

Mr. Speaker : I rule the motion out of order. I may add for the information of honourable members that it is not parliamentary that conversations or oral promises made outside the House should be relied upon for moving such motions.

Premier : I wish that there should be no misapprehension in this matter. The promise which I made was definite. In spite of the fact that my honourable friends did not keep their side of the pledge, but started making speeches the next day, I did keep my side of the promise.

Mr. Speaker : The next motion refers to lathi charge at Ajnala.

Premier : I may say that there was no lathi charge at Ajnala.

Sardar Partab Singh : Does the Honourable Premier say on the floor of the House that there was no lathi charge ?

Premier : Yes, there was no lathi charge.

Sardar Sohan Singh Josh : That is a wrong statement.

Sardar Partab Singh : We were eye-witnesses to the lathi charge. Some of the people were seriously injured and had to be sent to the hospital in Amritsar where they stayed for nearly a week or so.

Mr. Speaker : What has the Honourable Premier to say with regard to the statement of Sardar Partab Singh ?

Premier : It is possible that some people might have been pushed on the roadside. But the statement that there was a lathi charge is not correct. There was no lathi with the police at the time.

Sardar Sohan Singh Josh (Amritsar North, Sikh, Rural) (*Punjabi*) : Sir, I rise to depose that a lathi charge was made by the police at Ajnala on the day when the Honourable Premier paid a visit to that place recently. If I were to produce a witness, I would not hesitate to name my honourable friend, Mir Maqbool Mahmood, who was also present there at the time of the lathi charge in question. He must have seen with his own eyes the victims of this lathi charge by the police and might be able to recollect how the injured persons were lying there in pools of blood. Further, it was the honourable member himself who got eleven injured persons admitted to the hospital but took good care to instruct the medical officer not to register their names in the dispensary register. But the Premier left the place after making his speech and on the night of the same day we waited on him in deputation consisting of 17 persons in order to place the grievances of the public before him. In the course of our interview with the Premier we made it quite plain to him that unless he took immediate steps to transfer the Superintendent of Police to some other district we would not be prepared to place our views and grievances before him. But I am surprised to hear to-day on the floor of the House that the Treasury benches are denying the occurrence of a lathi charge straight-away. In this connection I challenge my honourable friend, Mir Maqbool Mahmood to come forward and deny the lathi charge and declare in the name of God, if there is one, that he did not see the injured persons at Ajnala while their wounds were bleeding.

Mr. Speaker : Will the honourable Mir Maqbool Mahmood, please, state the facts as known to him ?

Dr. Gopi Chand Bhargava : On a point of order. My submission is that when notice of an adjournment motion is given and the member who gives the notice takes the responsibility for its authenticity, how is it possible to say whether he is right or wrong ?

Parliamentary Secretary (Mir Maqbool Mahmood) : It is a fact that during the days when the Honourable Premier visited Amritsar his meetings were very successful.

An honourable member : How is that relevant ?

Mr. Speaker : That is introductory. (*Loud laughter.*)

Mir Maqbool Mahmood : When he came to Ajnala there was a very large gathering of people, who had come to listen to him and applaud his activities in the legislature. Outside the meeting at some distance—

Sardar Sohan Singh Josh : One mile and-a-half.

Mir Maqbool Mahmood : Even if you give the distance a bit longer it will not be wrong. About a mile and-a-half, I repeat, there was a crowd of a couple of hundreds of people.

Sardar Sohan Singh Josh : A couple of hundreds ?

Mir Maqbool Mahmood : That is my impression. I did not count them. If they were a little more, they may have been. Let me state that at that time Sardar Sohan Singh Josh also was there. My car passed on to Ajnala and at the time when my car passed, there was no noise in reality. But the moment I reached the Pandal in Ajnala somebody said that there had been some *garbar* on that side and I rushed back on car and found that some people were in the fields. Sardar Sohan Singh Josh was there and the honourable member was very much excited and there were some others who were lying on the ground. Immediately I inquired of Sardar Sahib and I was told that he had brought those people in order to listen to the Premier as they had done in Kalchian meeting. Besides, there was the Superintendent of Police who said that these people wanted to stage a demonstration and he had pushed them back. I told him that at that moment our first duty was to attend to those persons who were injured. Some of them had injuries and some had no injuries on their bodies. I put them in the lorry and some of them in my own car and took them to the hospital.

Diwan Chaman Lall : Was there any bleeding ?

Mir Maqbool Mahmood : There was bleeding so far as two persons were concerned.

Mr. Speaker : I allow the motion. Sardar Sohan Singh Josh asks for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the lathi charge by the Police on a peaceful gathering of the peasants at Ajnala, district Amritsar, on the 10th August 1938. Has the honourable member the leave of the House ?

As 35 members rose in their places for the grant of leave, Mr. Speaker fixed 5 p. m. as the time for the discussion of the motion.

ALIENATION OF LAND (FOURTH AMENDMENT) BILL.

Minister for Revenue : I beg to present the report of the select committee on the Punjab Alienation of Land (Fourth Amendment) Bill.

AGRICULTURAL PRODUCE MARKETS BILL.

Mr. Speaker : The Assembly will now resume discussion on the motion—

That the Punjab Agricultural Produce Markets Bill as reported by the select committee be circulated for eliciting public opinion.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural) : Sir, when the House rose yesterday at 5 P.M. I was drawing the attention of the House to an important change which had been made in the original Bill in the select committee and I pointed out that instead of the previous clause a new provision laid down that the representation of growers in the market committees would be not less than two-thirds of the whole number and I pointed out that this was an act of greater injustice than was originally contemplated in the Bill. I gave some reasons and I would give some more. In ordinary business when there are two parties whose interests are different and they are at issue with one another on any particular point, they sometimes refer their dispute to arbitration and if they cannot agree on any particular individual, the usual practice is that each party nominates one arbitrator to represent it and in case those arbitrators disagree they make a provision that an umpire would be appointed by them to give his opinion and sometimes an umpire is named forthwith in the agreement of reference to arbitration when the two arbitrators are appointed, one by each party. In the present case before us no question of an umpire arises. There are two parties, the party of growers and the party of *ahrtias* and others who work in the markets, and keeping the general principle, the common-sense view, keeping the most elementary principles of justice and fairplay in view, one would expect that each party would have an equal number to represent it on the committee, so that the interests of those parties might be evenly and properly and equitably represented on the committee. Instead of that, the Honourable Minister and his supporters sitting in the select committee have provided that there should be not less than two-thirds of the members representing the growers. This number, added to the number of two officials whom the Honourable Minister may be pleased to appoint, would give the growers an overwhelming majority in the market committees which would nullify the small minority representatives of the licence holders. It appears that the Honourable Minister wanted these market committees to be replicas of this Assembly so that just as in this Assembly the representatives of the growers are in an overwhelming majority and the representatives of the other classes are in a hopeless minority, in the same manner the representatives of the growers in the market committee should be in an overwhelming majority and the representatives of the dealers should be in a hopeless minority. We know the result of the overwhelming majority in this House. We know the dictatorial tyranny that this majority is exercising over the affairs of this province and over the infinitesimally small minority of the representatives of the dealers in this House and it is not difficult to visualize what the result would be when the market committees are appointed on the principle laid down in this clause. Sir, I would not mind if I knew that the dealers would have a fair deal at the hands of the representatives of the zamindars. I would not mind in the least if I was convinced that the representatives of the growers of these market committees will be competent and will also be fair-minded in administering the affairs of the market committees. Sir, I would just ask you one question, infact ask the Honourable Minister through you just one question. Will he agree, if any one had the power to impose a committee of shopkeepers and traders and *ahrtias* on the zamindars and growers of this province so that the *ahrtias*, shopkeepers and money-lenders and traders should dictate to the zamindars how much land should be cultivated each

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year, how many waterings should be given to any particular crop and how much of each crop was to be sown and when that crop was to be weeded and when that crop was to be reaped and when it was to be threshed and so on? How would he like it? He would certainly hate the very idea, the absurdity of the thing that men like my friend here who was making himself very conspicuous just now and other representatives of traders and merchants and money-lenders should form a committee to advise the agriculturists with respect to agricultural operations in their fields and should also be authorised to interfere in their agricultural operations. The very idea is stupid and absurd and no man with a grain of sense in his head would ever advocate such a principle. My submission is, though I would not apply these words to the provision which has been made in this Bill, you would agree that essentially there is absolutely no difference between the provision which this clause makes and the hypothetical provision which I have placed before you and just as it would be most unsuitable for the traders and merchants to interfere with the agricultural operations and the affairs of the agriculturists and zamindars in the country, it is unsuitable, unreasonable, improper and unjustifiable and possibly disastrous to impose a committee of agriculturists to administer the affairs of markets and to intervene in the dealings of people who are carrying on business in various *mandis*. Then again, as I submitted, I would never mind if I was sure of the competency of these gentlemen. I know that among these zamindars there are some exceptions and most brilliant gentlemen who are adorning the ministerial benches, whom we see before us, but you know, again I speak with great hesitation and with great respect, you know the ordinary level of intelligence of our rural population and particularly of the zamindar classes. Remarks of the Honourable Sir Chhotu Ram which he made yesterday, and I have a fresh and additional authority if any more were needed, the remarks of a very honourable and learned member of the Unionist Party itself to which I seek your permission to draw your attention, are very interesting. I know and you would agree with me that members of this House are presumably the pick of the society, the best men of the constituencies that they represent and therefore far above the general level of intelligence that is possessed by the masses of the zamindars. This is what the honourable member, Malik Barkat Ali says about this cream of zamindar gentry in his interview which is published in the *New Times* of the 14th November :

I realize that the progressive element in the Punjab Legislative Assembly cannot really cut much ice in the face of that large overwhelming zamindar majority whom the present Premier in the fashion of Disraeli is leading by the nose like 'helpless, mesmerized somnambulant cattle' on every issue.

It is for him to decide whether to take it as a compliment to himself or to his following. To me it appears that a compliment has been paid to the Honourable Premier. Malik Sahib goes on to say that "the large majority of zamindars is incapable of understanding the fundamentals or the implications of the problems, but whatever the helplessness of the present situation may be, the matter is too great to be forgotten." I would rest here and I need not quote everything. I believe this little dose is quite enough to remove the somnambulance and mesmerism that has been exercised by the Premier over his followers and which has been rightly described by one of his own colleagues.

Mr. Speaker : May I request the honourable member to speak to the motion ?

Dr. Sir Gokul Chand Narang : I should say, with all due deference to you, that I started with the contention that I would not have objected to this overwhelming majority being given to the representatives of the growers in the market committees if I were convinced of their competency and in order to show that they are not competent, I am quoting the best evidence possible that is available at the moment—the remarks of the Honourable Minister and the remarks of a very learned lawyer member of the Unionist Party who is fully competent to represent his party and who has described that party so beautifully that it is impossible to improve upon his description.

There is another aspect of the question. That is, that people might be competent and yet they may not be sympathetic, they may not be fair-minded, they may not be in a position to be relied upon to act fairly and justly towards others. Let us see if this majority in the market committees can be relied upon to act justly and fairly towards the representatives of the dealers in the markets. What is the present situation in the Punjab ? You are probably keeping yourself in touch with what is going on in the province—with what has been going on in the province during the last few months. We were living most peacefully with our zamindar neighbours in the rural areas. We looked upon them as our elders, as our brothers. We called each other brothers and uncles, &c., and we were on the best of relations with them. What is the present condition ? The Premier and his redoubtable lieutenants have been going about the province and have been inciting them against the very class which is so vitally concerned in this Bill. I can prove it to the hilt and they cannot deny it.

Mr. Speaker : Orders, please. The honourable member is certainly entitled to prove this to the hilt ; but for that purpose he shall have to move a substantive motion to attack the conduct of the Premier.

Dr. Sir Gokul Chand Narang : All right. I am not attacking their conduct at all. It was a passing reference that I made. I am not condemning them. Probably they are just obeying the dictates of their conscience and presumably they think it a part of their official duties to win the support of their zamindar brethren in the country. I am not condemning them. I am only placing before you the present condition, the present day mentality of the zamindars who are now going to be placed in charge of the markets and are going to dominate the markets just as they are dominating this House. The Honourable Minister for Development has been going about and he has not spared any words of contempt for this class. He has been using his hands, he has been using his eyes, he has been using his head to caricature the traders, the money-lenders and others and he has been calling them Pakauri Mal and this Lala and that Lala. When you go before the people—these simple-minded, innocent zamindars—and tell them tales by exaggerating the so-called iniquitous acts of the members of the trading classes, is it then difficult to imagine what the effect on the minds of those people would be ? I am now placing before you a sort of description of the constituencies from which these two-third and more members

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of the market committees are coming and I am, therefore, perfectly in order in bringing this to the notice of this House. If this atmosphere had not been created, if the zamindars had been allowed to remain as calm and as peace-loving and as neighbourly as they were before this Government came into power, the danger from them would have been much less, but now that they have been flattered and the Ministers have stooped low and have repeated from place to place, "You are our *Aqqa*, you are our *Mai Bap*, we are your servants, we are your slaves", it is not difficult to visualise the result on the minds of these people. I will use a few Punjabi words which you might appreciate which are—

انہاں نے اونہاں نو بھوئے کر دتا ہے۔

Ehnan ne ohnan nun bhuc kar ditta e.

What is the result? Those people think that the Government is their slave, that the Government members of the Ministry are their slaves. No doubt they are in a sense but those people cannot distinguish between the constitutional sense and the ordinary sense. I am informed about one of the Ministers that he said in a public meeting of the zamindars in the presence of the District Officer, "These officers are of no significance; if you have any complaint you have only to drop a three pice post card to us and we shall take necessary action."

Mr. Speaker : The honourable member is irrelevant.

Dr. Sir Gokul Chand Narang : I understand that the zamindars were told there and then by the District Officer that the Ministers were also under their thumb and they could be thrown out of their office like a rotten egg whenever the zamindars wanted to do so. Let us see when they are thrown out like rotten eggs.

Khan Bahadur Nawab Muzaffar Khan : I would ask the honourable member to be a little more relevant.

Dr. Sir Gokul Chand Narang : I hope you will hear me patiently and then you will see the relevancy. I know that the remarks that I am making are most unpalatable but they are not irrelevant. There I join issue with you. *(Interruption.)*

Mr. Speaker : The ruling is to be mine, not of the honourable member.

Dr. Sir Gokul Chand Narang : I would abide by your ruling but I am quite prepared to join issue. My submission was that with these preachings and these incitements, the mentality of the constituencies from which these members have to be chosen has been spoiled and a sort of contempt and hatred has been created in their minds against the members who would form the second party in these market committees. Therefore, my conclusion is that these gentlemen would neither be competent nor be morally in a position to administer proper justice and exercise fair play when they are dealing with the affairs of the markets. Their minds have been poisoned against the traders, money-lenders, *ahrtias* and everybody else who have anything to do with the market and, therefore, if you choose men out of the classes whose minds have been insidiously poisoned, you cannot expect to have fair-minded people on the committees, and if these gentlemen are to form a majority and an overwhelming majority like the one proposed,

then you can very easily imagine what the condition of the markets would be. Now perhaps you would agree that I was not irrelevant. If the duties of these committees were very light and did not imply any responsibility, I would not have cared. If it were only for the management of a picnic, or a garden party or some *mela*—whether of cattle or *kabaddi* or something like that—I would not care whether the zamindars are there in an overwhelming majority or traders are there in a very small minority. It would not have mattered. But the duties to be performed in these committees are very onerous, extremely onerous, which require clear heads and sympathetic and unbiased hearts and when both these things are lacking, then my submission is, that it would be an extremely unjust, iniquitous and suicidal thing for any Government to place the power in the hands of untrained people, incompetent people, people whose minds have been poisoned. It would be just like placing a sword in the hands of a child or a gun in the hands of a lunatic. Disaster would result if so much power is placed in the hands of people who have not got the judgment, who have not got the capacity to exercise that power in a proper fashion. Now, I would draw your attention to the duties that these committees have to perform and then I shall ask you whether these gentlemen coming from the villages with these heads as described by Malik Barkat Ali and with these hearts, as I have described, would be the proper persons to carry out these duties in a satisfactory manner. I refer you to clause 9 of the Select Committee's Report. In clause 9, sub-clause (1) we find—

It shall be the duty of the market committee to enforce the provisions of this Act and the rules and bye-laws made thereunder in the notified market area and, when so required by the Government, to establish a market therein providing such facilities for persons visiting it in connection with the purchase and sale of agricultural produce concerned as the Government may from time to time direct.

It is these people who are to establish markets. One result might be that they might ruin all the existing markets. They would say in the words of some of the Ministers *be-i-man* people are here and therefore this place is like some ancient town we read of in the Old Testament, and should be destroyed and new markets be established. From such pre-conceived notions great disaster will result.

In sub-clause (2) we find another provision which shows that the responsibilities of these committees are very onerous and extensive. It says—

Subject to such rules as the Government may make in this behalf, it shall be the duty of the market committee to issue licences to brokers, weighmen, measurers, surveyors and warehousemen for carrying on their occupation in that market area and to renew, suspend or cancel such licences.

Is there any power which is not given to them? It is they who have to issue licences and you know, Sir, how these licences would be issued. I do not mean to say that they would always be issued in consideration of money. They might be issued without exacting any monetary charges. They might be issued to people with whom they have certain understandings and they may refuse to those against whom they have any grudge or some of their relations have any grudge. Then comes the power of cancelling these licences also, and my submission is that these licences have

[Dr. Sir Gokul Chand Narang.]

to be issued to almost everyone who has anything to do with the business going on in the market. Here are brokers, weighmen, measurers, surveyors and warehousemen. No one will be able to store wheat in his *kotha* without getting a licence. No warehouse would be allowed to be erected or leased out or be used for any of these purposes unless the owner of the house takes out a licence and it is these gentlemen from the villages who will be in a position to issue these licences under the rules no doubt, which the Government may frame. The Government will certainly frame rules but you know, I need not tell you, all depends on how these rules are worked. The other day, only yesterday I think, we had an example of this kind. There was a rule framed by the Assembly, rule No. 18, but we know how it was honoured more in the breach than in the observance. We know that. And if this is the case with the framers of the rule themselves, the Honourable Ministers, who went against their own speeches and without an emergency, violated that rule in its spirit though not in its letter, you can very well imagine how these *lambar-dars* and other zamindars from the villages will behave when they are called upon to act on these rules. Therefore, my submission is, that these powers which have been given to the committees will be most liable to be abused because they are being placed in the hands of the people who are incompetent and whose minds have been poisoned by the recent propaganda which some of the Ministers have been ruthlessly carrying on in the province at public expense against a particular party who has as much right to live in this province as their favourites, the zamindars. If I may venture one remark, the one thing in which they have been taking pride is in saying that theirs is a zamindar government. Only one of the Ministers is a *bania* and even he is their—, I would not mention the word. (*A voice*: 'Talethu'). Instead of taking pride, they should have been ashamed to confess this before the people because they had no right to constitute a government which consists entirely or almost entirely of agriculturists, statutory agriculturists. The seats in the government should have been evenly distributed among the agriculturists and the non-agriculturists, whether Hindus, Sikhs or Muslims. As you know, non-agriculturists are equal in population to the statutory agriculturists of the province; and there was no justification whatsoever for this uneven distribution and then taking pride in this. As I have said they ought to have felt ashamed. They have no sense of justice left in them. That was only a side remark which I have made to show what the mentality of the zamindars of the province is at the present moment, thanks to the preachings of this zamindar Government, the big zamindars, this aristocracy, this oligarchy of the aristocrat zamindars of the province, where not one poor zamindar or tenant finds any representation.

Then to come to another provision of the select committee's report, we find in sub-clause (3)—

No broker, weighman, measurer, surveyor or warehouseman shall, unless duly authorised by licence, carry on his occupation in a notified market area.

It seems that the honourable framers of this Bill had forgotten to put in this provision and this '*kasar*' was made good when the Bill went before the select committee. One might have expected that the principal person in the market might not sometime act in a manner which might appear as honest or fair to the Honourable Minister. They are small fry earning a

bare living by working like a coolie in the market and one never expected that they would also be required to take out licences as if they were in a position to cheat the grower or in any way take undue advantage of their position. I, therefore, submit that the Bill as it has emerged from the select committee is much worse and more rotten than it was when it went before the select committee; and as I said in the beginning this has been done without consulting anyone. Even if a person is intended to be removed from a local body the law provides that a notice would be given to him to show cause why he should not be removed either from the municipality or from the district board or even from the committee which is going to be appointed under this Bill. There is a provision to that effect even in this Bill but here we find that the whole body of *ahrtias* and traders, weighmen, measurers, surveyors and warehousemen and so on are being enslaved by one fiat of this Government and they are not being consulted as the mover of the amendment pointed out. No traders' committee or traders' federation, no body at all knowing anything about the affairs of the markets has, so far as I am aware, been consulted. The Honourable Minister might have called some friends of his and might have consulted them but that would not be satisfactory. I doubt if even that was done. We are not sure if that is done but if that is done it is certainly not satisfactory. To have a revolutionary measure like this it was necessary for the Government to broadcast this Bill and to have taken the opinion of everybody concerned. It should have taken the opinions of local officers right from the tahsildars and revenue assistants up to the financial commissioners. It should have taken the opinion of lawyers and of judges and it should have taken the opinion of the various organisations who have anything to do with market usages but so far as we know no one has been consulted. In any case, we have not been taken into confidence. We have not been told what the opinions of those persons, if any, were, who were consulted by the honourable mover of this Bill. I would, therefore, very respectfully even now advise the Government not to precipitate this measure. The Honourable Premier yesterday said, 'We want to deprive the minority of their one day, because there is the Marketing Bill coming in. Lakhs are being looted. Loot is going on and we want to stop it as quickly as possible and even by one day more this loot should not be allowed to continue.' That was the anxiety of the Honourable Premier. My submission is that this anxiety is not really well-based. If he was really aware that this loot was going on—he has been in the Government for such a long time—he should have taken steps much earlier. The very fact that he did not take steps earlier would show that this anxiety is a really assumed one and is not genuine. I would say that nothing would be lost if some time is given for the public to express its opinion and the Government waits for another 3 or 4 months to take all parties concerned into their confidence. I need not remind them that they have not acted justly and fairly. They should remember the well-known saying that it is not sufficient only to do justice, but it is necessary to impress upon the party concerned that justice is being done to it. In this case no steps have been taken to take into confidence the very people, whose rights are being trampled upon, whose properties are in danger and whose business is going to be hampered by this law. I would therefore request them to retrace their steps and also wait for some time to take people into their confidence. With these words I strongly and wholeheartedly support the motion.

Minister for Development : May I put one question to the members of the Congress Party? It is this, whether they desire to speak on this motion or not, because if they do not desire to speak on this motion, I may make my speech now.

Diwan Chaman Lall : It is a most extraordinary request to be made by the Honourable Minister. He wants to know our mind in regard to this matter. He shall very soon know our mind in regard to this matter. He need not express any anxiety on that score.

Minister for Development : I want to know whether they wish to speak or not?

Premier : I am afraid my honourable friend has taken a very uncharitable view of what the Honourable Minister for Development has said. He asked whether any member of the Congress Party wanted to speak, otherwise we want to put closure motion. You have been debating this motion since yesterday. You must remember that the Honourable Minister has to make a speech which will take one hour. Therefore, he asked whether the members of the Congress Party wanted to speak; if so, then we may not put the closure motion.

Diwan Chaman Lall : May I ask the Honourable Minister to quote any rule in regard to the request that he has made? Certainly there is none. May I tell him that as far as the closure motion is concerned, it will be for the Speaker to accept it or not. If my honourable friends wish to stifle the debate by moving a closure motion, let them do so.

Khan Bahadur Chaudhri Riasat Ali (Hafizabad, Muhammadan, Rural) : Sir, I have been hearing very patiently to the arguments in favour of the circulation motion advanced by my honourable colleagues on the opposite benches. It is rather strange that so far as the motion under discussion is concerned, there is a complaint on that side of the House that the Bill has not been given sufficient publication. Everybody here knows that this Bill was smelt, if I can use that word, before it actually appeared in the press. Opinions were expressed on both sides on the merits and demerits of this Bill. Again, this Bill was published in the Gazette and again, when this was first introduced in the famous Simla session, from that day up till now, there has been sufficient publication and comment from all quarters and from all classes of the province. It is unfair to say that the Bill has not received sufficient publicity and that people concerned have not been consulted so far. At the very outset I do not agree with the principle that people, with whom a particular measure is to deal, should necessarily be consulted. Why? There is some meaning of consultation. You need not be impatient. If consultation means that a Bill be jotted down on a particular piece of paper, like the agenda of a local body, and circulated by one of the peons of this House from one shop to another in every *mandi* and in every corner of this province, then this Bill has not been circulated. But if circulation means that people of whatsoever class they may be are so well conversant with its provisions should be enabled to express their views on one side or the other, then no Bill in the history of the legislation, so far as this Assembly is concerned, has received such widest publicity which this Bill has received. Now, Sir, the thing which upset my honourable friends opposite

was why people had no right to be consulted. I shall give you an illustration. Were all the dacoits of this vast country collected together into a conference before section 899 of the Indian Penal Code was enacted? Were all the vagabonds of this vast country called into a conference before sections 109 and 110 of the Criminal Procedure Code were enacted? And similarly I can multiply this analogy by giving such instances. It is not the business of the people concerned to have a right of vote. As a matter of right, it is the business of the State to see what sort of legislation is required for a particular atmosphere. It is for the State to see with what sort of electricity its political or social atmosphere is charged and at what degree its political and social thermometer reads. It is for the State to legislate and find out ways and means to satisfy all sections of the people and to legislate in a way as there may be general satisfaction throughout the province. It is not the business of a particular class, however high it may be, so far as the right of consultation is concerned, to have a direct say in the matter.

The next point, which was advocated by my honourable friend, Sardar Santok Singh was that the Minister for Development and the Punjab Government were doing nothing to find out proper remedies for the poor producers. What were those remedies? They were that the exchange ratio should have been changed or the Australian wheat should have been stopped to be imported into this vast country. This does not mean that Government is not alert to its duties so far as these two particular things are concerned. It might have done a lot in this direction. He means that when a man is injured with lathi blows, as is mentioned frequently in adjournment motions brought forward by my honourable friends opposite, he should not be rendered any first-aid whatsoever and even if he is bleeding we should not bandage his arm in order to stop that bleeding so that he may survive. We must run to the Mayo Hospital which may be at a distance of 3,000 miles from the place of occurrence. He must be denied the first-aid which can be given at the earliest moment. The only remedy of approaching the hospital is of no use. That is very simple. The Punjab Government will propose the other *nuskha* (prescription), if I can call it by that name, after it has given its first-aid, and the patient shows signs of life and rejuvenation. These remedies cannot exclude the remedy which is available in this very province. We can save the lives of our masses of poor people, the tillers of the soil who cannot get bread and butter for day and night by this simple remedy which will be available when this Bill goes out of the Assembly and receives the necessary assent under the law. This does not mean that unless we attend to these two remedies we are excluded from doing anything for the masses by passing into law this Marketing Bill.

More attention of the speakers on the other side has been concentrated on the various provisions of this Bill which is an issue which need not be argued at length at this stage, but must be reserved for a later stage. Here we should discuss the reasons for the circulation of the Bill and not say a single word on the merits or demerits of the various provisions. A complaint has been made that the method of nomination of the market committees is a retrograde step and is against the spirit of the time. Let it be so. I need not commit the same mistake which has been committed by my friends. The system of nomination may have its merits, it may have its demerits,

[K. B. Ch. Riasat Ali.]

it may have a bright side, it may have a dark side, but my submission is that in some cases this nomination is better than election and I propose to reserve this discussion till the time when the clause relating to that particular subject is taken into consideration by the House itself. My answer to their argument is, let us proceed with the Bill like practical men. We may care, we may not care as to certain provisions. Let us propose amendments. Let us discuss them. Let us fight them out on the floor of this House and afterwards whatever the result may be it will be incorporated in the Bill as passed by this Assembly. But there is no need entering into the detailed discussion at this stage when we are only concerned with the principle of the Bill.

Another reference was made by my honourable friend about the Bombay Act. I am again primarily objecting to the quoting of references from or taking leaves out of the books of other provinces. An honourable speaker said that the Minister for Development has said that a similar legislation has been passed by the Bombay Presidency and then he criticised the provisions of this Bill. I have several times submitted on the floor of this House that conditions cannot be the same in all provinces. They may differ in circumstances and one set of provisions or one set of rules which might work quite satisfactorily in one part of the country may not essentially work with the same success in another. You remember the famous proverb: "One man's meat is another man's poison." So the argument does not hold water when judged by that test. Again, the honourable member remarked that certain markets have been exempted from the provisions of the Bill. If that is so, we can take up that argument when we take up that clause.

Again, my honourable friend, Dr. Gokul Chand Narang has stated during the course of his speech that the Ministers have avoided visiting *mandis* during the course of their extensive tours in the province. In the first instance, I do not think this statement is right and even if it is right then again it does not stand to reason why Ministers should go to ask for references from the *mandis*. They should only go there if they want to learn further methods of looting the zamindars. They should go to a place where the real disease is working havoc and destruction. It is the poor masses in the villages, the farmers, the producers, the growers who are being destroyed at the hands of these brokers, weighmen and others of *mandis* and if one wants to get first hand knowledge of the disease and to know how far the disease has affected the vital part of the body of the poor tenant or the tiller of the soil, then the best place for these Ministers to get first hand knowledge is to go to the villages where they have gone and not to the *mandis*, the place evils of which are meant to be cured.

Again, I am sorry that an effort has been made on the floor of this House since these Bills have been brought into existence, to create a division between the rich and the poor, the tenant and the landlord, the big zamindar and the small land-owner. I need not go into details as to who is a big zamindar and who is a small landholder, because as you know from the facts and figures often quoted on the floor of this House, really speaking, there is no big zamindar in the province and if there is one to-day, according to the laws of succession there will be none within the next ten or twenty years.

So it is simply useless to create divisions and water-tight compartments between the general community, which is called the zamindar community or the farmers or whatever it is. We should avoid always to create this division and we should see that it is the duty of the State, it is our duty to catch by the arm the man who is drowning in the deep waters. It is for us to help him and to save him and if he is saved all will follow suit. If the zamindar is progressing, if he is not subjected to looting, then he will be saved and he will get the full value of his produce with the result that not only he will flourish but the factory will flourish, the merchants will flourish, the brokers will flourish, the lawyers will flourish, Government will flourish and everybody in the whole province will flourish. Therefore, it is our primary duty not to place a cog under the wheel of success of any piece of legislation which goes to ameliorate the position of the poor masses of the countryside.

Again, a word about the discussion of my honourable friend over there about two-thirds majority of growers in the market committees. I will not go into the details of clause 8 as it has been framed. But I may point out that it is certainly an improvement on the old clause. In the old clause there was no provision for any fixed proportion of representation on either side. Now, there is a fixed proportion, namely, two-thirds will be growers nominated by the Government and the rest will be those who have taken out licences under this Bill. As to the proportions fixed, it is very difficult to argue on either side. It is very difficult to define a formula which will be universally acceptable. If we go by numbers objection will be raised that we should not go by numbers but by the rate paying capacity. If we go by rate paying capacity we will be told, let us combine both the principles, and take an average. Thus there will be no end to this sort of argument. We can only be satisfied if there is a percentage fixed for both the interests, the growers and the merchants. If the proportion fixed at present does not work, the Bill can be amended later altering the proportions. You have recently had an instance where the Land Alienation (Amendment) Act which was passed only last session had to be amended this session that is, within three months. Thus there is no bar to our amending this Bill later if an emergency requires it.

Again, abnormal diseases require abnormal treatment. There was a time when the black Bill, the Criminal Law (Amendment) Bill, in condemning which all of us were at one, was passed. Why? Because it was supposed at that time that the Bill was a wall of defence against the assaults on the liberties of the people. Let me assure the House that this Bill also is a mere wall of defence against assaults on our purse. So abnormal times have abnormal measures. If at any time this Bill is not found working satisfactorily it is open to honourable members to bring an amending or repealing Bill. Now as to the division between the parties claimed by Dr. Sahib I will only quote a well-known Punjabi proverb according to which the merchant should have the larger share and the grower the smaller share—

رجہ والے نوں بارہ آئے ۛ کلونت نوں چوٹی۔

Dr. Sir Gokul Chand Narang : Nobody said that.

Khan Bahadur Chaudhri Riasat Ali : You said that.

Dr. Sir Gokul Chand Narang : Not at all.

Khan Bahadur Chaudhri Riasat Ali : I need not refer to the various attacks made by my honourable friend on the mentality or intelligence or the capacity of the zamindars. But I only want to repeat that the real pinch lies in the fact as to who leads the ignorant masses by the nose; the misfortune is that to-day it is somebody else than the worthy Doctor Sahib himself.

Dr. Sir Gokul Chand Narang : Is the honourable member entitled to misrepresent facts? He alleged my having said that the traders should get 12 annas in the rupee and that four annas should go to the zamindars. I never said that.

Khan Bahadur Chaudhri Riasat Ali : Again my friend objected to the very essence of this Bill. Why should the broker, the weighman, the trader and others take out a licence? Now, if this provision is excluded from this Bill where then is the need to enact this Bill at all? Some honourable members said that there was no need to enact this law at all as there were sufficient provisions at present in the Municipal Act and the District Boards Act which had the same effect as this measure. I have already remarked that the mere presence of some inadequate remedies for a disease is no justification for not devising special remedies for that disease. If no provision is to be made for these people to take out a licence, then this Bill will become a mere scrap of paper. It is only to put an end to the unlimited assaults on our purse by these mandi people that we want this Bill to be passed. Unless our purse is safe it will be impossible for us in these days when the prices are so low, when there is an unprecedented slump in the market so far as agricultural produce is concerned even to make both ends meet. It is, therefore, necessary that these people should get licences. After all why should there be any objection to the people taking out licences? By this system we will only be eliminating the black sheep. It will be to the advantage of honest people if such dishonest people are eliminated.

Then, another thing which my honourable friend said was that the bar associations, the anjumans, commerce and trade chambers should have been given an opportunity to give their opinions. Again, I say that it is not the duty of the Honourable Minister for Development to hand over a copy of the Bill to a peon of this Assembly and ask him to go round the houses of lawyers and other people. When this Bill was being discussed in the press and on the platform it was open to these lawyers, it was open to the brokers, it was open to the Chamber of Commerce and the anjumans to send in representations for the consideration of the select committee. I am sure the Honourable Minister would have been most happy to consider and weigh them on their merits. My honourable friend said that it was not enough to do justice but it must be shown to the people that justice was being done. My reply to that is that "justice delayed is justice denied." If this Bill is circulated, then there would be delay which would mean that justice will be denied. We want to adopt a remedy which is available within the next week or month, because the mass of growers are so much suppressed and so much sunk to the depth that we cannot wait any further for anybody to help them out of their position.

One thing more and I have done. The honourable member might have been surprised that the original Bill consisted of 22 clauses whereas the Honourable Minister has brought forward from the select committee a Bill with 30 clauses. But I may assure him that in most of these clauses there are only verbal amendments and that there are only two amendments of a substantial nature which require the consideration of the House as already told by the Minister. Even in the case of these two amendments nothing serious has been done by the select committee. The Bill has not been altered in such a way as to necessitate re-circulation of the Bill. I will not refer to details, but I will mention only a few points. The definition of 'grower' and 'market' is the first change. We have clarified what a market means. The next alteration is the change of the explanation of clause 4 into a proviso to that clause. Beyond improving the language there is no difference in this. Clauses 5, 6 and 7 deal with the procedure by which licence can be obtained. It only provides as to who can issue licences and under what conditions. Nobody will grudge the clarification of procedure in these clauses.

The next thing is that rather more representation or sure representation has been given to the interests of merchants and brokers, because in the original clause 6 there was nothing about it and now they have clearly stated that two-thirds would be growers and the rest must be people who have taken licence.

Diwan Chaman Lall : Out of a panel.

Khan Bahadur Chaudhri Riasat Ali : That is the next provision, for the panel. But that question might be discussed on the floor of the House, election *versus* nomination. At this stage it is not essential that we should vote for the circulation of this Bill only to clarify this issue. Amendments can be fought on their own merits on the floor of the House.

Lala Deshbandhu Gupta : Is the honourable member in favour of elections in place of nomination, personally.

Khan Sahib Chaudhri Riasat Ali : That will be seen when the particular clause comes before the House for discussion.

The next thing to which I refer is that in clause 11 a chance has now been given to the member inasmuch as notice is given to him to explain his conduct before he is removed from membership. Then all the other provisions, as already mentioned, are improvement in language, improvement in punctuation and the use of the article 'a' for 'the' and so on and there is nothing very serious. My honourable friends need not be afraid that the number of sections has been increased from 22 to 30, because the Bill has certainly been improved though the improvement has not been to such an extent that it needs republication.

Lala Sita Ram (Trade Union, Labour) (Urdu) : Sir, I rise to support the motion moved by the honourable Sardar Sahib Sardar Santokh Singh. Although my honourable friend, Dr. Sir Gokul Chand Narang, has ably advanced certain strong and solid arguments in favour of the motion, yet they could not find favour with the Treasury benches. Instead of refuting them the honourable members opposite have thought it fit to repeat the same old arguments over and over again which are given in the statement of objects and reasons appended to the original Bill.

[L. Sita Ram.]

The object of the present amendment is to find out by circulating the Bill for eliciting public opinion, whether or not the Bill under discussion is the proper remedy for the alleged evils stated in the objects and reasons of the Bill? Sir, I do not like to take much time of the House as several other members have a mind to express their opinion on the motion. I, therefore, directly turn to the crux of the matter.

The Honourable Minister in charge of the Bill has stated in the statement of objects and reasons that out of a rupee which the consumer pays for his wheat or rice, the producer gets only 9½ annas and the remaining 6½ annas go into the pocket of the middle-man. My contention is that these *ahrtias* are not the actual recipients of all this amount. There are several other unavoidable factors which share this amount of six and a half annas alleged to go into the pocket of the middle-man. The major portion of this, almost amounting to 70 per cent., goes in the shape of railway freight, when the produce is exported to various ports like Bombay, Calcutta or Karachi. Now what I want to ask you is whether the Honourable Minister has made or can make any provision in this Bill or elsewhere to curtail this heavy and biggest item of expenditure? I can obviously, without any fear of contradiction, assert that Railway being a central subject, the Punjab Government can make no provision in this connection. This is a matter which is beyond its jurisdiction. If the produce on the contrary, is only brought to the nearest respective mandis in the province, the expenditure in the form of different charges would not exceed even 2 annas in a rupee.

As regards other expenses, I am of the opinion that the Government cannot, in any manner, reduce them to any appreciable extent, for example the cartage and the dues payable to weighmen and porters are such as are indispensable and they cannot be avoided. Even the proposed market committee would not be able to reduce them. Some honourable members have laid great stress on the point that the poor zamindars are hoodwinked when their produce is brought into the markets. I do not agree with this contention. I agree with you that such poor zamindars may not understand the meaning of the select committee, the provisions of the various Bills and the underlying objects of any particular Bill. But his town brethren are no better in this respect. For them, also, this all is Greek. But, pardon me, Sir, when I say that in their own profession—the zamindars are no longer simple-minded, but quite efficient and expert. I can say, from personal experience, that they can tell, by casting a

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single glance at their field that the crop of wheat sown there will fetch so many maunds of grains, no matter whether the crop is in its primary stage or is ready for harvesting. Their judgment seldom falters. After the harvest is ripe and cut, they store the finished produce in a heap. Here also their past experience would come to their help and by a glance again they can estimate the approximate quantity of it, which is invariably correct. Besides, they have their own pots and their local weighmen to measure or weigh their produce in round number of maunds before sending it to the market. Under these circumstances nobody in the market can dupe them by saying that the produce which measured 50 maunds in their estimation is only 30 maunds in actual weight. They are too clever to be duped like that. I assure

this House that the zamindars of this province are not so simple-minded as my honourable friends on those benches would have us believe.

My honourable friend, Dr. Sir Gokul Chand Narang has read out a statement enumerating the various charges made on the produce of the agriculturist who brings his produce to the market. He has mentioned *dhulai*, *tulai*, *ruhai*, *ahrai*, etc. Now the question is how much does the *ahrtia* take out of all these charges. According to my estimation, and I hope that all businessmen will agree with me, the *ahrtia* takes only 0-12-0 annas for each unit of Rs. 100. The rest goes to the pocket of the labouring classes who work for *tulai* and *dhulai*, *ruhai*, etc. If any gentleman thinks that he can contradict me on this point, he is welcome to do so.

When this Government, under the new Government of India Act, came to power, I hoped that it would make some provisions to help also the labouring classes of this province which they so badly need. But my hopes have been dashed to the ground. The Government, on the other hand, is out to create difficulties for the labourers, who are somehow getting something to eat by working in the mandis. They earn hardly 0-8-0 or 0-10-0 annas a day by carrying sacks of produce from one place to another place or by sweeping or purifying the corn and performing many other jobs in this connection to make the produce ultimately fetch a better price in the market. During off-season days, there being no work, they depend entirely on their earnings made during the season, which amounts hardly to six months in a year. Thus it is clear that this average for the year is reduced to one-half, i.e., 4 or 5 annas per day. The present Bill, instead of affording any relief to such hard pressed classes of labourers, shall put another hurdle in their way and cause them great inconvenience and trouble. In fact, I am of the opinion that besides the total annihilation of the so-called aggressive middlemen in the markets, the great brunt of this Bill would fall on the poor labourers and the peasants whose cost of production will considerably go up. The object of the Government is, as claimed by every supporter of this measure, to lessen the burden of the growers. But in my humble opinion the measure in the present form will, instead of bringing down the cost of production as desired increase it due to the salaries of the officials' travelling allowance of the members provided in the Bill and various other expenses in connection with market and establishment which ultimately come out of the growers' pockets. Therefore, I am of the opinion that no useful purpose would be served by appointing market committees provided in the Bill. If the sole object of the Government is to regulate the market, that can be easily done by enforcing the various sections given in the Punjab Municipal Act and District Board Act. The Government would do well to seriously consider this question. Will this Bill serve the purpose for which it is intended? If Government thinks that it will, well and good. They are welcome to pass it. But we do not see eye to eye with you and do not think that the Bill will meet the requirements of the case and in our opinion it will result in increasing the cost of production. Time, however, will tell who is in the right and who is in the wrong.

My next objection is in connection with the constitution of the market committee and the basic principles on which it would be formed. I am not in favour of the wholesale nomination of the members and this separate

[L. Sita Ram.]

representation of the various classes on the committee. My honourable friend, Khan Bahadur Chaudhri Riasat Ali has gone away, otherwise I would have explained to him the difference between the nomination and election and asked him why he is now favouring the former. The basic principles on which the formation of the market committee has been proposed is, in my opinion, very defective. I will presently show this with reference to the history of the Lahore Municipality. Therefore, I am of the opinion that there should be no wholesale nomination, but the majority of members should be elected on the joint electorate system with a view to minimising the chances of class war.

The constitution of the Lahore Municipal Committee was based on the same principles as are now proposed for the market committee. There every candidate was the representative of his own community or class and was anxious, season in and season out, to plead the cause of his own community. This naturally caused friction and there could be no smooth working. Eventually the Municipal Committee was superseded. We pointed out at that time—Dr. Sir Gokul Chand will please excuse my reference to this case—that supersession was not the remedy. It was the complaint of the Government that the Committee wasted its time on communal conflicts. The root cause was the constitution of the committee to which members were returned on communal tickets. The same mistake is going to be committed again in this case, where members are to be taken on class tickets. Again there will be a tug-of-war and no pulling together.

I, further, strongly object not only to the wording of the clause, *i.e.*, not less than $\frac{2}{3}$, but also to the $\frac{2}{3}$ representation of growers on the committee. This is most inequitable and objectionable especially without hearing from other people who are going to be affected by this provision. I, therefore, strongly request the House to agree to the motion for circulation.

I admit that the Government has perforce to pass legislations meant to benefit their own party. This is done by every Government set up on popular vote and this will continue to be done by governments who follow. But eliciting of public opinion on a measure is also a necessity. It is the elementary duty of every government to see that the legitimate rights of the minority classes are not jeopardised and due consideration is shown to them. And the only course to know their case now left open is to circulate this Bill and invite their opinion.

One thing more and I have finished. There are certain interests which are common to the Government and the Opposition. Let us first legislate on those points. Let us first of all bring forward legislation for the purposes of raising the status of the province. After it, we may be justified in bringing forward legislation on party basis. Let us do some thing first for the national good irrespective of party consideration and party alignments. At present, the Government claims to be busy with measures calculated to raise the status of the poor. But in practice it is busy lowering the status of those whom it chooses to call the rich. They should have tried to raise the level of the poor to enable them to come at par with the rich without affecting the latter. The present policy adopted is to pull the rich down to come in line with the poor. This is no credit.

Sir, the Treasury benches would do well to realise now, if they have not been able to do so in the past, that they are here to serve all classes. The whole nation and not a particular party has a claim upon their sympathy. In view of this fundamental fact, I would like to warn them against their policy of robbing Peter to pay Paul. If they are particularly solicitous about the so-called innocent and poor zamindars, they should try to find out ways and means to increase the wealth of the province by adopting some constructive programme. (*An honourable member* : How ?) I may be permitted, Sir, to reply to the honourable member's question as to how the Government should increase the wealth of the country. My plain answer is that the Government should take steps to improve and develop industries in the province. This will go a great way to help all classes of people regardless of caste, creed or colour. The producers will have better returns for the raw materials, labourers and the unemployed will earn their livelihood and middle classes will receive due remuneration for the service rendered.

With these words, Sir, I strongly support the motion moved by my honourable friend, Sardar Santokh Singh.

Mr. Speaker : Question is—
That the question be now put.

Minister for Development : The Honourable Chaudhri Sir Chhotu Ram : No member of the Congress party has spoken so far although they have.....

(*Voices from Opposition benches* : Why are you so anxious ?)

Minister for Development : Don't you want to speak ? I want to know whether you have a mind to speak or not.

Dr. Satya Pal : We refuse to answer your question.

Minister for Development : I may have misheard him but I was under the impression that Diwan Chaman Lall wanted to speak.

Mr. Speaker : He may speak if he wishes.

(*At this stage Tikka Jagjit Singh Bedi, Sardar Jagjit Singh Man and some other honourable members rose in their seats.*)

Mr. Speaker : Some honourable members are very anxious to speak. I realise this fully but following the parliamentary practice and conventions of this House, preference has to be given to the honourable members occupying the front benches. It is for the party whips to give me lists of names of the members of their respective Parties in the order in which they are desired to be called. In the absence of any such arrangement, I must follow the parliamentary practice.

Minister for Development : The back benches should also be allowed to speak.

2nd-Lieutenant Bhai Fateh Jang Singh : I want to speak.

Mr. Speaker : I received the honourable member's name after three other names.

Mian Sultan Mahmood Hotiana : Our party whip is not here, what should we do ?

Mr. Speaker : It is not for the honourable members to claim in so many words that they should be given a chance to speak. That is unparliamentary.

Sardar Jagjit Singh Man : May I remind you that my name was sent by the party whip ?

Mr. Speaker : The honourable member's name was sent to-day, while Tikka Jagjit Singh Bedi's name was sent yesterday.

Sardar Jagjit Singh Man : I did not know that.

Tikka Jagjit Singh Bedi (Montgomery East, Sikh, Rural) (*Urdu*) : Sir, a number of speeches have been delivered on the floor of this House about the Punjab Agricultural Produce Markets Bill and I have been listening to every one of them with a certain amount of care and attention, but let me frankly confess that I have paid the fullest possible attention to what my two honourable friends, Sardar Santokh Singh and Lala Sita Ram, had to say about this Bill. During the course of their speeches, both of these honourable friends of mine admitted that the Bill in question is very important indeed. But it is curious to note that they do not wish to expedite the passage of this measure which is calculated to benefit the poor peasants and the zamindars of the Punjab. It needs no prophet to reveal that the object of the motion moved by my honourable friend, Sardar Santokh Singh is only to postpone the consideration of this Bill for as long a time as possible. But let me assure them that this Bill is sure to be passed by this House in this very session. May be, they themselves are sure about its eventual success, and to all probability their tactics to obstruct the consideration of this Bill, even when it has successfully emerged out of the select committee, are born of this very fear that the House is sure to pass it into an Act. This fear is hanging heavy upon their hearts, and now their policy seems to be this that the Bill should, somehow or other, be postponed for another six months. That is why they have brought forward a motion to the effect that the Bill in question may be circulated to elicit public opinion thereon by 31st March, 1939. This is a preposterous proposition inasmuch as it seeks to circulate a Bill which has already received the widest possible publicity throughout the whole length and breadth of the province. The real object of this motion is to postpone the consideration of the Bill in question. The Opposition seems to be bent on obstructing the consideration of the Markets Bill at all costs, with the result that the House has not been able to transact even one-half of the business that it intended to have finished by this time. The proceedings of the House are being obstructed under the pretext of one motion or another.

Dr. Sir Gokul Chand Narang : On a point of order. The honourable member has made a very serious insinuation against members on this side of the House and in a form which you held only yesterday to be unparliamentary. On one occasion the Premier said that these gentlemen were by various means wasting the time of the House. The honourable member has also accused us of resorting to various devices to waste the time of the House. I wish the honourable member had the intellectual equipment to understand what was going on.

Mr. Speaker : I wish the honourable member had not used the words he has used. (*Voices from the Opposition : Withdraw, withdraw.*)

Tikka Jagjit Singh Bedi : My experience of this Assembly extends over a period of about 1½ years. These words have always been taken as parliamentary.

Mr. Speaker : The words, though not strictly unparliamentary, are not dignified. So, I request the honourable member to withdraw them. (Voices : Withdraw, withdraw.)

Dr. Satya Pal : On a point of order. How does that concern the gentleman ?

Mr. Speaker : The mistake which some honourable members commit is that they do not keep themselves above personalities, which is one of the most important rules of parliamentary debates. Answer the arguments of your adversaries, demolish them by all means, but do not make personal remarks or allusions.

Tikka Jagjit Singh Bedi : Sir, I bow before your ruling and withdraw those words. I have particularly noticed one thing and that is that the so-called sympathisers and well-wishers of the zamindars who always appear to champion their cause are nowhere to be seen here to-day. Where is the Congress Party which claims to be the life-comrade of these poor people?

Mr. Speaker : Neither persons nor parties should be attacked in speeches.

Syed Amjad Ali Shah : Sir, gentlemen from that side have been referring to the Unionist Party times out of number and that was held to be parliamentary.

Mr. Speaker : Did I hold that they were in order ?

Tikka Jagjit Singh Bedi : The main objection raised against the Bill is with regard to the committees to be appointed. The Opposition prefers the principle of election while it is provided in the Bill that the members of these committees will be appointed by nomination. The zamindars have had bitter experience of elections. If the members of these committees are going to be elected they will have to incur further expenditure. For this reason the zamindars cannot agree to the principle of election.

Dr. Sir Gokul Chand Narang : Why not introduce the principle of nomination in the case of Assembly also ?

Tikka Jagjit Singh Bedi : As regards the salaries and allowances of the members of these committees I submit that they should get no salaries or allowances. But they should be entitled to draw travelling allowances because if they are deprived of the travelling allowances very few of them will attend the meetings and the object underlying the Bill will consequently be frustrated. With these reasons, I oppose the motion now before the House.

Shaikh Muhammad Sadiq (Amritsar City, Muhammadan, Urban) (Urdu) : Sir, I am really very much pleased to hear the speech made to-day by Dr. Gokul Chand Narang.

Lala Duni Chand : On a point of order. He has been moving closure motions so many times. Can he now speak ?

Shaikh Muhammad Sadiq : I never moved a closure motion. You cannot distinguish one man from the other. You should change your glasses. Well, Sir, I heard the speech of Sir Gokul Chand Narang with great pleasure. He has stated things which have surprised me. He said that the Honourable Ministers while on tours in the country side address the zamindars as *aqas* or uncles.

Mr. Speaker : The honourable member has no right to address another honourable member. He should address the Chair.

Shaikh Muhammad Sadiq : I apologise. There is nothing to be ashamed of. Of course, that is being done. The zamindars are election masters, so to say, and if the Honourable Ministers address them as such where is the harm ? My honourable friends should understand that it is not desirable to go on harping on the ignorance of zamindars. It was said by my learned friend Dr. Sir Gokul Chand that the representatives of zamindars in the market committees will be incapable of discharging their duties properly and satisfactorily. I would remind him that when he was a Minister at least three of his colleagues in the cabinet were zamindars. Not only that. For some time even the Governor of the province was a Punjabi zamindar.

Mr. Speaker : The honourable member is personal.

Shaikh Muhammad Sadiq : Very well, Sir, I will not refer to him. A great stress has been laid on the fact that the representatives of the zamindars in the market committees will be in a majority. Well, Sir, that is as it ought to be. How can my honourable friends demand that they should be in a minority ? The fact is that this Bill has been brought forward for the purpose of regulating the working of markets and that is exactly what my honourable friend, Dr. Narang does not like.

Mr. Speaker : I warn the honourable member not to be personal, and if he is irrelevant again I may have to ask him to resume his seat.

Shaikh Muhammad Sadiq : I apologise, Sir.

I know, Sir, that the attitude of my honourable friends opposite is the usual attitude of an opposition. Whenever a measure is proposed by the party in power it is usually viewed with apprehensions and doubt by the other side. Even in England when the Reform Bill was brought forward the Opposition raised a hue and cry saying that the measure would bring disaster and ruin to the nation. But I would submit that in spite of these doubts and apprehensions which have become almost conventional we can join hands and try to improve the Bill. It cannot be said that the system on which our markets are working is absolutely free from defects and requires no reform whatever. The mere fact that ordinary stones are often used as weights is sufficient to show that our marketing system is anything but perfect. The weights of ten seers, five seers, and two seers all appear to be so much alike that it is very difficult for an ordinary person to make out which is which.

As regards the apprehensions that the Bill may prove defective or even harmful I would submit that the proper thing to do is to remove its defects and not to kill it.

Dr. Sir Gokul Chand Narang : Nobody said that the Bill should be dropped. The motion is that it should be circulated.

Shaikh Muhammad Sadiq : None can deny the fact that the zamindars who bring their agricultural produce to the markets on bullock carts are often made to wait for 6 or 7 days so that they may agree to sell their produce at a lower rate. Then the commodity is weighed with the weights which I have described above. This loot deprives the zamindar

of a good bit of his produce. I know, Sir, that the powers demanded by the Government in this Bill will appear irksome in the beginning but if you want to reform the markets you have to give full powers to the Government.

Then coming to the question of election *versus* nomination, I am free to admit that election is preferable to nomination (*hear, hear*) but my honourable friends must remember that if elections are held for the market committees they will involve an expenditure of lacs of rupees and the privilege will ruin the zamindars.

Some municipalities appointed inspectors but they never had the courage to visit the mandis for the purpose of checking weights and measures. Thus it is incumbent on the Government to make some effective provisions for the purpose.

Sir, no one likes to give any powers to anybody. Even the establishment of municipalities in India was bitterly opposed by a good many British statesmen as well as people at large. Similarly a hue and cry was raised against giving reformed Assemblies to the "Kala" man.

Then it is said that the market committees and especially the representatives of zamindars in those committees will commit blunders. I would submit that we can frame suitable rules in this respect. I, therefore, request my friends not to waste time in useless dilatory tactics but to join hands with Government and get the defects of the Bill removed by bringing forward suitable amendments. But I would also warn them that sending a heap of thousands of amendments would serve no useful purpose. On the contrary it will irritate the other side and defeat their purpose. I request my friends to allow the Bill to be taken into consideration and wait for moving amendments till it is discussed clause by clause. This motion has been under discussion for about six hours and the Bill has been thrashed out in newspapers as well as in meetings for the last four months. Then may I know what further object is sought to be gained by circulation?

It appears that the Opposition does not disapprove of the establishment of market committee but it objects to its control over buildings, enclosures, and trade allowances, etc. My submission is that without this control the market committee will be absolutely useless. It is also said that capable persons will not be available from among the zamindars and so the trade will be adversely affected. But, Sir, we have to pull on with these very people. Do my friends want the Government to import the Jews turned out from Germany by Hitler's Government to work on these committees? Thus it will be seen that it would be better to co-operate with the Government to improve the Bill in such a manner that trade may not be affected adversely.

So far as the representation of the two interests is concerned it is said by some members that too much has been given to zamindars while there are others who think that the licensees have been given more than their due share. After all what does the Opposition want? Is it their desire that both sides should have equal representation? I would submit, Sir, that if that is done the committee will not be able to function even for a single day.

Dr. Sir Gokul Chand Narang : Give the chairman a casting vote.

Shaikh Muhammad Sadiq : May I ask my learned friend what he hopes to gain by circulation of the Bill ? When he brought forward the Executive Officers Bill as a Minister he bitterly opposed a motion for circulation saying that the wisest element of the public was present in the House and, therefore, it was no use circulating the Bill.

Mr. Speaker : The honourable member is irrelevant.

Shaikh Muhammad Sadiq : I am sure that the Government will be ready to dispel all apprehensions of the Opposition and, therefore, I would request my friends opposite to try to improve the Bill by amendments. With these words, I oppose the motion for circulation.

Rai Bahadur Lala Gopal Das (Kangra North, General, Rural) (*Urdu*) : Sir, I am at a loss to understand as to why the healthy motion moved by my friend, Sardar Sahib Sardar Santokh Singh is being opposed by the Treasury benches. Although a good deal of advice has been showered upon us, yet no satisfactory refutation has been made of the arguments advanced by Sardar Sahib and the honourable Dr. Gokul Chand Narang. I do not intend to repeat the arguments already adduced by the members of the Opposition, but nevertheless I would draw your attention to this particular point. My honourable friends Chaudhri Riasat Ali and Shaikh Muhammad Sadiq have remarked in the course of their respective speeches that we should better withdraw the motion now before the House and allow the Bill to be discussed clause by clause and wherever we find any defective or harmful provision we could easily get it modified by moving an amendment. Sir, the fact is that I do not entertain any high hopes from the present Government. In view of the diehard attitude of our Ministry we have given up all such expectations. This Bill was first introduced in the House in July last. Meanwhile I made a representation to the Government that it would be in the best interests of the Government and public alike if the former made the members of the select committee to tour about the country and institute inquiries into the matters relating to the markets, and after examining witnesses the committee should present a report on the subject. But unfortunately the Government turned down my proposal without assigning any reason for doing so. Certain honourable members opposite have remarked that the Government is prepared to consider the amendments tabled by the Opposition. But would the Government give us a definite assurance to the effect that these amendments would be considered favourably and sympathetically ? If the Government is prepared to give such an assurance I take it upon myself to persuade Sardar Sahib to withdraw his motion. The attitude of the Government shows that it does not care at all to recognise even the existence of the Opposition. Whenever any request is made to it the self-same reply is given that the Government would consider the matter on its merits. It is a matter of regret that the Government instead of improving their lot is exploiting the masses, rather landing the poor zamindars in great difficulties by introducing such odious and unpopular measures. Has the Government ever considered this point that the members of the market committees would not be prepared to work gratis or as labour of love ? They would undoubtedly demand remuneration. And so, for the sake of party propaganda the Government would be obliged to pay something to these representatives of our rural population

and this burden would fall directly or indirectly on the zamindars themselves. (*Voices : Question.*)

Sir, my honourable friend, Tikka Jagjit Singh has remarked that the motion under discussion aims at killing the Bill. My humble submission is that either he has been sleeping all this time or he does not understand the language in which this motion has been couched. I have discussed certain points in my note of dissent and I do not like to repeat them on the floor of the House, as I am sure that the honourable members have already gone through them.

In the end I would request the Government, through you, Sir, that in view of the formidable array of the arguments advanced by this side of the House the motion moved by the honourable Sardar Sahib may kindly be accepted. With these words, I whole heartedly support the motion now before the House.

Mr. Speaker : The question is—

That the question be now put.

The motion was carried.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) (*Urdu*) : Sir, this motion has been under discussion now for two days. I admit that in every country whenever something is done affecting certain vested economic interests, great hue and cry is bound to be raised by the upholders of those interests. This everybody can understand. This is only natural. The storm of opposition which my honourable friends sitting on the opposite benches have raised against this measure is, therefore, quite understandable. But what has surprised me is the fact that they have advanced arguments which have no weight whatever. It is not possible for me to reply to all the points raised by my honourable friends individually within the short time at my disposal. I shall, therefore, content myself with replying to certain salient and important points which have been raised by my honourable friends of the Opposition in their speeches. That will constitute my general reply to the speeches of the honourable members of the Opposition.

One point which has been greatly stressed is this : why is this measure being hurried ; why is it not circulated to elicit public opinion thereon ? My reply to this is : The question involved is very important. On a satisfactory solution of this depends the well-being and prosperity of eighty to ninety per cent of the population of the Punjab. It is, therefore, essential that the measure is placed on the statute book with the least possible delay. I hope my honourable friends of the Opposition are not unaware of the fact that when the Royal Commission on Agriculture visited India, one of its most important recommendations was that a legislation be enacted to regulate the buying and selling of agricultural produce in the mandis so that the loot which is being carried on against the interests of the illiterate and ignorant producer is brought to an end. The recommendation of the Royal Commission on Agriculture mentioned by me is now several years old. Thereafter a committee was appointed which is known by the name of Banking Enquiry Committee. This committee arrived at the conclusion after great deliberation that some law should be passed to end all those tricks to which the illiterate grower is subjected. Then a special marketing adviser was

[Minister for Development.]

appointed who studied the whole question with respect to the sale of produce in different provinces and he, too, was of opinion that some legislation should be enacted to regulate the procedure and methods of sale of produce in mandis. And if in the face of all these recommendations which have been made from time to time by those whose competency to make these recommendations can never be challenged, the objection is raised against the speedy enactment of this measure, no reasonable person will attach any weight to the objection.

Lastly, this question came up before our Marketing Sub-Committee in February, 1937. The Sub-committee decided that a suitable marketing legislation should be brought forward without delay. My experienced and learned friend, Sardar Sahib Sardar Santokh Singh, was a member of that sub-committee. He never said in the committee meeting that such a measure was not necessary to be enacted. Next this sub-committee met in November, 1937, and a draft of the Marketing Bill was placed before it. It was agreed that members should consult people connected with this trade and should report their decision by January, 1938.

Sardar Sahib Sardar Santokh Singh : I should like to give a personal explanation.

Minister : I refuse to give way.

Diwan Chaman Lall : When a particular charge has been made against a member of this House, has he no right to clear his position ?

Mr. Speaker : Who said he has not ?

Dr. Sir Gokul Chand Narang : Was the Honourable Minister in order in saying that he would not give way ?

Mr. Speaker : Yes, if the Honourable Minister does not give way, the honourable member may make a personal explanation after his speech is over.

Minister : Sir, I was saying that in the meeting of that sub-committee held in November it was decided that the final decision about this Bill be made in the meeting to be held in January, 1938, and then the Bill be forwarded to Government with the final recommendations of the committee. Meanwhile the public came to know of all the clauses of the Bill and general discussion of it ensued both in the press and on the platform. In short this Bill has been under constant consideration of the public since the beginning of November, 1937. It has, as it were, possessed the public mind. With some people it has become a veritable obsession. There are others whose power of reasoning has been paralysed on the perusal of its various clauses. But the loudest among its opponents are those whose interests will be adversely affected by its provisions. The Bill, therefore, as you will see, Sir, has been before the public of this province approximately for a year. I cannot, therefore, imagine, much less understand, how there can still be any class of people in the province who can say that they have had no opportunity up till now to study, discuss or criticise this Bill. An allegation of this nature cannot

hold water at all. I have a good many reasons to say this. In the first place, it may be noted that the sub-committee that was appointed for this purpose had among its members several business experts who might well be expected to have represented the views of the trading people in this province. Secondly, and here we come to the most important point, the Bill in question was introduced in the famous session of the Assembly at Simla in July last. It is clear, therefore, that the Bill has received the widest possible publicity throughout the province. The press has discussed its provisions threadbare. Further, it may be noted that the Bill was referred to a select committee consisting of the representatives of all the parties in the House. The Bill has ever since been subjected to a minute criticism in every nook and corner of the province. Some people have praised it, some have condemned it, while others have adopted the *via media* but none has ignored it. It has been examined, discussed and criticised both in the the press and on the platform. Different opinions have been expressed on it in rural and urban circles. Is it fair in these circumstances to put forward the plea of eliciting public opinion on it as if the public knew nothing of its provisions and contents? Is it conceivable that there might have been left a section of the population which has not become aware of the aims and objects of this Bill or does it stand to reason that the traders, *ahrtias*, or other functionaries of the markets are still ignorant of the provisions of this Bill and must be afforded an opportunity to express their views? Far from it. It is one of the most widely read, discussed and criticised Bills in the history of legislation of the Punjab. Does any honourable member of the House still cherish the illusion that the Chamber of Commerce, a reference to the speeches of which was made here a little while ago, is unaware of the contents and provisions of this Bill?

Dr. Sir Gokul Chand Narang : If I may answer his question, I did not know this provision until I got a copy of the select committee report—a most important provision in the Bill.

Minister : It goes without saying that no Bill has ever been subjected to such hair-splitting as the present one. Can any honourable member point out to me if there is any city, or for the matter of that even a small town in the Punjab, where the echoes of this Bill have not been heard? Even in the far flung corners of the Punjab, scores of meetings have been held in which this Bill has been discussed and criticised. Traders, *ahrtias* and businessmen of all kinds have, from all the corners of the province, expressed their views about this measure.

Rai Bahadur Mr. Mukand Lal Puri : Did you place any opinions before the select committee?

Mr. Speaker : The honourable member need not answer that question.

Dr. Sir Gokul Chand Naranag : No, Sir, he is maintaining that this Bill has been under discussion. He is using wrong language.

Mr. Speaker : When his speech is out of order, the honourable member may invite my attention.

Dr. Sir Gokul Chand Narang : That is what we are doing.

Lala Duni Chand : On a point of order, Sir, I want to know whether it is permissible that the treatment meted out by the Speaker to different members should be discriminatory ?

Mr. Speaker : Order ! order !

Minister : In this connection I would be only too glad to meet the objection raised by my learned friend, Dr. Sir Gokul Chand Narang, who has observed that even he himself did not know certain provisions of this Bill as it emerged from the select committee until very recently. That is, no doubt, true. The Bill has not been placed before the public in the form in which it has emerged from the select committee, and I may add that it was neither desirable nor necessary to do so. A careful glance over the Bill will show that whereas certain changes have certainly been made in the Bill, they are not of such a character as to warrant the circulation of the Bill among the public. Let us dispassionately consider what the nature of these changes is and what the criticism levelled against them amounts to. My honourable and learned friend remarked in his speech that the Bill originally contained 21 sections whereas now it consists of 30. The fact of the matter is that section 4 has been split up into three different clauses in the Bill in its present form. Similarly clauses 5 and 6 have been split up into 7 clauses. This is how the clauses of the Bill have been added to. But let me take this opportunity to assure my honourable friend that these additions have been made merely to elucidate and make more clear the original clauses. The substance of the provisions of the Bill, however, remains essentially unaltered in spite of these additions. Again, my honourable friend observed that originally the constitution of the market committees was different from that which has now been proposed. The original draft was, as I hinted the other day as well, due to a misunderstanding. Let me call it a mistake, if it pleases my friends. I had instructed the officer entrusted with drafting to see that the Bill provides two-third representation to the growers out of the total number of the members forming a market committee. But the drafting officer mistook my meaning and did not confine the two-thirds representation to growers only but also included under it the representatives of businessmen. So the mistake has now been rectified and the Bill has been improved in consequence. All other changes, apart from the ones enumerated heretofore, are of a nature which should be welcome to the honourable members occupying the opposite benches. It was previously intended to have all members of the market committees nominated, but now the change that has been effected provides that businessmen and other functionaries in a mandi would be entitled to nominate two persons for every seat and the Government would accept one of the two persons so recommended. But so far as the representatives of growers are concerned, they will, all of them, be nominated by the Government.

Diwan Chaman Lall : Why should the Government nominate at all, especially in the case of the businessmen also ?

Minister : My plain answer to this question at this stage is that the party in power wishes to do so, and I, being their representative, am here to carry out their wishes.

The only other change that merits some consideration, is the one which provides that the members of market committees would be considered to be public servants within the meaning of section 21 of the Indian Penal Code. I may observe in this connection that this was done in accordance with the advice of the honourable members belonging to the Opposition. Their argument was that all employees in district boards and municipalities are considered to be public servants within the meaning of section 21 of the Indian Penal Code. We, therefore, accepted this proposal. But this does not in any way alter the character of the Bill. Again, one other change made in the Bill is to the effect that before a member is removed from a market committee, he will be afforded an opportunity to show cause against his proposed removal. Does it not improve the situation that the member concerned should be given an opportunity to put in his defence?

Diwan Chaman Lal : But who will decide?

Minister : The Government will decide as has been provided in the original Bill.

It cannot be said that the Bill as it has emerged from the select committee is worse than the original one. The Bill as recommended by the select committee is better, decidedly better, than the original one. So the objection that it is worse than the original Bill does not hold good. It, therefore, neither requires re-circulation nor can any one reasonably ask for it. Another objection that has been raised against the Bill is that it is a highly controversial measure. It is surprising to note that those who describe it as a controversial measure have nothing to say against its principle. To remove all doubt let me quote their opinion. Rai Bahadur Binda Saran and Rai Sahib Jala Gopal Das wrote the following in their note of dissent :—

We agree with the principle that in the interest of the tiller of the soil, it is necessary to regulate the marketing of agricultural produce.

The members of the select committee who belong to the Congress party have expressed the following opinion in their note of dissent :—

The underlying principle of the Punjab Agricultural Produce Markets Bill is to secure the best financial return to the producer for his crops by establishment of markets and by regulating sale and purchase of agricultural produce with a view to check mal-practices. It is understood to be neither a fiscal measure nor a political one. The approach should, therefore, be purely economic and based on democratic lines. The Bill as amended by the select committee is not likely to achieve the avowed object. The market committee is the pivot of the whole mechanism. Being a practically nominated body, it will guard the interests neither of the growers nor of the dealers. To please its masters will be its one concern. While agreeing with the broad principle of the Bill, following changes should be incorporated :

Diwan Chaman Lal : The Honourable Minister is misquoting, deliberately misquoting.

Minister : I am not prepared to give way.

It is thus obvious that no one disagrees with the principle of the Bill. If there is any difference of opinion it is with regard to its details, which can be fully discussed when the proper stage is reached. We have already received many notices of amendments and if my friends of the Opposition think it necessary to send more notices of amendments, they are welcome to do so. Further notices of amendments will also be in order because we are not likely to finish the Bill within the next two days. The number

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of notices already sent is by no means small. These amendments cover the whole ground. While I cannot hold out any assurance that these amendments will be accepted, I am sure the House will discuss and decide them on their merits.

Again, it has been contended that the Bill has met with universal opposition; that all businessmen, all zamindars and all traders are opposed to it; that there are only a few big landlords and their representatives who have lent their support to it. In support of this contention, the opponents of the Bill have referred us to a resolution passed by the Lyallpur Kisan Conference. The truth is that the resolution passed on the subject by the Lyallpur Kisan Conference discloses a mentality of Mr. Facing Bothways. It is an embodiment of a policy of hunting with the hounds, and running with the hare. The resolution says that the principle of the Bill is sound but its scope though useful, is limited. But if anybody wants to extend its scope he can move amendments for that purpose. Any way it is wrong to say that the Lyallpur Conference opposed this Bill. The second Kisan Conference at Lyallpur was more explicit in its support of the Bill. As a counterblast to this explicit support a strong agitation was started in the press and in business circles that those who were responsible for the acceptance of this resolution should be turned out of the Congress or Socialist Party. Therefore, it cannot be said that kisans and zamindars are opposed to the Bill. My honourable friends over there should remember that mere speeches cannot help them. Not at one or two places, but at dozens and scores of places, conferences have been held which were attended by 15 to 20 thousand people and in some cases even by one or 1½ lakhs of zamindars and kisans. (*Interruptions from the Opposition benches.*) I know these things are unpalatable to you, but I will advise you to hear me with patience.

Premier : Let the honourable members opposite please themselves with the idea that only ten persons attended these conferences.

Minister for Development : In these conferences resolutions were unanimously passed that the Bill was most useful.

Diwan Chaman Lall : Oh, a Hitler !

Minister : The question which my learned friend has put to me may well be asked from those very gentlemen, whether or not a Hitler has come to control the destinies of the province.

Speaker : I request the honourable members to behave as a parliamentarian.

Diwan Chaman Lall : All that I want to ask the honourable members is, whether they considered that a new Hitler has arrived in the Punjab. (*Voices : Hitler for the Jews.*)

Minister : The question which my learned friend has put to me may well be put to his own friends. They will tell him whether or not a Hitler has come to control the destinies of this province ?

The Opposition party is mistaken if they think that those who are to-day at the helm of affairs are shutting their eyes to these vital matters.

It has been said that nobody in the province approves of this Bill. Do my friends believe what they say in spite of the patent fact that every day we find that hundreds and thousands of people in public meetings are demanding the immediate enactment of this highly useful measure? Furthermore, Sir, it was said that the Government claims to be the well-wisher of the poor zamindars, but in reality does not care to pay heed to those matters which in fact can prove beneficial to them. For instance, let us take transactions connected with agricultural produce. The biggest item of expenditure is that of railway freight, but Government has not deemed it fit to make any effort for securing reduction in it. They have also referred to exchange ratio and import duty. These are large questions and I cannot be expected to deal with them as mere incidental matters in the course of this debate. But let my friends rest assured that we are certainly not neglecting these important matters. But even taking for granted that there are certain things which we have not been able to do it does not follow that we should abstain from attempting even those things which we can do. There is a well known saying that after all something is better than nothing. We have no doubt in our mind that this particular Bill will considerably improve the lot of the poor zamindars. They are themselves quite clear in their minds and are demanding the speedy passage of this Bill.

Rai Bahadur Mr. Mukand Lal Puri : Save me from my friends
Mr. Speaker : Order, order.

Rai Bahadur Mr. Mukand Lal Puri : Are interruptions absolutely prohibited?

Mr. Speaker : No. But when all members are personal, interruptions should be restricted.

Rai Bahadur Mr. Mukand Lal Puri : Are the remarks "save me from my friends" personal?

Mr. Speaker : No personal remarks are admissible.

Rai Bahadur Mr. Mukand Lal Puri : I have not interrupted but--

Mr. Speaker : No discussion. I have given my ruling.

Rai Bahadur Mr. Mukand Lal Puri : Sir, I have only said--

Mr. Speaker : Order please, I disallow a dialogue.

Minister : Sir, my very learned friend has tried to interrupt me by saying "save me from my friends". It is interesting to note that he has said this on behalf of the zamindars and poor kisans. My answer is that a woman who professes greater affection for other people's children is a witch. How strange that those who were returned to the Assembly exclusively by the votes of *ahrtias* and *mandiwalas* claim to be the well-wishers, friends and advocates, of producers on the question under discussion! These friends of the zamindars have crossed the floor of the House for fear of *ahrtias* and can yet pose as champions of growers. How can they expect the world to believe that the representatives of *ahrtias* and urban shopkeepers can at the same time represent the feelings and safeguard the interests of producers?

Begum Rashida Latif Baji : The Honourable Minister is incorrect in saying that the urban people are not the well wishers of the *zamindars*.

Mr. Speaker : The honourable lady member is requested not to interrupt.

Minister : I have never said that urban people cannot be the well-wishers of *zamindars*. I would rather say that if there is any urban member who sympathises with and supports the cause of *zamindars* he is certainly more deserving of gratitude than rural members.

Again, it has been remarked by our opponents that great capital was made by ministerialists out of the proposition that for every rupee which a consumer pays the producer gets only 9½ annas, but that they have failed to apprise the Opposition as to where the remaining 6½ annas go. I can in this respect very safely refer the Opposition to page 440 of the Marketing Report where the relevant figures have been worked out. An honourable member has levelled a charge against me that I have tried to mislead the public by quoting misleading figures in the statement of objects and reasons appended to the original Bill. His main objection was that the major portion of the expenditure is incurred on the transportation of agricultural produce, and not due to any unfair gains made by the *ahrtias* and *mandiwalas*, and that I had concealed that fact. But, Sir, my respectful submission is that I have not concealed this fact at all. On the other hand, I have specifically and clearly referred to this point. Here is the reference in my statement of objects and reasons :—

It is true that the producer cannot get the whole of the price paid by the consumer for the simple reason that cost of carriage and a fair return for the services of the middleman must necessarily be allowed for.

Thus I am obliged to say that it became my honourable friend opposite to suggest that I had tried to mislead the public by hiding certain facts.

Every honourable member opposite who rose to criticise the Bill has made mention of only legitimate trade allowances, but no one of them had the courage even to talk of those illegitimate trade allowances and pilferings which are being made or received in *mandis* by unfair means. If all these dues, deductions, allowances and pilferings were taken together the *zamindar* is sure to get something less than 10 annas out of a rupee. I do not object at all to those cash deductions which are effected in the form of commission or brokerage. I can even overlook the contributions made in the name of certain charitable institutions such as *gaushala* or *dharamsala*, but what really pains me most is that the actual rates or prices of agricultural produce are not made known to the simple and credulous *zamindar*.

Moreover, inaccurate weights and scales are generally used in these *mandis*. Careful and extensive investigation has brought to light the startling fact that out of every 100 weights as many as 41 are incorrect. And it requires to be noted that this high percentage is to be found in the case of iron and stamped weights, not to speak of weights merely in the form of unhewn stones or bricks about which the less said the better. And what about the scales usually used in markets? Not 10 or 20 but as many as 69 per cent of the scales were found inaccurate. The report from which I have obtained these figures was not submitted by Chhotu Ram. It was

made by a non-agriculturist who was working under the Board of Economic Enquiry in connection with this particular problem. I do not like to mention his name as I fear that if I did so he would be hunted down by these *ahrtias* and shopkeepers.

Now I turn to some other tactics which are usually employed by these clever *ahrtias* in exploiting the poor and simple-minded zamindar. The use of incorrect weights and uneven scales apart, when the *ahrtia* while weighing gives a twist to his pernicious wrist the actual weight of agricultural produce is appreciably reduced. Again, after a part of it has been weighed out the *ahrtias* resorts to other tactics. He notifies the zamindar that he is not prepared to buy at the settled rate the rest of his produce as it is inferior in quality to the portion already weighed. Thus after a short bickering the bargain is struck at a lower rate, i.e., instead of Rs. 8½ the zamindar is obliged to accept even less, say, Rs. 8¼ per maund for the remaining part of the produce. What is more, deductions in kind are made in his dues in the name of water carrier, scavenger, measurer, weighman, *ota*, *rola*, etc., etc. My honourable friend, Dr. Sir Gokul Chand Narang, was amazed to hear this new term, *ota*. But my submission is that this word is not a coinage of the ignorant peasantry of Rohtak.

Dr. Sir Gokul Chand Narang : I did not use the word ignorant.

Minister : I beg to apologize, Sir. However, this word is used in the vast area stretching between the Sutlej and the Western borders of Bengal and was introduced in the report as most appropriate for the purpose. *Ota* is the man who holds the mouth of the sack open, when grain is being poured in. Taking account of all these various deductions in cash and kind and trade allowances we can very easily guess as to what is left with the poor zamindar. I am at a loss to understand why the zamindar is made to pay the expense of carrying the produce to *lalaji's* godown and also why the former is forced to pay the dues of the latter's scavenger.

Dr. Sir Gokul Chand Narang : Well, for gathering the dung of his own oxen.

Minister : Let him rest assured that several of his brethren are wandering in search of cow dung. (*Laughter*). There will be many among the baradri of the Opposition who will be prepared to gather the dung of zamindars' oxen. There is no question of 9 annas or 10 annas ; the fact is that the simpler the zamindar happens to be the more he is exploited.

Apart from *ahrat* the zamindar is made to contribute something towards some charitable institutions such as *gaushala*, *dharmashalas*, and *pathshalas*. But the fact neglected altogether is the fact that every zamindar has a *gaushala* on a small scale in his own house. It is only *ahrtias* who generally do not keep cattle. If my honourable friend Dr. Gokul Chand were to make inquiries he would certainly come to know that these contributions are seldom applied to the object for which they are apparently made, and the whole amount of the charitable funds becomes the private property of the *ahrtias* and *mandiwalas*. I may also point out here for the information of the learned Doctor that the young graduate who disclosed the ugly fact that out of every 100 weights not less than 41 were incorrect was also responsible for the statement that some shopkeepers maintain generally two sets of weights, one for buying and the other for selling. The 5 seers'

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weight which is used for buying happens to be in reality of $5\frac{1}{2}$ seers and in the case of selling the weight actually used weighs $4\frac{1}{2}$ seers. Thus the poor zamindar is looted and exploited in every possible manner.

It has been further objected as to why the Ministers happen to be constantly on tour. One day they are in Gurgaon or Lyallpur and on another day in Jhang or Attock. My submission is that it is incumbent on every Minister to visit every place of note and to tour about even in the remotest places in the province. It is the first and foremost duty of every Minister to hear the grievances of the masses personally and to come into direct contact with the people at large. Now-a-days a great hue and cry is being raised against the present Government in the press and on the platform and the Ministers are being misrepresented and vilified by interested people for reasons best known to them. So we think it necessary to tour about the country and clarify the situation. We have to present the policy and programme of Government before the public in their true colours. This is why we have sometimes to be constantly on tour. This is why you find us sometimes in Gurgaon or Lyallpur and sometimes in Jhang and distant Attock.

Another objection has been raised to the effect that Ministers go only to villages and avoid *mandi* towns. The implication, apparently, is that we are afraid of visiting *mandi* towns lest people should give us a bit of their minds.

Dr. Sir Gokul Chand Narang : On a point of order. If the reference is to me, I never objected to their going out on tour. What I objected to was the provocative and inciting speeches that they make there and the mischievous propaganda that they carry out there at the cost of Government.

Minister : I am only replying to the criticism levelled against us by my very learned and very distinguished friend over there. It will be a discourtesy if I do not reply to his criticism. He challenged us to go to the *mandi* towns and find out for ourselves what people think about us. I may state for his information that we have visited almost every *mandi* town of note in the area covered by us. So far as the South-Eastern Punjab is concerned we have been to Panipat, Samalka, Rewari and Rohtak. Then we have visited Ludhiana, Jagraon and Hoshiarpur. On the North-Western side we have gone up to Lalamusa, Gujart and Gujar Khan. They are all *mandi* towns. Further, we held a big meeting at Lyallpur, a *mandi* of *mandis* by common consent. We are not to be deterred by the idea that our visit to a particular place may result in unpleasant reception for us. We have plunged into politics with full knowledge of the fact that political life is no bed of roses. There is a well-known Hindustani proverb

ادھلی میں سو دیا تو مولوں کا کیا قدر

This should be the motto of every person who embarks on a political career? If anybody thinks that he is not equal to the task of facing the hostility of opponents the sooner he quits the political field the better for him. I assure my honourable friend that whenever we visit any place in furtherance of our programme we pay no thought to the kind of reception we are likely to get. It may be all cordiality, it may be all bitterness,

we do not care. We are only anxious about one thing and that is doing our duty in accordance with the dictates of our conscience.

Lala Deshbandhu Gupta : Is the Minister talking about conscience or political conscience ?

Minister : Another very curious objection has been raised. Why do Ministers allow themselves to be taken in processions mounted on elephants ? Although this is a very petty objection, I should like to answer it. My answer is that in doing so we are only following in the foot-steps of a very great and influential political organisation of our country. My honourable friends should rather feel happy over it as we are only paying a tribute to the example set by their own organisation. Imitation is supposed to be a good compliment. Is it not a fact that at Haripura the President of the Congress, Mr. Subhas Chandra Bose, was taken out in procession seated in a chariot drawn by fifty-two bullocks ? Even the president of the Kisan conference recently convened at Lyallpur was taken to the conference pandal in a chariot drawn by 22 bullocks. I fail to understand why what is sauce for the goose is not sauce for the gander. Recently when a Congress Minister, the Honourable Chaudhri Jug Lall, paid a visit to Rohtak he was taken out in a procession seated on an elephant. Even a well-known member of a new party, I mean, Rai Bahadur Lala Mukand Lal Puri, was taken in procession on an elephant when he visited Balabgarh. I have to refer to another thing about the visit of the Honourable Chaudhri Jug Lall to Rohtak. A welcome gate was put up on the occasion of his visit to Rohtak in front of the mohalla of Jats. In short, there was no end to the pomp and show which was witnessed in connection with the visit of this Congress Minister. And then, Sir, very important portions of his speech were suppressed. If those portions had been published many people would have hidden their faces in shame.

It has also been alleged by the Opposition that we collect audience for our meetings through official agency and that every lambardar, sufedposh, zaildar or panchayat officer is ordered to bring along with him a fixed number of persons to swell the crowds whenever a Minister has to pay a visit to an area. Nothing could be further from the truth. In fact it is a wild and preposterous proposition to lay before any intelligent person. If it were a question of collecting, say, one hundred, or two hundred or five hundred or even a thousand individuals for a certain meeting, one could regard this theory plausible to some extent. But the fact of the matter is that our meetings have been attracting tens of thousands of persons, sometimes numbering 20 thousand, sometimes 50 thousand and at others reaching the tremendous figure of one lakh and even 1½ lakh. Does it stand to reason that lakhs of people can be collected against their will by the petty village officials having no confidence of the public as the Opposition is never weary of suggesting ?

Diwan Chaman Lall : Who counted your audience ?

Minister : Let me hasten to confess, in reply to this innocent question, that if by counting, the honourable member means the method of actual counting of heads like one, two, three, four then we have never counted our audience. But who has ever taken it into his head to count one by one a huge congregation of lakhs of people ? I may, however, be

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allowed to point out that there is a very marked difference between the results of our method of counting and that of our worthy and honourable friends over there. The House will be surprised to learn the difference between the results of the two. When the Premier's procession was taken out at Rohtak and the processionists numbered tens of thousands, a very responsible and honourable member of this House, of course, a Congressman, had the audacity of publishing a statement in the press that barely one thousand persons attended the procession. But fortunately, or to the discomfiture of the gentleman, we have got a film taken of that ceremony and if the honourable members of this House care to see that film, they will come to know at once whether our counting is correct or that of our opponents. Facts will speak for themselves. That is our method of counting.

Dr. Sir Gokul Chand Narang : That the official agency was used, does he deny that? Was not official influence used?

Minister : Certainly not. No official influence was used.

Diwan Chaman Lall : Is it a fact that the Parliamentary Secretary admitted this fact?

Mir Maqbool Mahmood : No.

Minister : My honourable friend Diwan Chaman Lall is an expert in interpreting or misinterpreting according to his own fancy what others say. I have, therefore, no quarrel with him if he reads in the words of the Parliamentary Secretary what is not there.

Sardar Kapoor Singh : Is it or is it not a fact that in a meeting held at Jagraon, certain officials were required to bring 50 persons each with them?

Minister of Education : Does the honourable member wish me to reply to his question? It was no other person than the honourable member Sardar Kapoor Singh himself who declared in connection with the outstanding success that has been attending our meetings in the recent past, that the Government has, by passing the famous agrarian legislation at Simla, turned the tables against them inasmuch as the villagers madly rush on to the meetings of the Unionists whereas the Congressites and others are not even allowed to enter the villages, much less, hold a successful meeting there.

Mr. Speaker : Statements are being made on the basis of verbal expressions which I cannot allow.

Dr. Sir Gokul Chand Narang : A member of a panchayat told me personally that he had received orders to use his personal influence. *(Interruption).*

Lala Deshbandhu Gupta : Does the Honourable Minister admit that description or not?

Minister for Development : If any one has done so, he has grievously blundered. But may I ask in all fairness, if it is conceivable at all that a crowd running into a lakh or 1½ lakhs of people can really be collected under official pressure? If that is the opinion which my honourable friends of the Opposition hold about the public in the Punjab, then let us pray God save them from their Congress friends! God save them!

There is yet another point that I wish to make. In fact it was raised by my honourable friend Dr. Sir Gokul Chand Narang. He meant to say that there was one Bania in our cabinet also and that whereas we kept talking about other Banias, we never mentioned him in our discussions here. Let me submit in reply to this query that we do not include the Honourable Mr. Manohar Lal in the category of 'banias' in the sense in which the word is sometimes used. There are three different senses in which this term is used.

SITTING ON WEDNESDAY, 16TH NOVEMBER, 1938.

Premier (The Honourable Major Sir Sikander Hyat-Khan): Sir, I move—

That the Assembly do sit to-morrow, Wednesday, the 16th November, 1938, for the transaction of Government business.

It is hardly necessary for me to make any speech in support of this motion because I explained the position yesterday.

Mr. Speaker: The question is—

5 P.M.

That the Assembly do sit to-morrow, Wednesday, the 16th November, 1938, for the transaction of Government business.

The motion was carried.

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

MOTION FOR ADJOURNMENT.

LATHI CHARGE AT AJNALA.

Sardar Sohan Singh Josh (Amritsar North, Sikh, Rural) (*Punjabi*): I move—

That the Assembly do now adjourn.

The 10th of August was an eventful day which will never be forgotten by the people of Ajnala tahsil. It was an ominous day when such inauspicious personalities as Sir Chhotu Ram and Sir Sikander-Hyat visited this ilaqa. We expected that they would attend our meeting and tell us things that are really useful to us. But what happened was otherwise than we expected. On the previous day another meeting had been held at Khilehian which was attended by the Honourable Ministers and other Unionists. In this meeting many things were said against us, but nothing untoward had happened. On 10th August Sardar Partap Singh went over to Ajnala and when I went there the meeting had commenced. The first thing which we did there was that we took back the black flags from the demonstrators and collected them at one place. This shows that we obeyed the orders of the Congress.

Premier: You behaved well.

Sardar Sohan Singh Josh : But how you behaved I will show later on. We had taken back those black flags only because they had come to be taken as the sign of opposition against the agrarian Bills. When we were collecting the flags some police officers came in and began to abuse and maltreat the people. I asked the police what was their object and why they were misbehaving? We told them not to interfere as we could keep control over our men. Anyway we decided to hold our meeting at a distance of two furlongs from that place. It will be obvious that the place where we held our meeting was at a distance of one and a half miles from the place where Unionists held their meeting. When the news of our coming reached our men attending the Unionist meeting, they came away to our meeting and began to listen to our speeches. At this time the audience was about five thousand, and there was no danger of the breach of the peace. I was at that time making a speech in the course of which I was asking the audience to keep the peace and be not misled by mischief mongers when the Honourable Premier comes over there. In the meantime Mir Maqbool Mahmood came over there and soon after that the Superintendent of Police came there in his car. Seeing so many people assembled there he thought that the game was lost. At this thought he was seized with the fear lest the Premier should come and find the situation so hopeless from his point of view with the result that he, poor fellow, would lose all chance of a reward or a *jagir* for his loyal and meritorious services. His car at once turned back and by a strange coincidence the same was the case with the car of my honourable friend Mir Maqbool Mahmood. I cannot say whether it was pre-arranged or not, but I must place before you all the facts known to me.

Then, Sir, while I was addressing the people assembled there the Superintendent came and shouted a very loud and official "come here" at me. I went to him and inquired as to what was the matter and what he wanted. "Take these people away", ordered the Superintendent and when I asked him why he wanted us to clear away he once more repeated his order. In the meantime Syed Nur Hussain Shah, Deputy Superintendent, had come there and when I asked for the reasons for that order a second time he flew into a passion and gave me a push with such a force that I fell down. (*Shame shame*). I got up and once again tried to discuss the matter with the Superintendent very calmly, but he at once shouted to his men to "disperse the meeting with a lathi charge". (*Shame shame*.) Some 5,000 persons had assembled in the meeting that time. Within less than a minute, without any notice or without declaring the meeting unlawful, the police began to shower lathis on the people. These cowardly bullies did not beat me or Sardar Partab Singh, but mercilessly fell upon the innocent and unsuspecting villagers assembled there and inflicted serious injuries on many of them. It was a very shameful spectacle. It was given out by Mir Maqbool Mahmood that the injuries were not serious. Let me inform you, Sir, that the police behaved in such a brutal manner and the people were so much exasperated at the merciless beating that some forty persons came to me asking permission to teach a lesson to the police. But I was there as the representative of the Congress and, therefore, asked them to face calmly all the atrocities of the police and not to resort to violence in any way.

When my honourable friend Mir Maqbool Mahmood came there I showed to him the harrowing spectacle. People were lying unconscious in the fields and when some of our men went there to fetch them the police beat them back. At this I asked our men not to go there and to leave our friends at the mercy of the police and our "benign" government. This was a practical demonstration by the "popular zamindar" Government of its sympathy for the kisans of the province.

Mr. Deputy Speaker : I would request the honourable member to discuss the conduct of the police and not of the Ministry.

Diwan Chaman Lall : How is it possible for the honourable member not to divulge the exact nature of what took place and to apportion the blame, where it is due, not only to the police but to the executive authorities and how is it possible in a motion like this not to apportion blame?

Mr. Deputy Speaker : Rules of relevancy require it.

Diwan Chaman Lall : It is true.

Mr. Deputy Speaker : Besides, the honourable member should know that the conduct of the Ministry cannot be discussed in this manner.

Diwan Chaman Lall : Mr. Deputy Speaker should also know, I believe he knows it, that an adjournment motion has always been held to criticize the executive government.

Sardar Sohan Singh Josh : Afterwards the injured persons were removed to the hospital where their wounds were dressed and they were given some milk and their gory dress was changed for new hospital clothes. But, Sir, no record was made in the register of the hospital, and according to my information this was due to the instructions of my honourable friend Mir Maqbool Mahmood. But the climax of callousness and brutality was reached when the Ministers left the hospital after addressing the meeting. No sooner had the Ministers turned their back than these unfortunate people were ordered to get up and pack off. In fact they were bodily lifted and thrown out. Sardar Mangal Singh of Chhina was among them. He was unconscious when he was thrown out and remained in the same state for six days and on regaining consciousness on the sixth day his very first question was "where am I?" Similar was the condition of Jabru, a venerable old man of Ghookewali. Pala Singh of Chhina and Indar Singh also received similar treatment. According to my information not less than thirty persons received serious injuries on that day, but only 11 of them were removed to the hospital.

The same evening 17 persons from amongst our friends including Sardar Partab Singh went in a deputation to see the Premier. The interview was not arranged at our request, but it was the Honourable Premier who wanted to see us. The very first thing we said was that we were not prepared to participate in any talks unless the Superintendent of Police was transferred forthwith. The Honourable Premier said that he had heard everything. At this we told him that if he had already heard everything and he wanted to rely on the official report only then there was no use our staying there and wasting our time. However, we told him in the clearest terms that it was he and not the police who was to blame for what had happened, and that

[8. Sohan Singh, Josh.]

the lathis showered on the young kisans were not the lathis of the police, but of Sir Sikander Hyat-Khan and his government.

Now, Sir, I draw your attention to part (c) of question No. 3455 asked by Dr. Sant Ram Seth. It reads as follows :—

(c) the number of places where lathi charge was made during the months of August, September and October ; 1938.

And the reply given by the Premier was :—

It was alleged that a lathi charge has been made by the police at Ajnala in August last, but on enquiry it was found that the police had to push back the unruly crowd and this has been exaggerated into a lathi charge.

At this I requested my honourable friend Mir Maqbool Mahmood to state the true facts. He made a very good start, but then his courage and conscience failed him. I submit, Sir, that these lathi charges and the policy of repression are going to prove the ruin of the Unionist Government. This Government is only too ready to offer lip sympathy to the poor kisans and to sing their own praises. But let me tell my honourable friends that whenever an occasion arises the kisans of the Amritsar district will not forgive the Unionist Government because the Government is responsible for what the police is doing.

Now, Sir, I have a hoarse throat and, therefore, have to resume my seat. I shall say something more if and when I am allowed to reply to the debate.

Parliamentary Secretary (Mir Maqbool Mahmood) (Urdu) : Mr. Deputy Speaker, I have listened to the honourable member preceding me with the utmost care and rapt attention. Now I hope he will allow me to narrate some incidents of which I was an eye-witness. My position with regard to the subject-matter of the motion under discussion is twofold. Certain things I saw with my own eyes, while there are certain other things which I came to know of from the reports or records received from the officials concerned.

First of all let me make the position of the Government absolutely clear with regard to such incidents. I assure my honourable friends that whenever the police have to disperse a meeting by force, if any person, be he a member of this House or not, is injured, it is always a matter of great regret and sorrow to the Government. We also agree that the behaviour of the police is not always what it ought to be and we have declared more than once that if proof of any excesses on the part of the police is supplied, exemplary action will be taken against the guilty officials.

Lala Deshbandhu Gupta : Has the Government during the last two years ever taken action against the police for these excesses ?

Mir Maqbool Mahmood : If my honourable friend were to give notice of this question, I will tell him something before which all the boasts of the Congress governments will pale into insignificance. But I must also submit, Sir, that if baseless complaints are made against the police, the Government is in duty bound to support the officials and to protect them from malicious attacks.

Lala Duni Chand : May I know whether it is not a common preface to every speech of his ?

Mir Maqbool Mahmood : I am glad that my honourable friends always favour me with the largest number of interruptions.

Sir, my honourable friend has been pleased to give us his own version of what happened at Ajnala and Khilchian. I will take the meeting at Khilchian first. In the meeting held at Khilchian on the 9th August, by the grace of God and on account of the policy of the Honourable Premier, thousands of people assembled to hear the Ministers. The Honourable Premier and the Minister for Development addressed this meeting. At a short distance my honourable friends Sardar Sohan Singh Josh and Sardar Partab Singh were addressing a few persons. These people raised some slogans and tried to create disturbance in our meeting. We on our part kept quiet and did not ask them to refrain from creating disturbance. On the other hand, when Sardar Sohan Singh Josh and Sardar Partab Singh sent a note inviting the Honourable Premier to address their meeting and have a free exchange of ideas, the Premier at once went to their meeting and addressed the people in a very friendly manner. This attitude of the national Premier of this province deserves all praise, and, Sir, I am free to admit that the attitude of my honourable friends Sardar Sohan Singh Josh and Sardar Partab Singh was also praiseworthy. I can say this without fear of contradiction that thousands of people paid homage at this place to their popular Premier and accorded such a rousing reception to him that we can rightly feel proud of it.

As regards Ajnala, the people there had done all that they could to give expression to their regard for the Premier. Every tree up to a distance of half a mile was decorated in a manner which was a pleasant index of their love and when the Honourable Premier and the Honourable Minister for Development reached there in a car the enthusiasm of the people knew no bounds. They took the Honourable Ministers in a procession preceded by a band.

Now I come to the incidents that took place at Ajnala. I reached the place of the meeting half an hour before the Honourable Premier. There were some two hundred persons scattered along the road and they did not raise any slogans or indicate by any other sign that they meant mischief. But when I reached the meeting place I was told that there was some disturbance outside. The Honourable Premier also arrived at that time and I asked his permission to go and see as to what the trouble was about. On reaching there I saw that some six or seven hundred people had gathered and some injured persons were lying in the fields. Only two of the latter were bleeding and the rest were in a state of unconsciousness. I do not know whether my honourable friend Sardar Sohan Singh Josh remembers it or not, but he was in a state of exasperation. Just like me he loses all control of himself, when he is angry. He was very angry at that time and was hurling such filthy abuses at the police that I feel shy of even making a reference to them. I took him aside saying that such outbursts on our part will give a chance to our enemies to create mischief. The injured persons that I saw at this time were no more than eleven in number and I removed all of them to the hospital. I did so not for the sake of any propaganda, but I thought it was my duty as a human being.

[**Mir Maqbool Mahmood.**]

It has been alleged that I asked the doctor in charge of the hospital not to make any entries about these persons in the register of the hospital. I swear by God that I did nothing of the sort. On the other hand finding that the doctor in charge was out at that time, I brought another doctor of Amritsar to give necessary aid to the injured in the meantime. The report of that doctor is there. Then the doctor in charge also arrived....

Diwan Chaman Lall : Is there a record in the hospital or not ?

Mir Maqbool Mahmood : I do not remember whether an entry was made in the register or a separate certificate was prepared, but there was a record made.

Diwan Chaman Lall : I do not mean a medical certificate, I mean in the hospital is there an official record of these cases or not?

Mir Maqbool Mahmood : I definitely remember that a certificate was prepared.

Diwan Chaman Lall : You are not aware whether the statement made correct or not ; whether an official statement regarding these cases in the hospital does not exist, you are not aware ?

Mir Maqbool Mahmood : There must be a record, but I do not know. The statements of both sides show that I asked the doctor to give milk to the injured persons, to dress their wounds and to inform their relatives.

Now, Sir, I am not so callous as my honourable friend Sardar Sohan Singh Josh and I cannot bear the sight of wounded persons. So I left the hospital and when I returned after some fifteen minutes I was told that 7 out of the 11 persons had received no injury whatever, only two were wounded and the remaining two had received only some scratches.

Pandit Shri Ram Sharma : The honourable member has been speaking since 5-20 P. M., I think his time is up.

Mir Maqbool Mahmood : According to the rules the mover and the Minister concerned can take more than 15 minutes and I have been authorised by the Honourable Premier to speak for him.

I was saying, Sir, that seven out of the eleven persons had not received any injuries. I have made a telephonic enquiry from Amritsar. No reply has been received as yet but the reports of both doctors are there to show that only two persons were wounded and the other two had received scratches.

Then my honourable friend Sardar Sohan Singh Josh has said that he and his friends wanted to invite the Honourable Premier to address their meeting. I do not know what they wanted, but I was informed by the police that the people assembled there belonged to two parties. One party was that of the followers of Sardar Sohan Singh Josh while the other was against him. You will see, Sir, that in such a state of affairs there was every likelihood of mischief and disturbances being created by the opponents of my honourable friend in his own meeting. Everybody has some opponents

and there are certain people who do not see eye to eye with me and who would try their utmost to put obstacles in my way at every step.

5-40 P.M.

At this stage the Assembly adjourned to enable Muslim members to offer prayers and break the fast.

The Assembly re-assembled at 6-10 p.m. Mr. Deputy Speaker in the Chair.

Parliamentary Secretary (Mir Maqbool Mahmood) (Urdu) : Sir I was submitting that when I reached the spot I heard certain things uttered by my honourable friend Sardar Sohan Singh Josh's party and the other group, which were so obscene that parliamentary decorum prevents me from repeating them here on the floor of this House. My submission is that it is the duty of every honourable member to maintain the dignity and honour of this august House and, therefore, I request my honourable friends over there not to indulge in vituperations against the officers of the Government or members of the other party who hold views contrary to theirs.

Sardar Sohan Singh Josh : Who used foul language ?

Mir Maqbool Mahmood : My honourable friend does not remember—perhaps he was excited at the time. My vocabulary fails me to express the vilification used in parliamentary language. Well, Sir, I was submitting that there were two groups of people present there and out of them one group was led by my honourable friend the mover of the adjournment motion. They were abusing the Unionist Party in a highly objectionable and foul language. The altercation that ensued gave rise to the fear lest a riot should take place. Moreover the rival group far out-numbered the protagonists of the group led by my honourable friend. If they had come to blows, I am sure, my honourable friend's supporters would have suffered heavily. And the police which was in duty bound to maintain order there, rightly asked my honourable friend's group to get aside, but what was the result of the request made by the police ? They were greeted with abusive language. (An honourable member : Question.) Now, Sir, I draw your attention to the two statements published in the issue of the *Tribune*, dated the 11th August, 1938. Both the official and non-official statements appeared side by side on the same page of the said paper. In both the statements no mention has been made of the lathi charge although it is stated in the non-official statement that a mild cane charge was made by the police as a result of which about 11 persons received minor injuries and two persons had their heads bleeding. Again Sir, the supporters of my honourable friend aggravated the tense situation by raising objectionable slogans. (Sardar Partab Singh : This statement is absolutely wrong.) I may also add that if the police had not taken steps to push aside my honourable friend's supporters, there would have occurred a serious riot resulting in great bloodshed. Now, in all seriousness, I ask my friends opposite whether any lathi charge was made at that meeting. Supposing the proposition is granted, then commonsense fails to believe that a lathi charge made by 30 or 40 policemen should result in minor injuries to a very few persons. I have received a telephonic message from the doctor in charge of the hospital at Ajnala, that out of 11 persons admitted into the hospital 7 were lightly injured and of the remaining four two had wounds caused by a stick.

Lala Deahbandhu Gupta : Probably the police struck them with flowers.

Mir Maqbool Mahmood : Besides I wish to emphasise the fact that if at a meeting lawfully convened by peaceful citizens, certain persons try to create mischief it is the paramount duty of the police to curb the activities of such mischief-mongers and bring them to book. My learned friend opposite made certain trenchant and unpleasant remarks about the police officer on duty, which must be deprecated by every reasonable person. It is my firm conviction that it is the duty of the Government to safeguard the legitimate rights of all persons, whether they be highly placed officers or commoners, and protect them from undue and truculent attacks. I deem it my duty to publicly condemn such acts of irresponsible people. As I have already stated, my honourable and learned friend Sardar Sohan Singh Josh severely reviled that police officer in my presence. Now this police officer has won the golden opinion of all sections of people at Delhi and Amritsar where he rendered invaluable services to the public honestly and impartially. He told me that were it not for the uniform that he had donned and the fair name of Sir Sikander's government, he would have brought the gentleman to his senses. Sir, it is my creed to respect everybody, be it Syed Noor Husain Shah or my honourable friend Sardar Sohan Singh Josh. But I do feel strongly that we should register a strong protest against any person who makes defamatory and disparaging remarks about another person.

Diwan Chaman Lall : On a point of order, Sir. I think my honourable friend is not going to take the whole time fixed for the motion. He has spoken for half an hour.

Mir Maqbool Mahmood : I will not be very long, Sir.

Dr. Gopi Chand Bhargava : May I know how he is entitled to speak for more than 15 minutes ? He is neither the mover nor a Government member.

Mr. Deputy Speaker : He is speaking in place of the Minister.

Mir Maqbool Mahmood : Sir, my honourable friend would not have raised this objection, had he been aware of the real facts and as to what took place between the Honourable Premier and my learned friend Sardar Sohan Singh Josh. The Honourable Premier publicly asked him whether it was not a fact that he and persons of his ilk made mis-statements and mis-representations about the assessment of land revenue and water rates and that they gave currency to misleading facts without caring to ascertain the veracity of the same. After hearing this straightforward talk the honourable member from Amritsar and his friends confessed that the Honourable Premier was right and they gave an undertaking to the effect that in future they would not indulge in false propaganda.

Sardar Partab Singh : Sir, on a point of order. Is it permissible to tell lies in this House ?

Mir Maqbool Mahmood : Sir, I was myself present at that meeting and I am fully aware of the facts. My honourable friends plighted their word to the Honourable Premier that before making any statement they would first ascertain the veracity of the same from him. But it is a thousand

pities that they broke their pledge the very next day and made mis-statements.

Diwan Chaman Lall : That is why the lathi charge was made ?

Mir Maqbool Mahmood : How could my honourable friend know ? He was probably at that time having a stroll in Piccadilly in England.

Diwan Chaman Lall : On a point of order. May I request you to remind the honourable member to be a little more decent than he is ? He must realise that as a member of this House, I have every right to assert my opinion. He has no business to question me in a language of the type which he has used. I could have called him a liar but I did not do so. If he does so again, I am afraid I shall have to take further steps to deal with him.

Mir Maqbool Mahmood : My honourable friend may rest assured that his empty rhetoric cannot conceal the true facts which are known to everybody. Had my learned friend been present on the spot, he would, in fairness, have not talked in this manner.

Diwan Chaman Lall : I say quite deliberately that where it is a question of believing either my honourable friend over there, a slippery friend, or believing my honourable friend Sardar Sohan Singh Josh, I believe Sardar Sahib every time and disbelieve him every time knowing his record. If he wants me to expose his record here on the floor of the House, I am prepared to expose it.

Mir Maqbool Mahmood : What about your own ?

Diwan Chaman Lall : I did not go to the Public Service Commission to make a false statement.

Mr. Deputy Speaker : I request the honourable member not to interrupt.

Mir Maqbool Mahmood : Sir, I do not want to say anything about my silver-tongued friend as to what and how he dealt with certain states.

Diwan Chaman Lall : I am perfectly willing. My honourable friend need not wait. Come forward with facts.

Mir Maqbool Mahmood : Sir, I was submitting that these gentlemen gave an undertaking to the Honourable Premier and did not adhere to it. I may add that so far as lathi charge is concerned facts and the official and non-official statements bear out that this is a false and baseless allegation. As regards the statement of my learned friend Sardar Sohan Singh Josh, I think he probably made it in a state of excitement. Again so far as the conduct of the police is concerned, it was highly commendable and, in my opinion, they have done a great service to my honourable friend and his protagonists, inasmuch as they averted a clash and prevented the spilling of the blood of innocent people. With these words I close my remarks and strongly oppose the motion now before the House.

Dr. Shaikh Muhammad Alam (Rawalpindi Division Towns, Muhammadan, Urban) (Urdu) : Sir, you know that I have of my own accord been keeping strict silence for a long time. But to-day my young friend's innocent, childlike, and interesting speech has forced me to break my silence. At the very outset let me assure my honourable friend Mir Maqbool

[Dr. Shaikh Muhammad Alam:] Mahmood that if I say that he spoke the truth and gave a true version of the whole affair, he will feel pleased and satisfied. I am prepared to do it. But I am constrained to remark :

کہنے کو تو کہدوں تمہیں شک دار
اسے کیا کروں کہ دل کو اعتبار نہیں ہوتا

I wish my honourable friend Mir Maqbool Mahmood instead of delivering his speech in the Assembly Hall, had stood in a witness box, where the witnesses stand to give evidence, and my honourable friend Sardar Sohan Singh Josh had been present on the other side of the witness box, and I am sure I would have by means of cross-examination brought home to the former the extent to which he has misrepresented the case (*hear, hear*), whatever, has been stated to-day by my honourable friend in a mild tone and beautiful words and how much of it was true, if the same had been repeated to my friend in private and not in public, I would have asked him :

تمہیں ماضی سے کہدو تمہیں اعتبار ہوتا

Mr. Deputy Speaker : The honourable member should not be personal.

Dr. Shaikh Muhammad Alam : Sir the honourable Mir Maqbool Mahmood has given a wrong statement in pursuance of the statement of my honourable friend, Sardar Sohan Singh Josh. There are two statements before the House and I am certainly within my rights to criticise the statement which is made against him.

Mr. Deputy Speaker : The honourable member can demolish it by giving facts.

Dr. Shaikh Muhammad Alam : If we leave aside the point at issue and bear in mind for the time being the speech of my honourable friend as a whole and the manner in which it was delivered we would find that in the first and last part of his speech he has simply lavished praises on his leader. I think my honourable friend Mir Maqbool Mahmood is within his rights to extol his chief to the skies. Whatever he has said of him to-day is much less than his due. I always feel transported with joy when I see such people like my friend over there so faithful and loyal to their leader. I, therefore, do not like to make any observation in regard to this part of his speech.

Mr. Deputy Speaker : The honourable member is not speaking to the motion.

Dr. Shaikh Muhammad Alam : I am certainly speaking to the motion and I am saying that so far as the portion of the speech of the honourable Mir Maqbool Mahmood as regards eulogizing the services of his Leader, Sir Sikander, is concerned, I give him credit for it.

Mr. Deputy Speaker : All the same the honourable member is not speaking to the motion.

Dr. Shaikh Muhammad Alam : Besides, that whatever he has stated before the House is self-evident. If my friend Mir Maqbool Mahmood had not made this speech to-day I would have said that for his sake and for his regard let us take the matter as granted. But I am constrained to

remark that common sense would not have us believe in these facts. So far as psychology is concerned, so far as science or any other criterion of sifting the truth from the falsehood is concerned common sense requires us not to believe in any such facts.

Now I would make a few observations with regard to his speech. My friend in the course of his speech stated what he saw there at the first glance. He says that he saw 200 men standing on the one side and only 25 police men on the other side. When his car reached the proper spot, he found that only an unpleasant incident had taken place and a few of the people had sustained minor injuries. What a fine description of the situation! He says when he reached the spot after obtaining the necessary permission from his chief, he found that some unpleasant thing had taken place. A prominent member of this House, a prominent parliamentary secretary and a great favourite as Mir Maqbool is, cannot be expected to make such an irresponsible statement. He ought to have realised the gravity of the situation. He ought not to have dismissed the situation altogether from his mind by characterising it only as an unpleasant thing. It was a most serious affair. As many as 11 human beings had been wounded by the lathi blows of the police. They had to be carried to the hospital in lorries. Mir Maqbool Mahmood himself took the trouble of sending these people to the hospital. But still he says that it was nothing more than an unpleasant thing. May I ask him that all those people who had fainted lost consciousness merely because some lovely beloved had shown his face? (*Laughter.*)

But there is another very curious thing to be noted in this connection. My honourable friend Mir Maqbool Mahmood says that no lathi charge was made. And his chief the Honourable Sir Sikander Hyat-Khan says in reply to a question that no lathi charge was made. But just now a telephonic message received by my honourable friend Mir Maqbool Mahmood tells an altogether different story. It says two men had received wounds on their heads. These wounds my honourable friend, Mir Maqbool Mahmood, characterises as obtuse wounds. But the question is: were these wounds inflicted with tiny twigs of roses? The Government has been pleased to admit now that although no lathis were used, canes were used. Even this admission on the part of this Government is sufficient. They could as well have replied that the wounds sustained by the injured were inflicted actually with tiny twigs of roses.

Sir, our complaint against the Government is that it does not employ police for legitimate purposes. They are used for carrying on propaganda in favour of the Government. And when an objection is raised a complete lecture is given by the Government spokesmen on the proper functions of the police. It is pointed out very eloquently that if the police is guilty of excesses Government will take action against it as it is in duty bound to take. But these good things have been preached by every good man from the times of Saadi onwards. The only pertinent question is: what is the Government actually doing? Is it doing the needful by way of keeping the police on the right path? Our experience is to the contrary. Whenever any excesses of the police are brought to light, the Government members try their best

[Dr. Shaikh Muhammad Alam.]

to shield the police on the floor of this House. The attitude of the Government has been quite similar in the present case as well. Its spokesmen have tried to hoodwink the House and shield the police.

The Government should try to do the right thing, that is, it should punish unsparingly all those police officials who are found guilty of excesses. It should always keep in mind the fact that indifference to the complaints of the public results in the downfall of Governments. Nobody can say what is in store for the Sikander Ministry to-morrow.

گل و بلبل مہن یہ جہانڑا ہے چمن کس کا ہے
کل بقا دیگی خزاں یہ کہ وطن کس کا ہے
فیصلہ گردش گردوں نے کیا ہے سو بار
بلخ کس کی ہے بدخشاں و ختن کس کا ہے

I am sure the atrocities committed at Ajnala will go down in history as an ever-lasting stigma on the present Government. I warn the Government not to be misled by what their "maqbool" people have to say. You can ask them to make any sort of statement.

Mr. Deputy Speaker : I would request the honourable member not to be personal.

Dr. Shaikh Muhammad Alam : I am certainly within my rights to say this. You can tell me when I am being personal. If you do not like my using the word "maqbool" shall I use the word "ghair maqbool"? (*Laughter.*) I was only pointing out to the Government that some people are always ready to agree with them. Their statements should never be accepted at their face value. The atrocities of the police are too apparent to be covered. If you shield them here, they will be exposed in all their nakedness to-morrow and that will be this Government's hour of trial.

قریب ہے یارو روز معشر چہیے گا کشتوں کا قتل کیونکر
جو چپ رہے گی زبان خنجر لہو پکارے گا آستین کا

In the end, I should like to request my honourable friend the Premier to consider that there may be some truth at least in what has been urged on behalf of the Opposition. Even making allowance for exaggeration, the statements of the members of the Opposition can never be considered as completely shorn of truth and reality. The Honourable Premier should pay sufficient attention to the complaints brought forward by the Opposition against his administration. If he does not do that, I imagine the day is not far off when people will say :

— سکندر نہ رہی تیری بھی عالم میری

کتنے دن آپ جیا کس لئے دارا مارا

My honourable friend the Minister for Education is muttering the word "dara" as if he has understood only one word out of the whole verse quoted by me. Being Minister for Education he can very well be expected to understand one little verse which I am sorry to say he does not.

With these words, Sir, I earnestly advise the Honourable Premier to assure this House that if any police officer is found doing propaganda for the Government, he will dismiss him. I assure the Honourable Premier that if Police comes under the party sitting on these benches it will not be allowed to do what it is doing now.

Shaikh Karamat Ali (Nankana Sahib, Muslim, Rural) (Urdu): Sir, during the introductory remarks to his speech, my honourable friend Dr. Muhammad Alam observed that the lisping and innocent talk of my learned friend Mir Maqbool Mahmood had compelled him to break silence which he had imposed on himself seven months ago. That may or may not be so, but about his own speech I am sure that it was neither here nor there like the cries of a fanatic. If my honourable friend has chosen to call Mir Maqbool as one who is still a minor, I am then inclined to call my friend, Dr. Sahib as minor old man چھوٹا بوڑھا and that he did not do well in breaking his silence at this hour, for he was both irrelevant as well as unreasonable in his utterance. May be, his professional work as a lawyer had over-taxed his mind and brains that he could not appreciate how far he was irrelevant. After all, what has he said about the motion under consideration? His speech was full of amusing remarks, jests and jokes. It also contained a few Urdu and Persian couplets intermingled with some occasional baseless assertions. But it was wholly devoid of sense and seriousness. That is why he was so often interrupted by some of the honourable members during his speech but he persisted in being irrelevant to the last moment. The honourable member seems to have an outstanding capacity for resistance.

Dr. Shaikh Muhammad Alam: Is the honourable member speaking to the motion? Is he not personal?

Shaikh Karamat Ali: I am constrained to remark that his speech reminded me of the poet who said:

ناصر کو عارضہ میرے کہنے کا ہو گیا
باتوں کی اسکی جوتے تھے سرے نہ پاؤں تھے۔

Mr. Deputy Speaker: I request the honourable member to speak to the motion.

Shaikh Karamat Ali: I take it that the practice hitherto followed in the House has been to meet the objections of the honourable members opposite before an argument is addressed to the House on the subject matter in hand. If I am in any way violating the established practice of this House, I would be only too glad to be called to order. However, I am quite prepared to obey your ruling. But let me mention it in a passing manner that my honourable friend Mir Maqbool Mahmood is a man of acknowledged ability and all that he said to-day in this House was said by him from first-hand knowledge and my learned friend Dr. Muhammad Alam had gone out of his way to cast aspersions on him. My honourable friend even went to the length of making certain remarks concerning his private life and that was something highly unfair. Does my honourable friend wish that I too should follow suit and interpret his speech in the light of what I know about his private life?

Dr. Shaikh Muhammad Alam : Is not the honourable member referring to my private life ?

Mr. Deputy Speaker : Please speak to the motion.

Shaikh Karamat Ali : Far from entering into irrelevancies, my honourable friend would have been well advised to put forward some more healthy and better examples of Congress provinces if there were any before this House than those of the Unionists. But he failed to cite even one. His main concern was to shelve the glaring foible of his own party and to magnify those of the Unionist Government. That can hardly be called fair. Brave and fair is one who has the courage to confess his own shortcomings as well. But he kept on levelling ribaldrous remarks against my learned friend, Mir Maqbool Mahmood, who had only stated the true facts of the case. I am confident he made no misstatements. And lo ! my learned Dr. friend posed to act a judge when he himself stood in the capacity of a party, by wishing Mir Maqbool to appear in the witness box, so that he could pronounce on the statement of Mir Sahib which he has made to-day, on the lathi charge at Ajnala. If Dr. Sahib cannot even afford to see the virtues of his adversaries, it is no fault of the Unionists. The honourable member himself is to blame if he fails to appreciate the most obvious and self-evident, as

گر نہ بیند بد روز شب پیر چشم

چشمہ آفتاب را چه گناہ

Was it a sin on the part of Mir Maqbool Mahmood to lay the hard facts of the case before the House ? I think, he deserves credit for his sympathetic treatment of the injured persons.

Dr. Shaikh Muhammad Alam : That is mutual admiration : he praised you, you praise him.

Shaikh Karamat Ali : To call a spade a spade, is no flattery. I am only saying this that the honourable member from Amritsar had shown a noble disposition in conveying the injured to the hospital in spite of highly provocative rather abusive language used against him by the friends of my learned friend Dr. Muhammad Alam. Had it not been for his patience and courage, disorder would have ensued. May I ask if my honourable friends of the Opposition prefer disorder to a few persons' being caned by the police in their attempt to control the situation ? There is nothing of public importance in this. After all what is it that the learned Dr. has been about in making his long speech ? Did he say anything in seriousness or did he mean to be taken seriously ? May I inform the honourable member that the question of Mir Maqbool Mahmood's feeling proud does not arise, because he is really beloved of the people as his name signifies. (*An honourable member :* Get a certificate just now.) In short, the speech of my honourable friend Dr. Muhammad Alam was quite wide of the mark and he seemed to have been actuated by motives of blackmailing the most democratic government of this province. In fact ever since the formation of the Unionist Government, interested persons are attempting to embarrass it by inventing all sorts of pretexts.

Lala Deshbandhu Gupta : I want to know whether the honourable member is in order in imputing motives that the speeches delivered here are for personal interests. The honourable member should be asked to withdraw it.

Shaikh Karamat Ali : I have got the honourable member's point. But when the honourable member over there, ironically talked of the 'Sikandari grandeur and magnificence', was he impersonal and not imputing motives? There was no justification for these ironical remarks. Anyhow, I will not treat those remarks as a precedence. I am really sorry to observe that the Unionist Government have been guilty of too much leniency which has reminded me of Shaikh Sadi's couplet—

نکوئی بادران کردن چنان است

که بد کردن بجائے نیک کردن

I, for one, do not see where the Unionist Government has failed in this particular instance. Their officers arranged for the medical relief, appointed doctors and sent the serious cases to hospitals. Is it on account of these services that this adjournment motion has been moved? I say there is absolutely no justification for this motion. The Government have never failed in their duty. What actually happened was that people had collected in large numbers partly on the roadside and partly in the adjoining field under the leadership of my honourable friend, Sardar Sohan Singh Josh and others while a mammoth meeting was going on at some distance from the mob. There was a serious likelihood of the breach of peace if the persons from the roadside were not removed or ordered to be dispersed; for people with conflicting views were making use of that highway. The police apprehending a breach of peace tried to disperse them by every persuasive means available, but failing to achieve their object the police used cane here and there. Is it not, therefore, in the fitness of things to exercise a legitimate control over the movements of rowdies? They have been very sympathetic towards the people and behaved most leniently with their opponents. Let me take this opportunity to declare that the Unionist Government is the best and the finest sample of democracy. Its representative character is so far unparalleled. So far as my experience goes, at least about my own district, I can say that the police is no longer a terror to the people.

Dr. Shaikh Muhammad Alam : Is there any time limit?

Mr. Deputy Speaker : I am very particular about time.

Shaikh Karamat Ali : I can cite illustrations. Since the Unionists have come into power, the police have become very cautious and have reformed themselves to a great extent. Well, Sir, I was submitting that the Government expressed their sympathy with the people, they made enquiries and found the allegations baseless; still the honourable members over there have created this fun unnecessarily. Let me ask the Congress party, the so-called reform party of the House, if anything done by us has ever been appreciated by them. (*Interruption.*)

Mr. Deputy Speaker : I would request the honourable members not to interrupt.

Dr. Satya Pal : Can you request only this side of the House ?

Shaikh Karamat Ali : It has been said that no reference should be made to the Congress. But we say that those who champion the cause of the poor and claim credit for it shall have to be referred to. Anyhow let me refer them to the cases where fire was resorted to in Bombay and Saharanpur. Do they want that this Unionist Government should also behave similarly under similar circumstances ? Well Sir, one—whether he is a Minister or an ordinary person—who does a good thing, deserves praise. I believe the honourable members over there will not appreciate the merits of the Unionist Government, although they may have not the moral courage to express it in words. With these words I strongly oppose the motion now before the House.

Sardar Partab Singh (Amritsar South, Sikh, Rural) (*Punjabi*) : Sir, after the able speech made by Dr. Muhammad Alam I need not have said anything. (*Interruptions.*)

Mr. Deputy Speaker : I am permitting Sardar Partab Singh to speak because Sardar Sohan Singh Josh has given up his right to speak.

Sardar Partab Singh : But I do feel called upon to protest against the mis-statements of the two non-agriculturist supporters of the Jat Government who have preceded me. (*Interruptions.*)

Mr. Deputy Speaker : Order, order.

Sardar Partab Singh : I will take things one by one and let the honourable members judge for themselves how far the statements made by the two gems of the Unionist Government, i.e., Mir Maqbool Mahmood and Shaikh Karamat Ali were correct. (*Interruptions.*)

Mr. Deputy Speaker : I would request the honourable members not to interrupt like this. Otherwise it would be impossible to carry on the business of the House in a dignified manner.

Sardar Partab Singh : So far only two Unionist members have supported the cause of the Government. One of them is a Shaikh and the other is a Kashmiri. How is it that the Government have not been able to find out a Jat to vindicate their policy.

Mr. Deputy Speaker : Please do not be personal.

Dr. Satya Pal : On a point of order. If Dr. Alan. can be called a *Pir-i-nabatiq* and that is not being personal, to call a man Shaikh is certainly not personal at all.

Sardar Partab Singh : The first observation that I want to make is that when Mir Maqbool Mahmood and Chaudhri Faqir Hussain came there in a car we inquired from them if the Honourable Premier had gone ahead ? The answer was 'no.' Here we are told that Mr. Mir Maqbool had come there with his permission and on his behalf.

The next thing which I want to say and which requires authentication is that the Honourable Premier reached there half an hour later.

Premier : Yes, that is correct.

Sardar Partab Singh : I am glad to know that the Honourable Premier has admitted it as correct.

Mir Maqbool Mahmood : I did also say that.

Sardar Partab Singh : No, you did not. Sir, we do not have anything to say against the honourable Mir Maqbool Mahmood, who does not have the slightest hesitation in going back upon his words. What he said during the observance of the *Raza* period and after breaking his *Raza* are in great contrast. We, on this side, don't grudge him his right to say so.

The Honourable Premier and the Minister for Development arrived late by half an hour after the arrival of my honourable friend Mir Maqbool Mahmood. At that time the heat of the sun was extremely unbearable. The police had forbidden our men to take shelter under some shady trees, but it was rather callous and brutal enough to make lathi charge on those poor kisans who had assembled there to lay their grievances before the Premier himself. Somebody asked me as to whether the Premier would come to see their miserable plight with his own eyes, and my reply was that if he was in fact the Premier of the Jats he must make it a point to visit the spot and see the victims of the caprice of the police. I know it for certain that the car of the honourable Mir Maqbool Mahmood passed just a couple of minutes before the police superintendent arrived at the spot and ordered lathi charge on the peaceful and unarmed crowd. He returned back so quickly to that place that it is quite possible that he might have witnessed with his own eyes that grimly shameful scene enacted by the police. The honourable Mir Maqbool Mahmood has remarked that he came to know of lathi charge only when he had reached the *pandal*. My submission is that no man with a grain of sense in his head can accept this argument of his for a moment. We must have to admit that the report of the lathi charge could not possibly reach the *pandal* faster than a car. Could the Government be able to prove that it had set up there a wireless apparatus to convey all such reports to the *pandal*?

Furthermore, Sir, it has been said by my friend opposite that when he reached the spot he saw that the honourable Sardar Sohan Singh Josh was using obscene and filthy language against the police official. I am ashamed to see that a responsible person like him has had the courage of making such incorrect and wrong statements on the floor of the House. But nevertheless it is a matter of satisfaction that he dared not make this mis-statement before breaking his fast. In the heat of the moment the only words used by my honourable friend Sardar Sohan Singh Josh were *ابے جے تروادی پولیس*. Now it is for the House to decide whether these words amount to filthy and obscene language?

Mr. Deputy Speaker, Sir, I make bold to say that I am prepared to forswear my religious and social cause and abjure my political views and creed rather than making any incorrect remarks in this august and Honourable House. I may point out to the House with the fullest possible knowledge of the situation that the mob was quite calm and peaceful. The people were not furious at all. They did not shout any offensive slogan regarding the police or the ministry. They offered no provocation to the police. But in spite of the fact that the people observed a spirit of discipline amongst themselves, the police made a lathi charge upon them with an effective force. It was not the first time that the police resorted to this.

[S. Partab Singh.]

inhuman method against the poor kisans of the Amritsar district. More than half a dozen times I am sure the police has done so. And now these kisans have lost all confidence in the present Government. The Treasury benches should note that the zamindars of that district are no longer going to be duped by the Government. Later on when our deputation sought an interview with the Honourable Sir Sikander Hyat-Khan, he was pleased to remark that we were making incorrect statements and misrepresenting the present ministry. He further said that the Government has not as yet given its consent to the recommendations made by the settlement officer. But, I told him there and then that it was not so. We do not misrepresent the ministry. I, also said that we believed that this Government had not the courage to disapprove of the recommendations made by an Englishman. Our ministers are out to exhibit their unyielding and diehard attitude only in case of poor kisans. The Government should bear in mind that any adverse propaganda would not damp our zeal, rather it would spur us on. Does the Government think that by publishing incorrect and false statements against us in a rag like the "Khalsa Sewak" it would be successful in deterring us from doing our duty? That base and ignoble paper can do no harm to our cause. But it is bound to issue such articles as the Government is patronising it by purchasing its 50 copies for distributing them in jails.

It has been said by my honourable friend Mir Maqbool Mahmood that after our representation to the Premier I made wrong statements in public meetings, but the fact is that wherever any political conference was held I purposely acted as a stage secretary. Then how could Mir Maqbool say that I made wrong statements? What he said is not true. I kept quiet because I wanted to give an opportunity to the Premier to fulfil his promise of releasing prisoners within two to four days. I did not utter a word against his policy for a month and a half. After becoming certain that the Premier has gone back from his promise I began to criticise him and his policy. All what Mir Maqbool has said regarding the conversation we had with the Premier and the accounts of the lathi charge, I do not call it damnable lie for it is only the Honourable Premier who has got the privilege of using such unparliamentary words, but, I would call it an excellent lie.

Sir, it is a great pity that unprecedented *zulum* is being perpetrated daily on the kisans of the Amritsar district. For quite a number of times the police has made a lathi charge on them. According to my reports the police had carried tear gas to Khilchian, but they did not let loose it for reasons best known to them. At Ajnala an honourable member of this august House was insulted and forcibly pushed back by a police official and then all of a sudden without giving any warning or premonition to the people the policemen were ordered to make a severe lathi charge on them. Our only fault was that there was no black flag demonstration. And this we did not do purposely, for the Congress had forbidden the showing of black flags to the ministers. Mr. Deputy Speaker, let me tell you the real cause of the lathi charge. At 12 we had an assemblage very near the Unionist Pandal. It was near the road. As our gathering grew large the police ordered us to withdraw from there as they thought that our

assemblage was blocking the traffic. They further said that in case any disturbance might break out the leaders of the people would be held responsible for such untoward happening. The honourable Sardar Sohan Singh Josh replied that he was prepared to take such responsibility, provided the police should withdraw itself from the spot and not interfere with the people. Hearing this the police officials went to see their deputy superintendent. The police officials talked the matter among themselves and withdrew from that place. After the withdrawal of the police we also moved to a place further away at about half a mile. Before our moving from that place, the deputy superintendent sent a man to the superintendent of police at Amritsar. The superintendent of police did not know that we had shifted to another place. He came there thinking that our assemblage at this place obstructed the traffic. The superintendent of Police acted in a way as Sardar Sohan Singh Josh has described. He ordered the lathi charge without declaring the assemblage an unlawful assembly.

Now our only demand is that the Government should openly and courageously admit on the floor of the House that the said superintendent of police committed a blunder in ordering the lathi charge. It is a matter of regret that under the Jat regime the brothers and sons of the Jats are being belaboured by the police. The lathi charge is made upon them. Their grievances are not paid heed to. My submission is that if the Government is worth its name and salt it should boldly denounce the action of the police and take to task those officials who are directly or indirectly responsible for enacting such tragic and appalling scenes. But it is a pity that the Government is conniving at their actions, and thus directly or indirectly by its conduct encouraging the police for committing further atrocities.

It has been said that it is not only in the Punjab but in Bombay also under a Congress government that the police made a lathi charge upon poor labourers. But I am sure that the Bombay Government must have instituted a departmental inquiry into the matter and taken to book the real culprits. Unlike the Punjab Government the Bombay Government is not prepared to offer rewards to those officials who are found guilty of dereliction of duty. If the Government has made it a point to always connive at the actions of the police it may rest assured that in future we would not raise even a little finger against its policy. Let it open fire instead of making lathi charge on us. So long as the Government has majority of votes in the House it may perpetrate every sort of *zulum* on us. But let it not forget this painful reality that every two days are not alike. The tyrant must fall one day.

Premier (The Honourable Major Sir Sikander Hyat-Khan): I regret to say that I am not adept in the art of irrelevancy which has more or less held sway to-day, but I must give credit to my honourable friend Sardar Partab Singh, who has just sat down, because he has more or less tried to confine himself, except for the last portion of his speech, to the incident regarding which this motion has been tabled. You must have noticed, Sir, and I think the whole of this House—every member in this House—must have noticed that so far as the subject matter of the adjournment motion is concerned, every speaker on that side skipped over the facts and

[Premier.]

why? For the simple reason that there is no ground or no substantial ground for them to come forward with a motion like this four months after the alleged incident.

My friends have referred to certain meetings with me and they have also, I am sorry to say, accused me of not redeeming the pledges—the so-called pledges—which I had given to them. If you will allow me, I will first deal with that part of the speech and then come to the motion itself. My honourable friends are aware that Dr. Kitchlew, in company with my two honourable friends opposite and several other gentlemen belonging to Amritsar district and one or two belonging to other districts, came to me and had a long talk with me.

Sardar Sohan Singh Josh : Dr. Kitchlew had been invited earlier. He did not come with us.

Premier : Who invited him earlier?

Sardar Sohan Singh Josh : You may have invited him or Mir Maqbool Mahmood may have invited him.

Premier : No. As a matter of fact Dr. Kitchlew had sent a word that in case there was any assistance needed from him to reach an honourable settlement, he would be only too glad to come. I dare say that some people had approached him. Anyway, I understand that my honourable friends did see the deputy commissioner also with regard to this matter.

Sardar Partab Singh : We never approached him. What is published in his confidential diary is absolutely false. This you know and we know too.

Premier : What?

Sardar Partab Singh : This we know and you know too. There is something else written therein.

Premier : He merely met certain people and it was his duty to meet certain people who were concerned with that incident and I do not see why my honourable friends need feel nervous about it. I merely said that I understand that my honourable friends had gone to see him and I think it is all credit to them to go to see the officer in charge of the district. Now, the talk we had on that occasion was with regard to the lathi charge at Amritsar when people tried to defy the order under section 144. I charged my honourable friends and told those people who came with them that they had no business to dupe the ignorant masses and to send them forward to defy law when they themselves kept behind. That is what I told them there and I repeat it here now what I said then and I will repeat that again if my honourable friends behave in the same manner in future. But I do not mean to say that I accuse my friend Sardar Sohan Singh Josh or Sardar Partab Singh. I accuse the leaders who were responsible for duping and misleading those people. Now let us see what are the facts. The rumours which were set afloat were these. That land revenue in Amritsar had been enhanced by four lakhs of rupees. As I told the people in Khilchian and other place, there was not the slightest foundation—not the slightest basis—for this rumour. The settlement officer had merely published his tentative views but Government had not even considered the

matter finally nor agreed to any enhancement. I told them that they should have known better and if the ordinary ignorant people in the villages were not capable of understanding, these gentlemen, who are representatives of those people and members of this House—educated people who had experience of politics and also vast education in other directions outside India—should have explained to them that their protest was, as a matter of fact, premature and that they should wait till a final decision had been taken before entering a caveat against the decision of the settlement officer or against the Government. But they did nothing of the sort. During the last session of the Assembly, the House passed important agrarian legislation. I suspected at that time that this legislation would upset several people, who were concerned primarily with personal and party propaganda and not the good of the province and there was a real danger—that those self-seeking persons realising that ground was slipping from under their feet would try to mislead the public into other unwarranted channel of agitation. (*Interruption*). (*Sardar Sohan Singh Josh*: Is that an argument against us?)

Mr. Deputy Speaker: The honourable member should not interrupt.

Premier: As I was saying, I strongly suspected at that time and I mentioned in this very House during the Simla session that I suspected that this propaganda and this duping of the ignorant masses was being done with a view to try to rehabilitate their position and try to keep the ground under their feet which had been rapidly slipping away as a result of this agrarian legislation.

Sardar Lal Singh: The Honourable Premier has used the word 'duping' several times. It does not mean anything but imputing motives of dishonesty to other people. (*Voices*: No, no.) It means that they make those things appear true which are not true. That is the meaning of the word 'duping.'

Mr. Deputy Speaker: He is imputing motives to whom?

Sardar Lal Singh: To members—for duping people outside. I want your ruling whether the word 'dupe' is parliamentary. He is imputing motives to members. (*Voices*: No, no.)

Premier: My honourable friend can raise all the questions after my time because he knows perfectly well, as a member of this House, that the time is limited for speeches on adjournment motions. I was submitting that we had a very friendly talk and, as I said, I spoke to them frankly that they should not do so and it is to their credit and I must say to the credit of other leaders there that they agreed with me that this should not have happened and they also gave me a definite undertaking—at least I took it to be an undertaking—that they will not allow these misguided leaders or these what you call impetuous people to go about and repeat the same things because I had satisfied them that the Government had not passed any orders and, therefore, this propaganda should cease. Now, my honourable friend Sardar Partab Singh has said that for one and a half month he did not open his lips. Will he be prepared to deny the fact that only two days afterwards a meeting was held in Jallianwala Bagh and the very same thing was repeated and charges were brought against the Government about a thing which we had amicably settled in that meeting?

[Premier.]

It was only two days later that a meeting was held, as I have said, in Jallianwala Bagh and members of the Bandobast Committee and the leaders there again started the old game.

Lala Deshbandhu Gupta : Did Sardar Partab Singh participate in the meeting? That is the point.

Premier : My honourable friend probably thinks that this conversation was confined between me and Sardar Partab Singh. There were several leaders of the Bandobast Committee present there. I told them that so far as the rank and file were concerned, I had advised the deputy commissioner to release every one of them and so far as the ringleaders were concerned, I would not commit myself as personally I should like them to be punished not for their sins, but for this very heinous crime of trying to dupe and mislead those ignorant people who were pushed forward and bore the brunt of the lathi charge on the first day, and I said that they should be taught a lesson and for that reason I should like to keep at least two ringleaders from each party. If my friends will remember, I mentioned at that time that certain people had come to me and said that I should not let those people out because they would like me to keep them for one year, and some members of the other party came and said about the other side. These were the allegations and counter-allegations being made and I said that I could not possibly commit myself with regard to the ringleaders without consulting local authorities, but even there I said that I would try to confine their number to two on each side. That is what I said. What is exactly the position? The smaller fry and every one from rank and file had been released. Some of them at that time had been taken away from Amritsar to other jails. It naturally took some time to get through the usual red tape and routine business before the orders could be executed. Some were released from Campbellpore jail. As soon as orders were passed they were conveyed to them and they were released. I think half a dozen people are still in jail, all ring leaders belonging to different parties. My honourable friend will concede that the people who are.....

Sardar Partab Singh : What is the question of the party : they are all one.

Premier : In jail they are all one : outside they are not one.

Sardar Partab Singh : They are Congressmen.

Premier : They are not all Congressmen. Anyhow this is the gist of the conversation and the undertaking about which so much has been made. My honourable friend has also mentioned something about tear-gas. This is news to me. My honourable friend is not aware of the fact that there is only one squad of tear gas at Phillaur. There is no such squad in any other district. Unfortunately we have not got money otherwise I should like to have a tear gas squad in every big city. If there had been tear gas in Multan we would have saved many lives. Unfortunately we have not got the resources to have big tear gas squads. This is the deliberate policy of the Government that wherever conditions are favourable we should have tear gas squads. Instead of using force to avert trouble we should certainly utilise the new method of dispersing crowds. It is a

harmless method. Now I come to the subject matter of the motion which everyone of my honourable friends has glossed over. My honourable friend Dr. Alam made a very humorous speech.....

Dr. Shaikh Muhammad Alam : It was a very serious speech.

Premier : If this is his serious speech I wonder what his humorous speech would be like (*laughter*). However, I would confine myself so far as the motion is concerned to merely reading out a verbatim report by the non-official agency which was sent at the time when the event is alleged to have taken place. This is the report. Both versions are there. The official version came from the district authorities. There is the non-official version which probably came from the other people. It says :—

On the occasion of a monster Unionist meeting at Ajnala, to-day, addressed by the Premier and Sir Chhotu Ram, an incident took place, about which enquiries from official sources show that about 600 persons were invited by certain Congress leaders.....

Dr. Shaikh Muhammad Alam : May I know from the Premier who is the reporter ?

Premier : This is an A. P. I. report.

Sardar Sohan Singh Josh : Dictated by you.

Premier : Does my honourable friend think that the A. P. I. is not a reliable agency ?

Lala Deshbandhu Gupta : Does the Premier know that the A. P. I. reports in a matter like this are sometimes prepared in consultation with the local authorities ?

Premier : No, if that is so, then ask Pandit Muni Lal Kalia whether his reports are pre-edited. (*Interruptions*).

Mr. Deputy Speaker : Order, order.

Premier : The report says—

A section of these made preparations for an anti-Unionist demonstration and shouted slogans which were resented by the pro-Unionist peasants. Fearing a conflict the authorities argued with the demonstrators and later asked the police to push them back in their own interests to a safe distance. In the melee four men were slightly hurt. The demonstrators thereafter dispersed.

Now the non-official version is this :—

According to non-official sources these Congress peasants, headed by Sardars Partap Singh and Sohan Singh Josh were holding a meeting by the roadside and had brought black flags. The police asked them to clear the roadside. On their refusal a cane charge was made, resulting in injuries to some persons. Eleven persons were removed to Ajnala hospital where no injuries were found on seven while four others had minor injuries. Only injury of one was bleeding. It is further learnt that when the cars had arrived bringing guests for the Unionist meeting some slogans were shouted. One police officer complained of having been abused by a kisan audience.

Chaudhri Krishna Gopal Dutt : Is there any report by the United Press ?

Premier : My honourable friend wants a report of the United Press. Here is an A. P. I. report. You will find from this that there was only one person bleeding. My honourable friend Dr. Alam will know that those people who had no injuries were probably feigning.....

Dr. Shaikh Muhammad Alam : My honourable friend will agree with me that possibly it may be an inspired report.....

Premier : My honourable friend being a lawyer knows it perfectly well that people can feign illness sometimes. These people also had been feigning. I have nothing to add.

Dr. Gopi Chand Bhargava : I rise on a point of order. The Honourable Premier has made a very undignified remark against Dr. Alam and I think it is becoming of him to withdraw it.

Premier : I made no remark against Dr. Alam.....

Dr. Shaikh Muhammad Alam : I would request the Premier to repeat that remark again.

Premier : I did not make any remark against you. What I said was that you as a lawyer ought to know that people can feign illness. (Voices : Question may now be put).

Mr. Deputy Speaker : The question is—

That the question be now put.

The motion was carried.

Mr. Deputy Speaker : The question is—

That the Assembly do now adjourn.

The Assembly divided : Ayes 31 ; Noes 68.

AYES.

Ajit Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhagat Ram Sharma, Pandit.
Bhim Sen Sachar, Lala.
Chaman Lall, Diwan.
Deshbandhu Gupta, Lala.
Dev Raj Sethi, Mr.
Duni Chand, Lala.
Gokul Chand Narang, Dr. Sir.
Gopi Chand Bhargava, Dr.
Kabul Singh, Master.
Kapoor Singh, Sardar.
Kartar Singh, Chaudhri.
Kartar Singh, Sardar.
Kishan Singh, Sardar.
Krishna Gopal Dutt, Chaudhri.

Lal Singh, Sardar.
Mazhar Ali Azhar, Maulvi.
Muhammad Abdul Rahman Khan,
Chaudhri.
Muhammad Alam, Dr. Shaikh.
Muhammad Hassan, Chaudhri.
Muhammad Iftikhar-ud-Din, Mian.
Muni Lal Kalia, Pandit.
Partab Singh, Sardar.
Raghubir Kaur, Shrimati.
Rur Singh, Sardar.
Sant Ram Seth, Dr.
Satya Pal, Dr.
Shri Ram Sharma, Pandit.
Sohan Singh Josh, Sardar.
Sudarshan, Seth.

NOES.

Abdul Hamid Khan, Sufi.
Abdul Haye, The Honourable Mian.
Abdul Rab, Mian.
Afzaalali Hasnie, Sayed.
Ahmad Yar Khan, Chaudhri.
Akbar Ali, Pir.
Ali Akbar, Chaudhri.
Amjad Ali Shah, Sayed.
Ashiq Hussain, Captain.

Bhagwant Singh, Rai.
Chhotu Ram, The Honourable
Chaudhri Sir.
Faiz Muhammad, Shaikh.
Faqir Hussain Khan, Chaudhri.
Farman Ali Khan, Subedar Major
Raja.
Fateh Jang Singh, 2nd-Lieut. Bhai.
Fateh Muhammad, Mian.

Fateh Sher Khan, Malik.
 Fazal Din, Khan Sahib Chaudhri.
 Fazal Karim Bakhsh, Mian.
 Ghazantar Ali Khan, Raja.
 Ghulam Mohy-ud-Din, Maulvi.
 Ghulam Rasul, Chaudhri.
 Gopal Singh (American), Sardar.
 Gurbachan Singh, Sardar Sahib
 Sardar.
 Hans Raj, Bhagat.
 Het Ram, Rai Sahib Chaudhri.
 Indar Singh, Sardar.
 Jogindar Singh Man, Sardar.
 Keramat 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 Amin, Khan Sahib
 Sheikh.
 Muhammad Ashraf, Chaudhri.
 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 Qasim, Chaudhri.
 Muhammad Saadat Ali Khan,
 Khan Sahib Khan.

Muhammad Sarfraz Khan, Chau-
 dhri.
 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
 Captain Malik.
 Muzaffar Khan, Khan Bahadur
 Nawab.
 Nasir-ud-Din Shah, Pir.
 Nasrullah Khan, Rana.
 Naunihal Singh Mann, Lieutenant
 Sardar.
 Pir Muhammad, Khan Sahib Chau-
 dhri.
 Pritam Singh Siddhu, Sardar.
 Riasat Ali, Khan Bahadur Chaudhri.
 Shahadat Khan, Khan Sahib Rai.
 Shah Nawaz Khan, Nawab Khan.
 Sham Lal, Rai Bahadur Chaudhri.
 Sikander Hyat-Khan, The Honour-
 able Major Sir.
 Singha, Mr. S. P.
 Sumer Singh, Chaudhri.
 Sundar Singh Majithia, The Honour-
 able Dr. Sir.
 Suraj Mal, Chaudhri.
 Tara Singh, Sardar.
 Tikka Ram, Chaudhri.
 Ujjal Singh, Sardar Bahadur Sar-
 dar.

*The Assembly then adjourned till 12-30 p.m. on Wednesday, 16th Novem-
ber, 1938.*

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PUNJAB LEGISLATIVE ASSEMBLY.

4TH SESSION OF THE 1st PUNJAB LEGISLATIVE ASSEMBLY.

Wednesday, 16th November, 1938.

*The Assembly met in the Assembly Chamber at 11-30 P.M., of the clock.
Mr. Speaker in the Chair.*

REFERENCES TO THE LATE MAHATMA HANS RAJ.

Premier (The Honourable Major Sir Sikander Hyat-Khan): I stand to make reference to the sad demise of the late Mahatma Hans Raj who was one of the leading personalities of this province. Mahatma Hans Raj, as you know, was a prominent figure in this province in the field of social service and also in the educational sphere. He was one of the founders, I understand, of the D. A.-V. College and had been working for a long time as honorary Principal of that institution. During the period of his principalship that institution has made progress rapidly until it now stands as one of the most important educational institutions in the province. The example of service and sacrifice which the late Mahatma Hans Raj has set for other people to follow is such of which every Punjabi irrespective of caste and creed should be proud and I wish on behalf of this House to offer my sincere sympathy and condolence to the family of the late Mahatma Hans Raj and to the students and the management of the D. A.-V. College, in their great bereavement and loss which is a loss to the province as a whole.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) (*Urdu*): Sir, I think this is a very inauspicious day for the whole of the province, because to-day has passed away one of the greatest Punjabis who was our guide in social and educational spheres. I am reminded of the day, some 33 years back, when in 1905 I joined the D.A.-V. College. The late lamented Mahatmaji was the Principal at that time and his office was situated in a very ordinary room of old style which has since developed into a palatial building in the form of the D. A.-V. College Hostel.

Although he used to teach History, which was his special subject, yet he also used to teach Hindi to non-Hindi knowing students of the first year class. I too learnt Hindi from him and can, therefore, claim to be his pupil.

So long as he thought fit he continued to serve the D. A.-V. College and then himself committed the management of the institution to the care of his friends and pupils. Up to this day he was guiding the destinies of all the D. A.-V. Colleges and Schools in the province.

Besides his educational activities, his achievements in the social sphere fall to the lot of very few persons. He set an example of sacrifice for all of

¹At 12-30 P.M. the Honourable Speaker adjourned the meeting till 1-30 P.M. for want of quorum.

[Dr. Gopi Chand Bhargava.]

us. Whatever services he rendered were absolutely honorary and disinterested. His simple living had also become proverbial. His compeers acquired very high positions according to their notions and with position came a change in their dress and mode of living. But Mahatmaji stuck to his simple dress and high ideals and his whole life was an example of "simple living and high thinking."

With these words, I whole-heartedly associate myself with the proposal of the Honourable Leader of the House.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural): I whole-heartedly associate myself with the remarks that the Honourable Premier and my friend, Dr. Gopi Chand Bhargava, have made. I have had the privilege of being one of the late Mahatma Hans Raj's pupils. I came into contact with him in 1896, that is a matter of 43 years now, and I have known him most intimately and the more I knew him the deeper my respect grew for him. For these 43 years my respect has not only remained as deep as it was, it has grown deeper and deeper every year. His was a living example, as my friend has said, of plain living and high thinking. We call people who die for their countries as martyrs, but I believe that those who *live* for their country are greater martyrs. In that sense Mahatma Hans Raj was certainly a great martyr. Ever since he was 21 years of age when he passed his B. A. examination, he devoted his life to the service of his country and since 1896 he was at first the honorary Headmaster of the D. A.-V. School and then the honorary Principal of the D. A.-V. College, which is a matter of 53 years now. Those who have known him intimately will agree with me that during all this long period he did not spend even one minute on himself or in the furtherance of his private worldly interests. All these 53 years were devoted to the service of his community. He was one of the greatest sons of India and I have no doubt that the loss will be mourned all over India, not only by the Arya Samaj or by the D. A.-V. College alone, whom he served directly, but the whole Hindu community, and all others who knew him personally and had even heard of his great services would join us in mourning his death. His character was most lofty. He never swerved an inch from the path which he had chalked out for himself and he went on with the same single-minded devotion to serve the cause which he had taken in his hands. With these words, I associate myself with the previous speakers.

Sardar Sahib Sardar Gurbachan Singh (Jullundur West, Sikh, Rural): On behalf of the Khalsa National Party I fully associate myself with the Honourable Premier and the Leader of the Opposition in mourning the death of Mahatma Hans Raj. His services to the province were immense and his death is indeed a great loss to the Punjab. I need not go into details of his qualities of head and heart as the previous speakers have dwelt at length and I fully associate myself with them. With these words, I support the Honourable Premier.

Mr. Speaker: Honourable members, I associate myself with every word said by the previous speakers. Probably none of the honourable members is aware that I was a pupil of the late lamented Mahatma Hans Raj. I had the honour and privilege of being one of his students. I passed

my Matric from the D. A.-V. High School of which he was the headmaster. I kept myself in touch with him throughout my life and invariably found him an exceptionally noble person. I take it that the whole House wishes me to convey its sympathies to the sons of the late Mahatma. (Voices : Yes.)

At the suggestion of the Honourable Premier the House agreed to suspend the question hour. At the suggestion of Diwan Chaman Lall the House agreed to postpone the adjournment motions till to-morrow and to proceed to-day with the Government business.

AGRICULTURAL PRODUCE MARKETS BILL.

Mr. Speaker : The Assembly will now resume discussion of the motion—

That the Punjab Agricultural Produce Markets Bill as reported by the select committee be circulated for the purpose of eliciting opinion thereon.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) (Urdu): Sir, when I had to resume my seat at 5 p.m. yesterday I was explaining the meanings of the word 'Bania' used by my honourable friend, Dr. Sir Gokul Chand Narang. This word is used in three different senses. *Firstly*, it is used in a racial sense; when used in this sense, it implies a certain tribe which is called mahajan or bania. *Secondly*, it is used in a vocational sense. When so used, it implies certain sections of the population which carry on trade, shop-keeping or money-lending. *Thirdly*, it is used to indicate a certain type of mentality. When so used, it implies a peculiar type of mentality, which is petty, self-seeking, calculating, greedy, and grasping. It was said yesterday that my Honourable friend, Mr. Manohar Lal was a bania too. I submit, Sir, that in a racial sense he is, no doubt, a bania. In the vocational sense of the word, he is not a bania, either in name or in substance. In the third sense, Mr. Manohar Lal is as far removed from being a bania as my honourable friend, Dr. Narang is near it.

Next, Doctor Sahib cast an unworthy aspersion on an honourable class of people, much more honourable than his own. He said that I had been guilty of a great enormity in trying to place on an equal footing with the millionaires who dealt in lakhs every day, the halfpenny, twopenny Jats of Rohtak in the matter of membership of market committees. Here the learned Doctor has surpassed himself. But let me ask my honourable friends whether the Jats are not the same people whom, if he were to address a meeting in the Hariana tract, he would be at pains to describe as the saviours of the Hindu community? And can my honourable friend deny that these very halfpenny, twopenny Jats were invited by him and his friends to an All-Hindu Conference and were instructed in the virtues of Hindu Sangathan? Let him understand clearly whether he used the word Jat in a tribal sense to indicate Jats alone or in a vocational sense, when it will include Rajputs, Arains, Sainis, Gujars, Ahirs, Pathans and other agricultural tribes also, that the proud Jat will fling the epithet back with interest at the mammon-worshipping Arora. However, the learned Doctor has

[Minister for Development.]

probably contracted this vile habit of stinging innocent people in the bad company of those about whom it is said that—

نیش عقرب نہ از پٹے کین است
مقتضای طبیعت اش این است

(Dr. Satya Pal: He has been keeping company with you.) There speaks the guilty mind ! چور کی داڑھی میں نکلا. But this owner of the guilty mind has neither beard nor moustache. (Laughter). Any way the Jat, the halfpenny, twopenny Jat is not exactly a person to be despised. He is not a halfpenny, twopenny nonentity, but the proud feeder of all. He gives you food to eat and clothes to wear. Let the learned Dr. Sahib and his friends understand that now this 'lord of the plough' is also the lord of the province whom every millionaire willy-nilly pays, and shall continue to pay homage. Doctor Sahib should recognise that sitting side by side with a Jat in a committee is not only not humiliating, but a source of honour to a landless businessman, though a millionaire.

Then the learned Doctor said that the words "not less than two-thirds shall be appointed from among the growers" may result in there being as many as 99 per cent. representatives of the growers on a market committee. I assure this House that such an idea has never entered our head. Government and the party in power have no intention whatever of interpreting these words in the manner suspected by Dr. Sir Gokul Chand Narang. All that we intend is that if the number of members of a committee excluding officers is not exactly divisible by three, the benefit of the fraction should go to the growers. For instance, if divided by three the number yields $2\frac{1}{3}$ as the result, the growers should be given three seats and not two. I assure my honourable friend that we have no other intention in the matter.

Then he has said that everywhere arbitrators are appointed to settle disputes. No provision has been made for arbitration in this Bill. He thinks that as two-thirds of members will come from one section, they will be able to do whatever they like and the opposition of the one-third of the committee will be of no avail, hence the necessity for providing for arbitration. I am sure his fears are unfounded. In the first place, the representatives of zamindars can never be so unjust and selfish though it is very easy to mislead them. I have no doubt that Doctor Sahib knows this well enough. Besides I want to draw his attention to part (xii) of clause 27 wherein provision has been made for the settlement of any dispute between a buyer and a seller of agricultural produce by arbitration.

He has put another question to me. He says that if a committee were to be appointed to advise on matters agricultural and two-third representation in that committee were given to those who have no connection whatever with the business of agriculture, how should I like the idea? What he means to convey is this that as the zamindars have no interest in business they have no right to a two-thirds representation in a committee primarily meant for discussing questions relating to business.

My answer to his question is that we have provided nowhere that a market committee has to advise on matters connected with business in general. They will only supervise marketing and look after weights, measures, etc., in relation to the purchase and sale of agricultural produce. Further, the members of the committee will be on the look-out for contraventions of the provisions of this Act. This they can do without in any way interfering with matters which are the exclusive concern of traders. Moreover, can it be denied that agriculturists are a party to the business of purchase and sale of their own produce when it is brought for sale in these *mandis*? They have, therefore, a good deal of justification in playing their part on market committees just as many non-agriculturists on getting long leases of crown lands in colonies play a controlling part in the cultivation of those lands by tenants. There is another very strong reason for giving more representation to zamindars on market committees than to non-zamindars. So far all the complaints which have been heard about marketing in *mandis*, that is, complaints about dishonest practices of *ahrtias*, shady methods of buyers and such other things, have come always from one quarter, that is, from the side of zamindars. It was, therefore, considered necessary to meet their grievances by giving them a preponderating representation on these committees.

Then, the learned Doctor referred to my admission that there was a dearth of capable men among agriculturists as eighty to ninety per cent among them are illiterate.

Begum Rashida Latif Baji : At present this cannot be said as zamindars have formed the Ministry.

Minister : But no Minister has ever said that capable men among agriculturists are entirely missing. Although there is a relative dearth of educated and capable men among agriculturists, a sufficient number of such men can be selected to serve on these committees from among those agriculturists who are educated. I am sure we can find a sufficient number of agriculturists, who can work both efficiently and honestly (*Hear, hear.*) Furthermore, the complaint about the ignorance of zamindars should be made by their own representatives, as there is always a danger of their being misled by the wily *ahrtia*. Why this complaint has emanated from the learned Doctor, is not understandable. Is it out of his tender regard for the interests of the agriculturists?

Doctor Sahib also took the trouble of pointing out that the zamindar class was suffering from somnambulation. It is a disease in which the patient is in the habit of walking in sleep. But there is a deep significance in this disease of the zamindar. In reality the zamindar is a lion. He lay fast asleep for ages in the forest of economics, and the economic jackals and foxes nibbled at him and tugged at his tail and

2 P.M.

mane. But now he is showing definite signs of waking up. He is shaking off his slumbers. Let detracting critics beware. Henceforward he will no longer be found in deep slumber. He is getting up mighty and fearless and jackals and foxes are already preparing to run to their hiding places. In this connection, I am glad to observe, that even my honourable friend, Sardar Lal Singh is nodding his head approvingly.

[Minister for Development.]

(*Sardar Lal Singh* : It is only a rosy picture of words.) If my honourable friend is still in doubt, let him now touch the tail or the mane of this lion. His doubts will at once be resolved. (*Dr. Sant Ram Seth* : Do I take it that the Honourable Minister is the model of a zamindar lion ?) Yes, of course, I am, and the learned Doctor has good reason to know this. Lion is he who is lion-hearted. (*Loud applause.*)

It is very curious to note that whenever any legislation calculated to protect agriculturists against their exploitation by capitalists is introduced in this House an un-becoming hue and cry is raised against it. But let me remind the honourable members over there that change is the law of the universe. Have they not heard the famous Persian saying—

کہ آئینِ جهان گاہ چنان گاہ چنیں باشد

"Old order changeth yielding place to new."

Gone are the days of capitalism now.

کیا دورِ سرمایہ داری گیا !

Now it will not be open to the protege of the Opposition to loot and dupe the innocent villager any longer. Here is the test of your sympathy for the poor. (*Interruptions.*) Wait and see. There is no cause for anxiety : we only advise patience. If you show that, you will come to realise that more can be earned by honesty than this world of *banias* is at present, inclined to behave. There will be ample scope for an honest dealer. We are simply trying to purge the *bania* fraternity of dishonest elements. That is all we desire. When we say that we are out to benefit the poor zamindars, we mean no injury to others. The legitimate rights and privileges of all the different communities in this province are sacred in our eyes. Live and let live is the key note of our policy. None should suffer and none should try to swallow others. Show a little fairness to the exploited zamindars of this province, and we will not give you any cause for anxiety. It will also save you the constant trouble of interrupting my speech. Fairness and patience will be the panacea for almost all your ills. But at present you are in an abnormal mood. You get infuriated at even the slightest hint that I make to the evils of capitalism.

Sardar Sahib Sardar Santokh Singh : What about your own capitalism ? Do you not charge Rs. 4,000 a month ?

Mr. Speaker : How many times will the honourable member say "چار چار ہزار تنخواہیں لیتے ہیں" ? Everybody knows that.

Minister : Sir, I am prepared to empower my honourable friend, Sardar Santokh Singh to end my capitalism provided that he allows me to end his capitalism. (*Applause.*) Have these honourable members set a limit to their own profits, so as to feel entitled to ask us to be content with a salary of Rs. 500 ? Have they set a limit of Rs. 500 to profits of trade ? Have they set a limit of Rs. 500 to incomes from house-rents ? Have they set a limit of Rs. 500 to incomes from money-lending ? Have they set a

limit of Rs. 500 to incomes from professions? I am very much tempted to reply to their repeated charge of heavy salaries against us. They pride themselves on the fact that Congress Ministers have refused high salaries. I have resisted the temptation of entering upon this controversy so far. But they will have to be answered by me to-day. Capital is being made out of the fact that Congress Ministers have chosen to accept no more than Rs. 500 per month. But let us dispassionately consider what the governing circumstances are. In the year of grace 1929, the annual session of the All-India National Congress was held at Karachi where Mahatma Gandhi and perhaps Pandit Jawahar Lal Nehru were also present. In an open session and in the very presence of these accredited leaders of the Indian people a resolution was passed to the effect that no public servant from the Viceroy down to a deputy commissioner or a sub-divisional officer, shall be allowed to draw a salary of more than Rs. 500 per month. Not only was this resolution carried in an open session, but the cult has also been preached consistently and persistently throughout the country for the last eight years. Now, how could a Minister in a Congress Ministry dare draw even Rs. 501 from the public treasury in the name of salary? But what do we actually find? Need I inform the honourable members of the House that the honourable Ministers in Congress provinces are drawing more than Rs. 500 per month as total emoluments? And I say this on the authority of the United Provinces Government who replying to a question asked in their Legislative Assembly stated that a particular Minister received Rs. 500 per month as salary and about as much amount was paid for his private servants together with Rs. 481 as house rent (*A voice*: Name the Minister?) I am not in the habit of naming any person.

Diwan Chaman Lall: "*Ghalat biani mat kijiee* (Do not misstate)."

Minister: I say this on the authority of the reply that was given in the Legislative Assembly of the United Provinces.

Diwan Chaman Lall: Can you substantiate your statement?

Mr. Speaker: I am sorry that heat is again to be generated.

Dr. Satya Pal: You are telling a lie.

Mr. Speaker: I appeal to the honourable members not to be personal and unparliamentary.

Mian Muhammad Iftikhar-ud-Din: We have taken the cue from the Honourable Premier.

Premier: There is no question of appealing. The honourable member must withdraw those words.

Mr. Speaker: That he shall do.

Premier: I never said that a member has said a damnable lie. If the honourable member does not withdraw then the House must take action against him.

(*Voices*: Withdraw, withdraw.)

Pir Akbar Ali: It is a damnable lie.

Dr. Satya Pal: I will not withdraw, let the House take any action, but I shall not permit a man to defame our Ministers in other provinces.

Mr. Speaker : May I ask what the Doctor said ?

Premier : He said, " he was telling a lie." These are the exact words.

Diwan Chaman Lall : This matter can be solved very easily. May we ask the Honourable Minister to substantiate the statement made. Either it is true or it is not true.

Premier : That is a different matter. Do not try to be too clever. You have already brought this House to the level of something else.

Mr. Speaker : If an honourable member makes an incorrect statement even then no other member has the right to say that he is a liar. This word is unparliamentary and the honourable member should know this. I request him, therefore, to withdraw the word.

Dr. Satya Pal : Mr. Speaker, what I said is that the statement made by the Honourable Minister is a lie and I stand by that. He might have repeated a lie or whatever his views are. The statement made by him is a lie.

Mr. Speaker : Even if what he said was a lie, it is not proper for an honourable member of this House to say so.

Dr. Satya Pal : Will you tell me the redress ? Our ministers in other governments are being defamed.

Mr. Speaker : I do not want arguments. My decision is that the word is unparliamentary and should be withdrawn at once.

Dr. Satya Pal : I did not call him a liar, but I maintain that the statement made is a lie.

Mr. Speaker : Please, withdraw.

Dr. Satya Pal : If the word ' lie ' is unparliamentary, then I say the statement was false.

Mr. Speaker : That is equally unparliamentary.

Dr. Satya Pal : Then the statement was incorrect.

Mr. Speaker : That would not be unparliamentary.

Dr. Satya Pal : As according to your decision the word ' lie ' is unparliamentary, I withdraw it and substitute the word ' incorrect '.

Mr. Speaker : He withdraws the word ' lie ' and substitutes for it the word ' incorrect '.

Diwan Chaman Lall : Will you be kind enough to direct your attention to the honourable member who is now busy writing something on his pad ? He used the words ' damnable liar ' *qua* my honourable friend over here and I would request you to call upon him to apologise and withdraw that expression.

Syed Amjad Ali Shah : On a point of order. My honourable friend used the words " you are a liar " on which my friend, Pir Akbar Ali said " You are a liar." Does he withdraw that ?

Diwan Chaman Lall : It is incorrect. What he said was " You are a damnable liar." May I ask you to call upon the honourable member to apologise and withdraw it ?

Mr. Speaker : Did the honourable member use the words attributed to him ?

Diwan Chaman Lall : No, I did not. (*Interruption.*)

Syed Amjad Ali Shah : Dr. Satya Pal used those words against the Minister for Development.

Mr. Speaker : I am not talking of Dr. Satya Pal. I am talking of Diwan Chaman Lall. Did he make that remark ? (*Voices : No.*) Who else did it ? (*Voices : Pir Sahib.*)

Mr. Speaker : I hope Pir Sahib will withdraw the remark if he made it.

Premier (*Addressing Pir Akbar Ali*) : If you have used those words, please withdraw.

Pir Akbar Ali : I used those words in answer to Dr. Satya Pal's remark that 'he (meaning thereby the Honourable Minister for Development) was a liar.' Then I used these words. I withdraw them.

Mr. Speaker : May I request Chaudhri Sir Chhotu Ram not to speak any more on the question of salaries ?

Premier : I am afraid I must enter a strong caveat, because those gentlemen have deliberately raised that question and Chaudhri Sir Chhotu Ram must reply.

Mr. Speaker : I entreat and request all honourable members to be calm and dispassionate. They may demolish and smash the arguments of their opponents; but they should not attack them personally. Impersonality is the fundamental principle of Parliamentary debate.

Sardar Sohan Singh Josh : Through you I want to convey to the honourable member that we challenge his statement.

Mr. Speaker : The honourable member will please resume his seat. No challenges should be given on the floor of the House. No further discussion.

Premier : I do not think that this is a question on which we should quarrel. I understand that on this point a question was asked in one of the provincial legislatures and the question was, I am told, answered by one of the Government members, that the salary was only Rs. 500 and the House rent nearly Rs. 481 per month. The other amenities which are reported to be provided are that a free motor car is provided at Government expense with cost of petrol, chauffeur, wear and tear, mobil oil, etc., which are all borne by the Government. In the matter of travelling allowance, mileage is reported to be given to the Minister for their expenses.

Diwan Chaman Lall : At what rate ?

Premier : There is nothing very much. We calculated and computed that. If we added all these amenities together it would come to somewhere near Rs. 2,500 and not Rs. 500. (*Interruption.*)

Diwan Chaman Lall : May I say that the statement of the Premier is entirely wrong ? The honourable member ought to know that the Ministers travel third class.

Premier : They sometimes travel by aeroplanes and not always by third class as mentioned by the honourable member.

Minister for Development : What is your ruling, Sir? Should I leave this subject?

Mr. Speaker : Yes.

Minister (Urdu) : Very well, Sir. My honourable friend, Doctor Sahib has been pleased to remark that we, the ministers, have been taking an active part in flattering the vanity of what he would prefer to describe as halfpenny twopenny zamindars and this has, according to him, turned their head. In large gatherings of the zamindars we have been describing them as our masters and ourselves as their servants. If this state of affairs continued, the atmosphere in the province would go from bad to worse and the relations between the zamindars and non-zamindars would be hopelessly strained. This is what I understood my friend to say. I admit with great pleasure before this honourable House that the Honourable Premier, the Honourable Mian Abdul Haye and myself have not once but many times described the zamindars as our masters and ourselves as their servants and wherever we would go in future we would do the same with pride. There are reasons for doing so and one of them is that that is the true constitutional position. We are servants of the voters. (*A voice : Banias also used to say that.*) At least I for one do not remember the time when they used to say so. It is a bare truth that constitutionally we are the servants of the voters. In fact this whole House is ultimately subject to their authority. My friends over there always assert that they are democrats and nationalists. I fail to understand why they are now attempting to run away from democracy. It is our earnest desire that universal franchise should be introduced in the province so that every individual, male or female, may be in a position to influence indirectly the administration of the country. When we explain this position to the voters, the so called advocates of democracy begin to deprecate our conduct. We have been accused of giving the Jats a swollen head by telling them that they are the masters and we are their servants. (*A voice : Who said that?*) My honourable friend, Dr. Narang said that or something very like it. I did not catch the exact Punjabi word used by him, nor do I catch it now.

Mr. Speaker : Please, avoid the use of language which may possibly create heat.

Minister : Sir, we have every reason to make such a declaration. Firstly, this is the correct constitutional position. The second reason for doing so is that it is a part of the creed of our party to arouse and improve a sense of self-respect in the people of the province. (*Hear, hear.*) This is our political creed and also one of our objects and the only way to attain this object is to make the people realize their true position. Thus what the Honourable Premier, the Honourable Mian Abdul Haye and myself have been saying is absolutely correct from the constitutional point of view and perfectly in consonance with our own creed. If we do not make such a declaration we would be failing in our duty. Further, it is also our duty to expose the hollow propaganda of false standard-bearers of democracy and nationalism.

The third objection raised by my friends opposite was that if this measure was so healthy and beneficial why did not the Honourable Premier get it passed earlier when he was a member of the Government? The reason for this is not far to seek. It is that at that time *Angrez Bahadur* and the Governor were in supreme command of the Government in which Dr. Sahib also served for more than 6 years. But now the Government owes allegiance not to the *Angrez Bahadur*, but to the 'lord of the plough.' The tiller of the soil is now in supreme command of the province and the Government of the day has to carry out his wishes.

Now, Sir, I turn from the *میں کانسی* party to another solid political group. I mean the Congress party whom the introduction of this measure or the witchery of the Hindu Sabha Party has deprived of the power of speech even without having recourse to section 144.

Dr. Satya Pal : I rise to a point of order. The Congress party is not under question now. It is our discretion or it is our will. No Minister can force any party to speak on or discuss any subject.

Minister : My honourable friend need not feel so perturbed. It is customary under a party system of Government for the Opposition to expose the Government of the day and for the party in power to hold up to ridicule the Opposition. (*Hear, hear.*) I am doing no more than my duty in drawing attention to the ridiculous attitude of the Opposition and I extend the same privilege to the Opposition.

I do not know how the Hindu Sabha party has succeeded in reducing these 35 honourable members to perfect muteness even without the use of section 144. The House is discussing such an important measure and my friends of the Congress party are all keeping mum. Sir, while at school we learnt that there were only two genders in Urdu grammar—masculine and feminine. But in English there is a third gender, namely, the neuter gender. (*Laughter.*) My Congress friends seem to have decided to come under that gender.

Dr. Satya Pal : May I rise to a point of order? You were pleased to direct that dignified language should be used by each party against the other. Do you call it dignified language to call a party something between male and female?

Mr. Speaker : It is not dignified, though not unparliamentary.

Minister : I only referred to a grammatical term. Anyway, I was submitting that the silence of such a big party on such an important issue does no good either to the Government or to the party itself.

Now, this party consists of two opposite interests. One section of this party is composed of the true sons of capitalism and the other part is comprised of "machla" jats. This probably accounts for an attitude of neutrality.

Sardar Sohan Singh Josh : True lovers do not believe in making a display of their love.

Minister : Quite so. True lovers should not raise their little finger or put in a single word of protest even if some one was going to cut the throat of their beloved.

[Minister for Development.]

Now I beg to submit that all parties have accepted the principle of this Bill. Then why this speechlessness of the dumb and silence of the grave on the Congress benches. To me the reason seems to be that Congress members desire to sit on the fence. Their game is that if the Bill is passed and they have to deliver speeches in some *mandis* they will be free to say that they were loyal in their conduct to *mandivalas*, while if on the other hand they have to address rural people they will be in a position to say that they wanted the Bill to go even further and thus dupe the villagers and zamindars. I would request them to break this silence and come forward with their views. If this measure is good let them help the Government; but if it is undesirable and useless let them help to kill it. Why should they adopt the position of neutrality. I know that in their case it is an instance of

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But let them get rid of this habit of trying to ride two horses. They should decide once for all whether they are going to side with the capitalist or with the zamindar. Sir, the Congress party has lost its balance on account of this Bill so much so that a doctor from Amritsar cannot manage to sit at one place even for a minute. Anyway, let me warn them that by their present policy they are digging their own grave and one day they will surely slip into it.

Now, Sir, the Opposition is getting increasingly restive and impatient and my own Leader has also dropped me a hint to cut short my remarks. I, therefore, declare finally that I oppose the motion and resume my seat.

Sardar Sahib Sardar Santokh Singh : On a point of personal explanation. Yesterday the Honourable Minister for Development tried to create the impression that I, as a member of the Joint Development Board, did not oppose this measure. He said that the resolution regarding this Bill was passed unanimously, and that would mean, Sir, that I also supported this Bill.

Minister for Development : What I said was that the resolution that some law should be enacted to control the markets was passed unanimously.

Sardar Sahib Sardar Santokh Singh : Even that is not correct.

I was not present in the meeting of that Board at the time this Bill was discussed. But as I came to know of it, I immediately sent a letter to the Secretary that I was entirely opposed to that measure and that I was opposed to every clause of it, so that it may not be assumed that I was a recent convert to that position. My position has been consistent and I have been opposing the measure all throughout. But now the Honourable Minister for Development says that there was a resolution by that Board and that I agreed to the principle of that measure. I will read to you the minutes of that meeting.

Mr. Speaker : Order, order. The honourable member cannot make another speech. The question is—

That the Punjab Agricultural Produce Markets Bill as reported by the select committee be circulated for the purpose of eliciting opinion thereon.

The Assembly divided : Ayes 7, Noes 79.

AYES.

Binda Saran, Rai Bahadur.
Girdhari Das, Mahant.
Gopal Das, Rai Bahadur Lala.
Santokh Singh, Sardar Sahib
Sardar.

Sita Ram, Lala.
Sohan Lal, Rai Sahib Lala.
Uttam Singh Duggal, Sardar.

NOES.

Abdul Hamid Khan, Sufi.
Abdul Haye, The Honourable Mian.
Abdul Rahim, Chaudhri (Gur-
daspur).
Abdul Rahim, Chaudhri (Gur-
gaon).
Afzaalali Hasnie, Sayed.
Ahmad Yar Khan Daulatana, Khan
Bahadur Mian.
Ahmad Yar Khan, Chaudhri.
Akbar Ali, Pir.
Ali Akbar, Chaudhri.
Amjad Ali Shah, Sayed.
Ashiq Hussain, Captain.
Badar Mohy-ud-Din Qadri, Mian.
Chhotu Ram, The Honourable
Chaudhri Sir.
Dasaundha Singh, Sardar.
Faiz Muhammad, Shaikh.
Faqr Chand, Chaudhri.
Farman Ali Khan, Subedar-Major
Raja.
Fateh Jhang Singh, 2nd-Lieut.
Bhai.
Fateh Khan, Khan Sahib Raja.
Fateh Mohammad, Mian.
Fateh Sher Khan, Malik.
Fazl Ali, Khan Bahadur Nawab
Chaudhri.
Fazal Din, Khan Sahib Chaudhri.
Fazal Karim Bakhsh, Mian.
Few, Mr. E.
Ghazanfar Ali Khan, Raja.
Ghulam Qadir Khan, Khan Baha-
dur.
Gopal Singh (American), Sardar.
Gurbachan Singh, Sardar Sahib
Sardar.
Habib Ullah Khan, Malik.
Haibat Khan Daha, Khan.

Hans Raj, Bhagat.
Harnam Singh, Captain Sodhi.
Het Ram, Rai Sahib Chaudhri.
Indar Singh, Sardar.
Jafar Ali Khan, M.
Jagjit Singh, Bedi, Tikka.
Jalat-ud-Din Amber, Chaudhri.
Khizar Hayat Khan Tiwana, The
Honourable Nawabzada Major.
Kishan Das, Seth.
Maqbool Mahmood, Mir.
Muhammad Abdul Rahman Khan,
Chaudhri.
Muhammad Amin, Khan Sahib
Sheikh.
Muhammad Azam Khan, Sardar.
Muhammad Faiyaz Ali Khan,
Nawabzada.
Muhammad Hassan, Khan Bahadur
Makhdum Sayed.
Muhammad Hussain, Chaudhri.
Muhammad Hussain, Sardar.
Muhammad Jamal Khan Leghari,
Nawab Sir.
Muhammad Nawaz Khan, Major
Sardar.
Muhammad Nurullah, Mian.
Muhammad Qasim, Chaudhri.
Muhammad Shafi Ali Khan, Khan
Sahib Chaudhri.
Muhammad Yusuf Khan, Khan.
Mushtaq Ahmad Gurmani, Khan
Bahadur Mian.
Muzaffar Khan, Khan Bahadur
Captain Malik.
Muzaffar Khan, Khan Bahadur
Nawab.
Nasir-ud-Din Shah, Pir.
Nasrullah Khan, Rana.
Nawazish Ali Shah, Sayed.

Nur Ahmad Khan, Khan Sahib Mian.

Pir Muhammad, Khan Sahib Chaudhri.

Pritam Singh Sidhhu, Sardar.

Ranpat Singh, Chaudhri.

Rashida Latif Baji, Begum.

Riasat Ali, Khan Bahadur Chaudhri.

Sahib Dad Khan, Khan Sahib Chaudhri.

Shahadat Khan, Khan Sahib Rai.

Shah Nawaz, Mrs. J. A.

Shah Nawaz Khan, Nawab Khan.

Sikander Hyat-Khan, The Honourable Major Sir.

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 Bahadur Sardar.

Wali Muhammad Sayyal Hiraj, Sardar.

Mr. Speaker : The question is—

That the Punjab Agricultural Produce Markets Bill as reported by the select committee be taken into consideration.

The motion was carried.

Mr. Speaker : The Assembly will now proceed to consider the Bill. According to our Rules of Procedure new clauses have to be taken up first.

Diwan Chaman Lall : Before we proceed further I should like to raise one point. Suppose notice of a new clause is given to-day. In the ordinary course it can be taken up only three days hence. What I should like to know is whether, even if all the new clauses are disposed of and amendments to clauses are taken up, the new clause of which notice is given now or hereafter will be taken up when the respective clause to which it relates comes up for consideration.

Mr. Speaker : According to our rules every new clause of which notice is received has to be taken up before the House proceeds to discuss the Bill as reported by the select committee. But a new clause of which notice is received after the House has started considering the Bill clause by clause cannot be considered.

Diwan Chaman Lall : Suppose this House receives notice to-day of a new clause which necessarily would be taken up three days later. Also suppose that new clause affects clause 27 of the Bill which may not come up before the House for three days. Will the validity of the new clause for purposes of discussion be admitted when clause 27 comes up for discussion?

Mr. Speaker : Our rules are clearly defective. On the one hand they lay down that notices of new clauses and amendments shall be given two clear days before those clauses or amendments are taken up. On the other hand they provide that new clauses shall be taken up before the amendments to clauses are taken up. Therefore if the notice of a new clause is not received before the remaining new clauses of which notices were received earlier are finished, such new clause, I am afraid, cannot be taken up.

Diwan Chaman Lall : Rule 101 is not mandatory. What it says is that amendments shall ordinarily be taken in a certain order. It also says that it shall be in the discretion of the Speaker to allow an amendment to a clause although the Assembly has passed to the subsequent clauses of the Bill. Therefore my difficulty can be got over in this way, that is,

my new clause, which affects clause 27 and which is not in time to be considered before the consideration of the new clauses is finished, can be taken up when clause 27 is actually considered. You will then be within your right to allow that new clause.

Mr. Speaker : The point is not free from difficulty. I am prepared to follow the procedure the House may wish me to follow. If new clauses are taken up first, then I am afraid we must finish all of them before the consideration of clauses is started, as after taking up clauses we cannot go back to the new clauses.

Diwan Chaman Lall : You are quite right. A difficulty does arise in regard to this matter. You will also admit that the difficulty is a serious one. No intelligent amendment of the Bill can take place unless power is there at every available stage to put in new clauses wherever necessary. I am, however, entirely in your hands and in the hands of the Leader of the House. This is a matter in which you will be kind enough to consult the Leader of the House.

Mr. Speaker : Is the honourable member agreeable to the new clauses being taken up after the Bill has been considered ?

Diwan Chaman Lall : Ordinarily the procedure as far as the central legislature is concerned is to take up the new clauses as we proceed with the consideration of the clauses of the Bill. But I see your difficulty. That is why I suggest that you might consult the Leader of the House.

Premier : I propose to follow the new rules of procedure.

Diwan Chaman Lall : Then, even in following the new rules of procedure I would request you to give a ruling on this matter, namely in case notice is given of a new clause which may not be in time now but which may be in time when the actual clause comes up for discussion, that new clause will be allowed to be discussed.

Mr. Speaker : At what stage ?

Diwan Chaman Lall : At the stage when we reach the consideration of the original clause of the Bill to which the new clause relates.

Mr. Speaker : Does the honourable member mean that after all the new clauses have been disposed of and the House has proceeded to consider the clauses of the Bill and their amendments, new clauses should be taken up ?

Diwan Chaman Lall : I do not say that new clauses of all kinds should be discussed. I limit myself to this : say the House proceeds to discuss clause 7. Then if there are any new clauses to clause 8 which has not been reached for discussion, at that particular stage a new clause relating to clause 8 may be allowed to be discussed.

Mr. Speaker : Every new clause of which notice is received in time will be taken up whether it relates to a clause, which has been considered and disposed of by the House, or to a clause which has not been yet reached.

3 P.M.

Diwan Chaman Lall : Thank you very much. I understand that there is some misunderstanding regarding this matter. Since the Honourable Leader of the House is definitely of the opinion that he would like the new rules to be put into force, I do not desire that the new

[Diwan Chaman Lall.]

rules should not be put into force. What I desire is that proper interpretation of the rules should be given which would afford facilities for a proper discussion of amendments given notice of on the floor of the House.

Premier : May I make the position clear? My honourable friend apparently desires that if timely notice is given of new amendments including new clauses to the various sections of the Bill subsequently they should be taken up with those sections. That is what he wants. Whether it is permissible it is for you to decide. I personally have no objection.

Mr. Speaker : Then, as desired, we will proceed to deal with new clauses. If fresh notice of a new clause is received before all the new clauses on the agenda are finished I shall have no hesitation to take that new clause. But if notice of a new clause is received after all the new clauses on the agenda have been disposed of, that new clause will not be taken up.

Diwan Chaman Lall : Since these new rules have come into force now and this is your interpretation, I submit that you will be pleased to rule—and I do not think that my honourable friend the Leader of the House would have any objection to that—that the period of notice of two days may be waived in regard to any new clause regarding which notice has so far been given because if that is done then all the new clauses of which notice has so far been given would be capable of being discussed along with these new clauses which are now on the agenda.

Mr. Speaker : It is for the Chair and not for any party leader to give a ruling on the point. I will consider each individual case on its merits as it arises. I cannot give a general ruling.

Parliamentary Secretary (Chaudhri Tikka Ram) : I ask for leave to move the new clause.¹

Mr. Speaker : The clause appears to be vague.

Chaudhri Tikka Ram : Section 9 says :

- (1) It shall be the duty of the market committee to enforce the provisions of this Act, and the rules and by-laws made thereunder in the notified market area and when so required by the Government, to establish a market therein providing such facilities for persons visiting it in connection with the purchase and sale of agricultural produce concerned as the Government may from time to time direct.
- (2) Subject to such rules as the Government may make in this behalf it shall be the duty of the market committee to issue licences to brokers, weighmen, measurers, surveyors and warehousemen for carrying on their occupation in that market area and to renew, suspend or cancel such licences.

Now the sub-clause as it stands does not provide any penalty for breach of or non-compliance with the provisions of the clause and this proposed new clause lays down the penalty that will follow the non-compliance.

¹That at the end of clause 9, the following new sub-clause be added :—

“(4) Any person, who, unless duly authorised by licence, acts as a broker, weighman, measurer, surveyor or warehouseman shall, on conviction, be punishable with fine which may extend to fifty rupees, and, in the case of a continuing contravention, with a fine as aforesaid, may extend to two rupees for every day after the date of first conviction during which the contravention is continued.”

Mr. Speaker : My objection is that the latter part of the proposed clause is vague and meaningless. There are other objections, too.

Chaudhri Tikka Ram : It is a misprint. There must be some more words after the word 'fine', i.e., 'which in addition to such fine'. These words are missing in the printed amendment.

Mr. Speaker : I shall send for the original amendment as given notice of. In the meanwhile, please explain another point.

Diwan Chaman Lall : May I ask as to what is going to happen when obviously, as you have pointed out, grammatically it is incorrect, it does not make any sense? If you read the last three lines of this amendment you will see that there is no connecting link. It is neither English, nor grammar nor sense. The point is this. Can the honourable member be allowed now to amend it? If he wishes to move an amendment to this new clause it would mean a new amendment for which it is necessary that a notice must be given. But if he is permitted we can have no objection to this procedure. He must remember that we are not objecting on the score of sufficient notice.

Premier : It is only a question of misprint. It is not a question of notice.

Diwan Chaman Lall : It is not a question of misprint. It is a question of English. My honourable friend may be a good scholar in Urdu, but he is not a good scholar of English.

Mr. Speaker : There is another point. The clause proposed to be moved is more an amendment to clause 27 than a new clause altogether.

Chaudhri Tikka Ram : I have given notice to this very effect that instead of putting this after clause 9 it should be put after clause 26 because it fits in exactly with the penalties.

Mr. Speaker : I am not concerned just now with the order of clauses. What I am pointing out is that the subject matter of the so-called new clause is more an amendment of sub-clause (2) (viii) of clause 27 than an entirely new clause.

Mir Maqbool Mahmood : On a point of order. I take it that you have not yet given your ruling on the point.

Mr. Speaker : No, I am having this matter clarified.

Mir Maqbool Mahmood : Sub-clause (3) of clause 27 gives power to declare violation of certain rules punishable with certain fines. It does not take away the right from this House to provide penalties for the evasion of the specific provisions of the law as proposed.

Mr. Speaker : But cannot that be done by amending this clause?

Mir Maqbool Mahmood : If it is done in that clause, it would be only for the violation of rules but we are not now dealing with the violation of rules.

Mr. Speaker : Violation of what? The clause says: 'unless duly authorized by a licence', i.e., an action without a licence.

Mir Maqbool Mahmood: If he acts without a licence, he acts against the Act. Sub-clause (3) of clause (9) is substantive, it says:

No broker, weighman, measurer, surveyor or warehouseman shall, unless duly authorized by licence, carry on his occupation in a notified market area.

Therefore, if there is nothing under the rules with regard to this particular item, mere carrying on of these occupations without a licence would constitute a contravention of sub-clause (3) of clause (9) and the new clause of my honourable friend provides a penalty for something substantive in this case.

Mr. Speaker: Cannot that be done by an amendment?

Mir Maqbool Mahmood: I submit that if you will look into sub-clause (3) of clause 9 you will find that it will fit in better here and need not necessarily be made as an amendment to clause 27. As a matter of fact if we made it there, it would only cover those items which are provided under rules.

Mr. Speaker: Has the honourable member received the original notice? Is there any misprint?

Chaudhri Tikka Ram: No, Sir, it is my mistake. I am sorry for that.

Mr. Speaker: You stated on the floor of the House that this was a misprint and that you are not responsible for the mistake.

Chaudhri Tikka Ram: Unfortunately in the copy that I had prepared and given to my clerk this was there and that is why I made that statement. I am very sorry for that.

Mr. Speaker (*Addressing Mir Maqbool Mahmood*): I have not been able to follow the honourable member's arguments.

Mir Maqbool Mahmood: Clause 27 (3) deals with the contravention of rules. It does not deal with the contravention of the clauses of the Bill. If you will kindly refer to sub-clause 27 (3) you will find that it only relates to contravention of rules that may be framed under this Act.

Mr. Speaker: I do not think so. Please read sub-clause (3) of clause 27.

Mir Maqbool Mahmood: "Any rule made under this section may provide that any contravention thereof or of any of the conditions of any licence issued or renewed *thereunder* (that is under the rules) shall be punishable with fine which may extend to Rs. 500." It means that if under the rules it is said that a licence shall be taken on a certain date and certain provisions shall be fulfilled, any violation thereof will be punishable under sub-clause (3) of clause 27, but my friend's amendment deals with an entirely different subject. It relates to a case in which a man violates clause 9 (3). That being the position, his motion would come properly as a new clause, but I do not know whether I am in order in suggesting that that new clause may either come under clause 9, as he proposes, or it may better be proposed as a new clause under clause 26 which deals with penalties, but this is a matter which can be looked into by the drafting committee. At this stage we are mainly concerned with a question whether his point can be met by amendment of sub-clause (3) of clause 27. So I submit that a new clause would be necessary.

Mr. Speaker : What about the latter portion from 'and' in line 4 to the end?

Mir Maqbool Mahmood : You may allow the addition of these words to make the position clear.

Mr. Speaker : Even then it shall be vague.

Khan Bahadur Chaudhri Riasat Ali (Hafizabad, Muhammadan, Rural): Sir, you are right; as it is worded, the sense is not very clear; but this new clause, as has been stated by my honourable colleague, provides a penalty for acting without taking a licence which is absolutely a different matter from violating the conditions of a licence. That provision is made in sub-clause (8) of clause 27 which gives the power of rule-making. The wording might be hopeless, but the sense here seems to be that if after the conviction for not having taken out a licence an individual persists in that illegality and continues to act as a broker or a weighman then this clause will come into operation and there will be a continuous fine. That seems to be the contention of the honourable member, though I must confess that it is not so clear.

Mr. Speaker : Then a fresh notice of a revised amendment may be given.

Diwan Chaman Lall : I have not followed what has happened.

Mr. Speaker : I have asked the honourable member to give a properly worded fresh notice. This Bill is not going to be finished to-morrow, so the new motion will be in time.

Chaudhri Tikka Ram : I beg to move¹—

Mr. Speaker : Before the honourable member moves his motion, I wish to point out, as emphasized by Mir Maqbool Mahmood, that the new clause relates to violation of the provisions of the Act and not rules.

Chaudhri Tikka Ram : I do not ask for leave to move it.

Chaudhri Krishna Gopal Dutt (North Eastern Towns, General, Urban): I beg leave to move—

"That at the end of clause 10, the following sub-clause be added:—

(2) No member of the market committee shall be paid any salary, remuneration, honorarium, allowance, commission or payment of any other nature either from the funds of the market committee or from the revenues of the province in lieu of the discharge of his duties and obligations as a member of the market committee;

Provided that travelling allowances may be paid to the members for journeys of not less than 5 miles undertaken in connection with the work of the market committee.

Mr. Speaker : Before the honourable member proceeds further I may point out that his object can be easily achieved by amending clause 27 (2) (xii) by omitting the words "remuneration and". Will the honourable member please read clause 27 (2) (xii)? It is worded as follows:—

"(xii) the remuneration and travelling expenses that may be paid to the members of a market committee."

"That the following new sub-clause be added to clause 22:—

"Any person who, in any transaction in a market, makes or receives any trade allowance other than allowance prescribed by rules or by-laws made under this Act, shall be punishable, on conviction, with a fine which may extend to fifty rupees for each contravention."

[Mr. Speaker.]

If the words 'remuneration and' were omitted, will not the honourable member's purpose be served?

Sardar Bahadur Sardar Ujjal Singh : Notice of such an amendment has already been given.

Chaudhri Krishna Gopal Dutt : May I suggest that my amendment is a little bit different from this and if my amendment is accepted, then we have another amendment for the deletion of the words 'remuneration and'. My amendment does not confine itself to remuneration alone. It contains 'salary, remuneration, honorarium, allowance, commission or payment of any other nature'. The second difference is that here in my amendment I say 'or from the revenues of the Province'. To say nothing of the funds of the Market Committee, what I ask for is that no member of the Market Committee will be paid any honorarium, allowance or anything else from the funds of the Market Committee or from the revenues of the province in lieu of the discharge of his duties and obligations as a member of the Market Committee.

Mr. Speaker : Where is it laid down that salaries and allowances can be given out of the funds of the Market Committee?

Diwan Chaman Lall : Section 27 (1) says—

The Government may, either generally or specially for any notified market area or areas, make rules consistent with this Act for carrying out all or any of the purposes thereof.

Such rules are made for what? For the remuneration and travelling allowance which will be paid to the members of the Market Committee. Obviously it is to be paid out of the Market Fund—the fund that is created under this Act. There is no mention in any section of this Act of any money being made available by the Government for the purposes of the Market Committee Fund. Therefore, the remuneration and the allowances mentioned in section 27 (2) (xxii) would be only those that are available for the members out of the Market Committee Fund. What my honourable friend wishes to do is to widen the scope of the assistance that the Government can give. I ask the Government if they are really and sincerely in favour of doing something substantial for these people. He says that no allowances shall be drawn by any member of the committee, no salary, remuneration, honorarium, allowance, commission or payment of any other nature either from the funds of the Market Committee or from the revenues of the province.

Mr. Speaker : Where is it laid down?

Diwan Chaman Lall : It is laid down that these rules will be made by the Government for the payment of remuneration and travelling allowance to the members of the Market Committee.

Mr. Speaker : It is not said that they will be paid from the Government treasury or from the Market Committee funds.

Diwan Chaman Lall : There is a provision that if the Government allows certain officers to be lent to the Market Committee, then it can charge the Market Committee for the services of those officers. Therefore, there is no mention in any provision of this measure regarding payment to be

made by the Government. There is mention of the fact that the Government may take money from the Market Committee for services of officers lent to the Market Committee but no provision is made and no mention is made anywhere in the body of this Act for any assistance to be given by the Government to the Market Committee. This amendment of my honourable friend Chaudhri Krishna Gopal Dutt makes it perfectly clear that in no circumstances can the Government make rules providing for funds being made available for members of the Committee, but this makes it clear that the Government will not be in a position to make any funds available for these specific purposes, allowances, honoraria, commission, remuneration and so on and so forth. Therefore, I submit that it could not be ordinarily covered by an amendment of sub-clause (xxii) of section 27 (2) and that a substantive clause, apart from other reasons, is an essential part of this amendment.

Mir Maqbool Mahmood : I am afraid, in the first place my objection to the amendment of my honourable friend—

Diwan Chaman Lall : On a point of order. I take it that on an amendment an honourable member can speak only once unless he is moving his amendment. I do not think my honourable friend is moving his amendment.

Mr. Speaker : Yes, he can if he wants to say a word for the enlightenment of the House.

Mir Maqbool Mahmood : I am rising on a point of order and I refuse to learn from my honourable friend when I can rise on a point of order.

Diwan Chaman Lall : On a point of order. May I ask your ruling on the point whether it is a point of order?

Mr. Speaker : He is raising a point of order.

Diwan Chaman Lall : Will you consider whether it is a point of order or not?

Mr. Speaker : Is that a point of order?

Mir Maqbool Mahmood : Yes Sir. It is a point of order. I submit that we have no difference on the merits. This motion, as worded, is not admissible for these reasons. In the first place a reference to the revenues of the province would be outside the preamble and the title of the Bill. That is the first objection. We are only dealing with the regulation of the markets and not dealing with the revenues. The other point is that under this Bill Government cannot pay anything out of the revenues of the province because no reference has been made to the Governor in regard to this matter and we are only dealing with the market funds which come within the provisions of the Bill. I would invite my honourable friend's attention to the title and the preamble of the Bill. It is—

A Bill to provide for the better regulation of the purchase and sale of agricultural produce and the establishment of markets for agricultural produce in the Punjab.

And the preamble says—

“Whereas it is expedient to provide for the better regulation of the purchase and sale of agricultural produce in the Punjab and for that purpose to establish markets and make rules for their proper administration in the manner herein after appearing.”

[Mir Maqbool Mahmood.]

There is nothing whatever to show that the revenues of the province are going to be charged for this purpose. Nor is there any recommendation by the Governor to that effect. That being so, I submit that we are only limited here, as you rightly pointed out, to the market funds and the expenses paid therefrom. The purpose of my honourable friend would be served by amendment to Clause 27, sub-clause (xxii) to which both we and they have sent amendments that the word 'remuneration' should be deleted.

Diwan Chaman Lall : On this point of order, may I draw your attention ? I am not speaking on the motion.

Mr. Speaker : The honourable member has already given his reasons.

Diwan Chaman Lall : But I am not speaking on the motion ? All that I wish to remark is about the point of order raised.

Mr. Speaker : He has given his reason as to why this clause is not in order.

Diwan Chaman Lall : I want to draw your attention to the markets for agricultural produce that the Government is attempting to establish in the Punjab. Therefore, the Government can do anything. They can also give them salaries.

Mr. Speaker : Will he please also read clause 20 ? It makes the position clear. Government does not come in at all and, therefore, it can easily be done by amending sub-clause (xxii) of clause 27.

Mir Maqbool Mahmood : Quite right.

Chaudhri Krishna Gopal Dutt : May I draw your attention to the fact that from our point of view this amendment is very important. Since we want that Government is to nominate members of the committee, we do want to see that if the Government appoints members they should not be paid. That is very important from our point of view. We would request you to consider it very carefully before you give your ruling one way or the other.

Minister for Development : My opinion is that this amendment will be out of order because the only purpose which this Bill has in view is to establish markets and regulate all business therein. So far as the revenues of the province are concerned they do not fall within the purview of this Bill in any way.

Diwan Chaman Lall : May I draw your attention to clause 25, sub-clause (c), which relates to the supersession of market committees and where Government comes in ? Government may appoint any other authority it chooses to take charge of a market committee. That authority may quite conceivably be my honourable friend's department. If that is so, Government will be directly involved in that expenditure. If my honourable friend says no, may I refer him to sub-clause (3) (c) of clause 25 which says—

If the government do not make such an order, they shall employ such assets for any object of public utility in the area specified in the notification issued under section 2.

Government here have to incur expenditure : there is nothing to prevent them incurring expenditure when they appoint any other authority.

Minister for Development : Only to the extent of the assets of the committee.

Diwan Chaman Lall : If they appoint another authority there is no restriction. As far as this is concerned they can appoint their own department.

The point which I bring to the notice of my honourable friend is this that he has brought forward this Bill in such a desperate hurry and the expressions are so wide that there is no specific thing that could appeal to one's mind. There is no particularisation as there should be of a definite nature in a measure of this kind. If that is so, there is nothing in this measure which could lead us to believe that the finances of the Government cannot be employed ; and if that is so, then I do submit that my honourable friend is within his right in moving it as a new clause, otherwise the effect would be that something will be left over, and something will go to clause 27, something to clause 25 and something to clause 20, and the rest would be covered by a new clause which would be an absurdity in my opinion. May I also draw your attention to clause 25 (2) (b) at the top of page 8 where supersession takes place—

All assets of the committee shall vest in the Government and the Government will be liable for all the legal liabilities of the committee subsisting at the date of its supersession up to the limit of the said assets.

Mr. Speaker : To the extent of assets.

Diwan Chaman Lall : If the assets are nil the liabilities will be there.

Mr. Speaker : May I draw the attention of the honourable member to section 82 of the Government of India Act? It is presumed by the mover of the new clause that the expenditure will be a charge on the revenues of the province. But this is not the case ; otherwise this Bill could not have been here. Sub-section (3) in the new clause, as worded, is open to many objections. But that point may be reconsidered. As advised at present I hold it to be out of order.

Diwan Chaman Lall : On a point of order. Would this objection also hold to the entire Bill as it stands? For instance in clause 25, sub-clause (b)—

Mr. Speaker : That point will be decided later.

Diwan Chaman Lall : There is a guarantee given that the liabilities of the committee shall vest in the Government.

Mr. Speaker : To the extent of the assets.

Diwan Chaman Lall : Perfectly true, but if a guarantee is given under section 82 of the Government of India Act, then previous sanction is necessary as for instance in the case of a Bill or an amendment, for imposing or increasing any tax or for regulating the borrowing of money or the giving of any guarantee by the province—

Mr. Speaker : That guarantee does not go so far as to make the provincial revenues at all responsible. They are not a charge on the revenues of the province ; they are only a charge on the assets. Therefore Government does not come in. All the same the honourable member may reconsider and if advised he may give notice of another amendment.

Diwan Chaman Lall : That is true. That was a question of the charge on the provincial revenues.

Mr. Speaker : Government's obligation does not come in under any circumstances. If the motion is not out of order for this reason, it is out of order for another reason, inasmuch as it clearly refers to Government.

Diwan Chaman Lall : My point was with reference to the entire Bill.

Mr. Speaker : The clause, as worded, is out of order.

Sardar Kartar Singh : Sir, I beg to move that—

In clause 20 the following new sub-clause be added :—

“(3) The Government shall make contribution in money to the funds of every individual committee which shall be not less than 10 per cent of the previous year's income of that committee.”

Mr. Speaker : This clause, if allowed and carried, will make Government responsible to pay certain money from the treasury. A clause to that effect cannot be moved without the sanction of the Governor. Therefore, I consider it to be out of order.

Chaudhri Tikka Ram (Parliamentary Secretary) : Sir, I beg to ask for leave to move the following new clause :—

“That at the end of sub-clause (c), the following be added :—

“If a question arises as to whether any person is a grower or not for the purposes of this Act, the decision of the Collector in which the notified area is situated shall be final.”

Mr. Speaker : What does the honourable member mean by the words “in which”?

Chaudhri Tikka Ram : I am sorry that it is a mistake. Before the words “in which”, the words “of the district” may be added.

Mr. Speaker : The question is—

That leave be granted to move the new clause.

The motion was carried.

Mr. Speaker : The motion now is—

That the new clause be taken into consideration.

Diwan Chaman Lall (East Punjab, Non-Union Labour) : Sir, The honourable mover of this new clause has not enlightened the House as to the reasons which prompted him to put this new clause forward. Probably in the hurry of the moment with which he gave notice of this particular clause he left out the particularization of the collector, and he also in the hurry of the moment forgot to enlighten the House as to why he wishes to leave the decision regarding the very important definition of ‘grower’ to the tender keeping of the collector. My honourable friend seems enamoured of the executive authority. Our objection to this clause, as it is worded, and to the tenor of this Bill with regard to the definitions therein is that my honourable friends desire that everything that is of importance should not be done in a democratic manner, in spite of lakhs of followers which they have at their meeting, but that it should be done within the four

walls of the room of an executive officer acting solely on his own responsibility or possibly on the responsibility of my honourable friends opposite. The position that we have adopted is a position which would favour a democratic solution of this problem. It is a solution which would guarantee that my honourable friends realise the meanings of the words that they utter on the floor of the House and which would guarantee to the small man, the actual tiller of the soil, the benefits, if there are any, that might accrue to him, in view of legislation that might be passed. But no. My honourable friends who speak with two voices, always desire that the tiller of the soil should be the last person to be considered and that even the definition of the tiller of the soil, that is, of grower, should not be left to the common judgment of the people, who know whether he is the actual tiller of the soil or not, but that it should be left to the judgment of the nominee of the executive government or the nominee of the Unionist Party. I submit that, first of all, that is not a democratic principle. Secondly, they have been in such a hurry as not to consider the particular class of persons who would be affected by this measure. Supposing any benefit is to be given to the growing class, that is, the class of people who grow agricultural produce. I submit that it is an ordinary axiom, an ordinary principle with those who hold or who pretend that they hold opinions of socialistic nature, like my honourable friend over there, the Minister of Development, that the benefit should go to the tillers of the soil. The 'grower' should be the actual tiller of the soil. This is the definition. Had they any interest of the tiller of the soil at heart, they would have given this definition to the grower of agricultural produce. But what do they do? They do not even desire to define the term 'grower'. They wish to take extraordinary powers and place those extraordinary powers in the hands of the executive officers for the purpose of defining a particular class that is going to be affected. I never heard anything like this where a particular measure is going to affect a particular class and the definition of that particular class is going to be left in the hands of the executive officer of the district. If my honourable friends know or realise the particular class that they desire to benefit, then it is easy for them to make this position clear that the particular class that they want to benefit are the actual people who are engaged in growing agricultural produce. According to the definition as it is, there is no restriction placed upon people who are absentee landlords, people who have never seen the fields that they own. They are getting the benefits of this measure. I am deliberately using that expression—I do not say the benefit of the Act, but I say the benefit of the sections that apply to those particular classes. If that is so, the absentee landlord, the landlord whose business it is like those of us who are landlords to absent themselves from the land and yet share the produce, if those landlords who are not tillers are also given the benefit, then I submit we must oppose this particular definition of the grower. We want to limit it for the benefit of the classes for which my honourable friend has been preaching day in and day out namely the actual zamindar, a peasant who produces agricultural produce, with the sweat of his own labour and with the sweat of his own brow. If that is so, why does not my friend make it perfectly clear that that is his intention? Why does he wish to leave out the definition of the class that is going to be affected so as to admit of a definition not by this legislature but a definition to be given by an executive officer? The real reason is

[Diwan Chaman Lall.]

this that the whole significance of this measure has been to try and concentrate power in the hands of the bureaucracy. We are faced here with a bureaucracy which in my humble opinion is in every sense of the term a worse bureaucracy than we had before the Reforms. That bureaucracy wishes to control this province through legislation of this nature and to keep the power in its own hands, whether or not to give a particular benefit to a particular individual or a particular class. Suppose a particular man says, I am a grower. And he is actually growing and if my honourable friends, do not like the complexion of his politics it is very easy for the executive officer to pass an order to the effect that he cannot be covered by the definition of a grower. It would be wiser, therefore, for my honourable friends if they sincerely desire to benefit the peasantry in this province, those who are actually engaged in the production of agricultural goods, to limit, define and make up a precise definition of a grower. To limit it in the sense in which we should desire legislation of a beneficial nature, to be limited to the people who actually produce agricultural goods in the province, that is the actual tillers of the soil, that is the point. Is my friend prepared to accept that? He would not be prepared to do so. He would bring in also the class represented by my honourable friend the Premier and a large number of people in this House, namely landlords. I say those people do not deserve any consideration in fact in all these measures. I say deliberately that the only person to be considered now is the actual tiller of the soil and if my honourable friend, who spoke very eloquently and said that he sympathises with the tiller of the soil, will admit that he is really in sympathy with the tiller of the soil, then I submit that there is only one course open to him and that course is to define here on the floor of this House the word 'grower' to mean the actual person engaged in producing agricultural goods. If he is prepared to accept that, then I would be willing to consider that my honourable friend has really got sympathy in his heart for the tillers of the soil, but what he is attempting to do by means of this amendment is nothing of the kind. A grower may be a landlord. A grower may be a person who allows another person having taken the land on lease to produce agricultural goods for him on the land. He may be an absentee landlord, he may be a peasant landlord, he may be a different kind of landlord, but all those people are roped in the definition of 'grower'. This measure, according to my friend, is not meant for those classes. This measure is meant for the little man actually engaged, the man who according to my friend is robbed day in and day out, not only by the *arhatsi* but also by the landlord, according to him. The Honourable Minister shakes his head. He apparently is not quite certain whether to take this step against landlords. He has the tactics of expediency. His sympathy comes and goes according to expediency. My friend is not concerned—I say it deliberately—and if he is, let him confess it if he is concerned with the tilling class, let him confess it and confine himself to whatever benefits he wants to give that particular man.

I submit this would be arming the executive with extra authority. One of the finest principles of democratic government is this that you should not allow the executive to interfere in the daily life of the people. One

of the principles is this, you must allow elected bodies to work and not nominated bodies to work, that you must not concentrate in the hands of one individual on the principle of dictatorship, powers which could be easily defined and exercised by the elected body. What is there to prevent my honourable friend if any difficulty arises? Suppose a difficulty does arise, what is there to prevent him in leaving the matter to the market committee? What is there to prevent him to so define the word 'grower' to limit it straightaway to the class that we have in mind? Is there anything to prevent it? If my honourable friend says that he drafted this Bill in a hurry and that it would be difficult to think out this matter and produce an amendment of a comprehensive nature, then I submit he stands self-condemned. If he says that it is an easier thing to leave it to the collector to decide who should be the grower and who should not be the grower, then I submit there is nothing in this definition. He is thinking certainly of keeping in view the fact that there should be some sort of control exercised over those classes and that control can only be exercised by bringing in executive authority into action. Therefore, it is for this reason that I submit I am perfectly convinced that the amendment that we have given notice of, which will come up later on in the course of discussion, would limit this definition of a grower to the actual producer of commodities in this province, the actual man who tills the soil and by his own labour produces these commodities and who according to my friend has been made a dupe of, to limit that definition to that particular individual, and if he does not so limit it, then I submit that the representation which would be given to the tiller in these market committees cannot be on a democratic basis, that is to say, he would be the real man who is affected by this legislation but who would not be able to control these market committees. Otherwise what would happen is this. There would be certain classes who will be favourites, let us say of the present government. When the clamour for representation on these committees is made as to who would get that representation the actual poor man who produces the agricultural produce on the land will not be the person who will be on these market committees. The person represented will be the big landlord, the man who will swamp these committees with two-thirds majority. The man representing will be the person who is a favourite of the authorities, because suppose a person alleges that he is a grower and the collector not by any judicial decision, not by means of taking any evidence, but by means of his own fiat according to this particular clause by his *ipse dixit* decides by a single solitary word and gives the decision whether he is a grower or not. My honourable friend Sir Chhotu Ram, I understand, owns 36 bighas. My honourable friend may be considered to be a grower according to this definition and if he also wants—suppose by some chance he throws up the ministry here and goes back to his practice in Rohtak and then finds that it is necessary for him in the interest of the small man to get on to these market committees, then he will by virtue of the fact that he is the owner of 36 bighas be in a position to get elected to this committee. I submit I would not like my honourable friend or anybody in his position to get elected to these committees by virtue of the fact that the definition of grower is left to the tender mercies of the collector. There is absolutely no limit placed upon the collector.

[Diwan Chaman Lall.]

The collector is the final authority and there is no appeal against his decision. He is the one person who will decide whether a person is a grower or not. Suppose in reality he is not a grower. What would happen? If the verdict of the collector is in his favour, he would get representation on this committee. Are you not by this particular method of defining 'grower' or whenever a difficulty arises, by handing the decision over to the collector, thwarting the intention which my honourable friend expressed in this House of helping the poor cultivator? I submit that this clause must be opposed on the ground that the definition of grower or the solution of the difficulty regarding the word grower being left to the decision of the collector is not an understandable proposition. It is only arming the executive authority with powers which we should not do. Further it is making the Bill ridiculous. According to clause 2 'grower' is a person who grows agricultural produce personally through tenants or otherwise but shall not include a grower who works as a dealer or broker'.

Mir Maqbool Mahmood : I rise to a point of order. While discussing the new clause, is the honourable member entitled to go into the merits of the clause in the Bill which is not covered by the new clause? I submit that he should confine himself to the new clause and should not discuss the substantive clause in the Bill.

Diwan Chaman Lall : What I am trying to do is this. According to this new clause, when a difficulty arises as to who a grower is, the definition is going to be left to the tender mercies of the collector. Surely my honourable friend will permit me to make my position clear as to what classes will be covered by this new clause. I cannot understand the impatience of my honourable friend. Surely it is up to me to make clear to this House as to what the effect of this new clause will be on persons who are covered by the definition of grower. That is all I am doing by referring to the substantive clause. I am not discussing the merits of the substantive clause. The position is this. If my honourable friends would consider democratic principles they would not be so ready to arm the executive with authority. Instead of that, what they should have done is this. They should have precisely defined a grower and in case of doubt or dispute, appointed a tribunal which would be in a position to hear the application of any person who wishes to be included in the definition. The decision given by the tribunal should be of a judicial nature. It should not be an executive order passed by a collector sitting within the four walls of his room. Therefore I submit that this amendment is of a nature designed solely with the object of concentrating authority in the hands of the executive Government.

Mr. Speaker : Will the honourable member please discuss the new clause?

Diwan Chaman Lall : That is what I am doing. Chaudhri Tikka Ram says, if a question arises as to whether any person is a grower or not not for the purposes of this Act, the decision of the collector in which the notified area is situated shall be final. May I ask, why should the decision of the collector be final? Why should he not have provided some sort of appeal? Suppose the collector makes a mistake and debar a person who

is really qualified under the definition of grower. What would be his position? Does my honourable friend consider that the collector is wisdom personified, that he is a person of such a nature that his decision could not possibly be wrong, that no collector in the Punjab has so far gone wrong? If a wrong is committed what is the remedy? As I have already said, the whole object is to empower the executive authority. After all, my honourable friend could have left the decision of a grower to the market committees which are going to be composed of two-thirds growers. If the committees are not in a position to decide who a grower is, I do not see who else can. I submit that my honourable friends are misreading the trend of events in the Punjab. What they are attempting to do is not to leave the matter in the hands of a democratically constituted committee, but to take power, into their own hands so that they may do what they like.

Khan Bahadur Chaudhri Riasat Ali (Hafizabad, Muhammadan, Rural): I am very sorry to submit that my friend has been continuously covering a ground and discussing points which are not directly in issue so far as the discussion of this particular clause is concerned. The question before us is, if a contingency arises calling for a decision as to whether a person is a "grower" or not as defined in this clause, who should decide it? According to his own admission the "grower" must be the actual tiller of the soil. Those who get their lands tilled through tenants or labourers should be excluded. But the definition given in the Act itself is this: "grower" shall include persons who have their lands tilled through tenants. So, even here there is a sort of difference. It is quite natural that there should be some agency to decide what particular persons come under the definition of the word "grower" as given in this Bill.

It is impossible that the definition should be so precise as suggested by Diwan Sahib that there will not be any need to call upon anybody to decide. So far as enactments passed by any legislature are concerned, this is a physical impossibility. Frivolous objections are often raised in law courts on any definition, on any term. It is therefore essential that there should be somebody to decide that; whether he should be the collector or somebody else is the point which should have been discussed more than the point which has been discussed by my honourable friend. Now as you are aware, Sir, in many enactments and many Acts of legislature which are passed on the floor of this House, which have been passed in the life time of this very Assembly, the "collector" has been given not only the authority to decide certain points but in many Acts, e.g., the Debtors Protection Act, the Relief of Indebtedness Act and others which have been passed during the last Simla session—I cannot quote the exact sections off-hand—the collector is the final authority to determine all matters of importance. My friend is so much enamoured of the poor tiller of the soil and he has always been speaking in season and out of season in his favour and yet he wants to increase the litigation and to encourage litigation. My friend says that the right of appeal should have been given to the party to the suit after the decision of the collector on the very minor point of the definition of "grower". This definition only gives a status to a particular person. After all what does this matter? The question is whether a person should obtain a licence to carry on his trade in a particular notified area or whether he can do that without obtaining that licence. This is a very

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minor matter and when the collector has been given similar powers in some cases under the Land Alienation Act and the Land Alienation (Further Amendment) Acts, there is no reason why we should not trust him with the decision in such a minor matter as this. We should not encourage litigation if we are the real friends of the masses and the people who are the actual tillers of the soil by making provisions for appeals and revisions. With these remarks I support this clause.

Mr. Speaker : The question is—

That the new clause be taken into consideration.

The motion was carried.

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General, Urban) : May I with your permission move an amendment which is very brief but which is of very great importance, that in line 3 of Chaudhri Tikka Ram's amendment for the word 'collector' the words 'market committee' be substituted.

Mr. Speaker : Personally I have no objection. But the amendment is too late. If I allow it, it should not form a precedent.

Pandit Muni Lal Kalia : Each case should be considered on its own merits.

Chaudhri Krishna Gopal Dutt : When other Bills were discussed last time there were a number of amendments—

Mr. Speaker : I have allowed the honourable member to move his amendment with the proviso that it will not form a precedent. The circumstances in Simla were entirely different. There the complaint was that the Opposition was not given sufficient time and therefore I had to show some indulgence to that side. Otherwise I am not going to allow anything as a rule, which is not in time.

Chaudhri Krishna Gopal Dutt : I would only make an appeal to you to consider from time to time as to whether exceptions should be made or not.

Mr. Speaker : Certainly.

Chaudhri Krishna Gopal Dutt : Mr. Speaker, I have no intention to make any lengthy speech on the subject because my honourable friend Diwan Chaman Lall has spoken at length and he has expatiated on all the points relevant to the case. I wanted that instead of being ambiguous on the point we should move a definite amendment, so that it may appeal to the Government to accept it. I have listened to the reply given by my honourable friend, Chaudhri Riasat Ali, but I regret to say that he has failed to give any satisfactory answer to the objections raised by Diwan Chaman Lall. Chaudhri Riasat Ali has quoted from the Bill and said that the definition of the word 'grower' has been clearly stated there. But may I point out to him that if the definition of that word has been clearly enunciated in the Bill itself, what was the necessity of bringing this new clause. The very fact that my honourable friend, Chaudhri Tikka Ram has moved this amendment means that there are certain doubts left in that definition given in the Bill and therefore it has become necessary to create

some authority so that if any controversy or any contention or any doubts arise as to whether a particular person is a grower or not, it should be left to that authority to decide. May I point out to him that even in these days of provincial autonomy as we have seen times out of number, the authority vested in the bureaucratic officials who are ruling in the districts has been grossly abused and as a burnt child dreads the fire we dread that this power also will be abused and political advantage will be taken of that. For instance, if there is a gentleman who is a grower in the true sense of the word and a doubt arises as to whether or not he comes within the definition of 'grower' as enunciated in the Bill—and these rules can be twisted according to the whims and desires of a particular collector—there is nothing to prevent the collector from giving an adverse decision on political grounds. Why should that power be given to the collector? Has not the Government observed that they have received times out of number many complaints with respect to the behaviour of collectors in different districts? Now, when Government declares that there is provincial autonomy and the Government is out to reform the entire administration, why should the Government, instead of reforming in this direction, still try to arm the collectors with increased powers so that they may abuse them and become small Hitlers and Mussolinis in the districts? May I ask why, when they are going to give a majority to the growers themselves in the market committees, they should be afraid of anything? Why should they fight shy of giving that power to the market committee? On the one hand they say that the Congress party are opposed to this Bill and that the members of that party are neutral or neuter genders, and on the other hand they obstruct the improvements which we want to effect in this Bill. May I inform the Honourable Minister for Development that we on this side are not of neuter gender. We are of stout, masculine gender, bubbling with radiant health, and determined to give political, economic, and social health to the province.

Mr. Speaker : Please speak to the motion.

Chaudhri Krishna Gopal Dutt : I am speaking to the motion because the original amendment before the House arms the collector with extraordinary powers and I have given them a proof. The proof of the pudding lies in the eating and I want them to have a taste of that. May I point out to my honourable friend and to you, Mr. Speaker, that we are moving amendments here not with a purpose to kill the Bill. We are moving amendments with a sincere desire to make improvements in the Bill. That is one of the most important things which I wanted to say here on the floor of the House on behalf of the Congress party, that we are not flippant or frivolous people as described by the Honourable Minister for Development.

Mr. Speaker : I request the honourable member to speak to the motion.

Chaudhri Krishna Gopal Dutt : The Honourable Minister is getting nervous unnecessarily. When the motion before the House is that the powers should be vested in the collector I am opposing it and trying to amend it. I want to give him a proof of the sincerity of the Congress party and to show that the Congress party is willing to consider this Bill

[Ch. Krishna Gopal Dutt.]

on its merits and to effect improvements in this Bill. It is for the Government to accept these amendments or not. I was giving also a warning to the Honourable Minister, because he has to vote on this amendment, that before he takes up any attitude and makes up his mind as to what he should do with respect to our motions he should reflect ten times. I wanted him to clearly understand that we on this side of the House have decided to improve the Bill and that our eventual attitude will depend upon the attitude of the Government, towards our amendments of fundamental character. This is the one point. He has been charging us with reticence, silence and indifference and apathy to the Bill. That is not the case. You will see, Mr. Speaker, the number of amendments which we have given notice of. It is not therefore correct to attribute an attitude of indifference to us. My point was that instead of vesting these powers in the collector, the market committees which the Minister is trying to create under this Bill will be a better body than the collector for the purpose in view. The second point which I said was that he is going to give a majority, may be a bare majority or an absolute majority to the growers in the market committees. When the market committees are going to have a majority of growers on them, where is the harm in giving this authority to declare whether a particular person is a grower or not to that market committee? I hope that the Government will accept this amendment.

Mr. Speaker : I very much regret that I have to rule the honourable member's amendment out of order for the simple reason that it is meaningless. The original new clause is :—

"If a question arises as to whether any person is a grower or not for the purposes of this Act, the decision of the collector shall be final."

The amendment is that for the word 'collector' the words 'market committees' be substituted. I want to know whether the committees are districtwise, if not, then the amendment is meaningless and out of order.

Chaudhri Krishna Gopal Dutt : But you have allowed me to move it.

Mr. Speaker : But I have ruled it out of order. The amendment reads that the decision of the market committee of the district in which the notified area is situated shall be final.

Chaudhri Krishna Gopal Dutt : But there is no such word as of the district in the amendment as printed.

Mr. Speaker : That was an omission which was pointed out and supplied by me when I read the motion from the Chair. But there are no market committees districtwise, so the amendment will make the whole thing meaningless.

Chaudhri Krishna Gopal Dutt : In the list of amendments supplied to us there is no mention of the words 'of the district'.

Mr. Speaker : I have already stated that that was the objection that I raised, but the words, 'of the district' were suggested to me and I put them from the Chair.

Diwan Chaman Lall : You are perfectly right, Mr. Speaker, in regard to what you have said. It is absolutely correct that the words were subsequently accepted, but my honourable friend has not been in the House.

Collector he thought was on par with the Governor and as there was only one Governor, he thought there was only one collector, but the amendment that my honourable friend gave notice of—

Mr. Speaker : Even then it would be meaningless. If these words were omitted, what would the clause read like? It will read—

“the decision of the market committee in which the notified area is situated shall be final.”

This is still defective.

Diwan Chaman Lall : The amendment of my friend was given in a hurry and may I now ask your permission to make the position absolutely clear?

Mr. Speaker : It will then require several amendments.

Chaudhri Krishna Gopal Dutt : Will you kindly take the spirit of my amendment?

Mr. Speaker : An amendment may be declared to be out of order, even when it is under discussion.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) : Sir, I have to make a few brief observations with regard to the criticism which was offered by Diwan Chaman Lall. He said that the honourable mover of this new clause had not stated any reasons for this clause and that the party in power is assuming a dictatorial tone, dictatorial methods and dictatorial powers. The introduction of this clause was necessitated by the fact that there are two different occasions on which a question may arise whether a particular individual is a grower or is not a grower. In the first instance, there is an exemption in favour of growers in respect of their own produce. Then again, there is a reference to growers in another clause of the Bill. This reference is being represented on the market committee. So, in the absence of any authority which will have the power to say who is a grower and who is not a grower, the working of these two clauses would have become impracticable. Hence, the reasons for the addition of this sub-clause are quite clear. I thought that a clever man of the type of Diwan Chaman Lall would clearly understand the reason and no exposition of these reasons would be at all necessary. However, he made a grievance of it. Therefore, I have had to state the reasons for the addition of this sub-clause.

He also took exception to the definition itself. He said, “Why do you not make the definition so precise that no doubt in any case may arise at all.” I frankly confess that I find it impracticable to do so. In so many cases it will be impossible to devise a definition which will be so ample, so self-sufficient or so precise as to leave no room for doubt. That is why this sub-clause has been added. He says, “restrict the definition of a grower to the actual tiller of the soil. You claim sympathy for the tiller of the soil, you claim sympathy for the peasant of the province. Why don't you make the definition such that it will include even big landlords under it?” My answer is that the people, the class of people, at whose hands these growers had been suffering, were not landlords, were not big zamindars, they were the *arhtis*, they were the brokers with whom these people had to deal. Peasants are not fleeced by landlords in the matter of the sale of produce. Landlords do not subject them to any deduction, they do not subject them to

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any *arhat*, to any brokerage, or to the dues of any *tola* or *rola*. Therefore, the class which subjects the poor peasants to these exactions was the only class against which this legislation was to be directed.

I beg to submit one thing more. Is there anything in the definition which excludes any tiller of the soil from the benefit of this legislation? All the benefits of this legislation go equally, under this definition, to the tillers of the soil, the actual cultivators, and the big landlords. Let me remind my friend that the smaller peasants, the smaller owners of land, the tillers of the soil and their representatives in this House have never given any undertaking to anybody that while safeguarding the interests of the small men, they were out to do injury to the bigger ones. (*Hear, hear*). We do not seek to injure anybody, we do not seek even to injure the *arhtis* where they are honest. It is only in places where a broker or another functionary of the market does an injury to the men who come to the market to sell their produce, that he is to be punished. Therefore, my friend's complaint that we are the advocates of big landlords has neither substance nor weight.

Then again, he says, "Why do you give the power of final decision to the collector? Why do you not give this power to a market committee? On a market committee there will be as many as sixty per cent. growers, why are you afraid of making over this power to the market committee which will be so overwhelmingly representative of the class for whom you profess sympathy." The reason is plain. I understand the working of the minds of my Congress friends. They want only the smaller man, the actual tiller of the soil to come on to these market committees (*Voices: Yes.*) because they think that in 99 cases out of a hundred he will be uneducated, illiterate, ignorant and it will also be easy to purchase him. (*Voices: No, no.*) (*Interruptions*). It is not out of any sympathy for the smaller man that my friends waxed eloquent in advocating that this power should be given to these market committees. They knew well enough that if it was only the smaller man, the actual cultivator, he would, in nine cases out of ten, be uneducated, ignorant and hence easily purchaseable, and that it would be so easy to influence the judgment of these two-thirds representatives of growers.

Again, he said that we professed sympathy for democratic ideas and yet we had decided to make over power to executive officers and he wanted to know why we desired that power should be made over to executive officers. The reason is plain. He probably never takes notice of what his own colleagues in the Congress party do. Has he gone through the notices of amendments given by the members of his own party? Everywhere they have distrusted Government and suggested that power should be given to deputy commissioners. There are at least four or five amendments which have been suggested by members of the Congress party urging that powers should be given to the deputy commissioner rather than to Government.

Diwan Chaman Lall: I do not want to interrupt my honourable friend, but will he give way to me for one minute? I want to make a statement as to the party position. The notice was not on behalf of the party.

Minister for Development : At least that shows the direction in which the Congress wind is blowing. Again, I may quote the instance of Bombay, the instance of the Central Provinces, the instance of Madras where under the definition of a grower it has been stated that if a question arises as to a particular person being a grower or not, the decision of the collector will be final. My friends will, no doubt, say that those Acts were passed by pre-reform legislatures. But there is another Bill which has been introduced in the United Provinces Assembly and has been circulated for eliciting public opinion thereon.

Diwan Chaman Lall : It was not Congress legislation.

Chaudhri Krishna Gopal Dutt : It is a private member's Bill.

Minister for Development : My friends become very uneasy.

Chaudhri Krishna Gopal Dutt : The Honourable Minister interrupted me ten times.

Mr. Speaker : I am not going to allow that.

Diwan Chaman Lall : Ordinarily, my honourable friend should give way for a little interruption in his speech. Then there will be no difficulty.

Minister for Development : There is no end to these interruptions. I am not at all given to causing such interruptions myself.

Diwan Chaman Lall : Because you make wrong statements.

Mr. Speaker : If he states a wrong fact or figure, he may be corrected.

Minister for Development : They are ignorant. They know nothing. They are ill-informed. Here is the draft Bill about which I was speaking. I have a copy in my hand.

Pandit Shri Ram Sharma (Urdu) : Then you will say that our contradiction is irrelevant.

Minister for Development : Here is sub-clause (ii) of clause 2 of a similar Bill introduced by a Congress member in the United Provinces Legislative Assembly.

Premier : Please note.

Minister for Development : "If a question arises whether a person is agriculturist or not for the purpose of the Act the decision of the District Magistrate or Deputy Commissioner of the district in which such a person has a permanent residence shall be final." With these words I support the motion.

Mr. Speaker : Is there any provision in this Bill as to how the collector will initiate proceedings for coming to a decision?

Minister for Development : Yes, under clause 27 which gives Government the rule-making power. (Voices : Question be now put).

Pandit Muni Lal Kalia : Mr. Speaker, I am surprised to see the position which the Honourable Minister for Development has now taken. The amendment now proposed was in the original Bill and these things

[Pandit Muni Lal Kalia.]

were discussed threadbare in the select committee. You will kindly see that in sub-clause (d) of clause 2 of the original Bill the words were—

“If a question arises as to whether any person is a grower of agricultural produce or not for the purposes of this Act, the decision of the deputy commissioner of the district in which the person permanently resides shall be final.”

This was discarded after the matter was thoroughly discussed and the reasons for discarding were that the measures from which this definition was borrowed were passed in the year 1933 in the Madras Presidency and in the year 1932 in the Central Provinces. There was a bureaucratic Government at that time, and now under the modern conditions and under the present conditions this power should not be given to the collector. I am really surprised to see now again that the minister in charge has taken a turn and has now again felt his weakness and wants that power should be given to the collector. It is unfortunate that the amendment which was allowed by you has just been disallowed, but that was a middle course in which case the market committee which was also in the hands of the Unionist Government could do the same thing which a collector could arbitrarily do. Our objection to this is that the suspicions or apprehensions which have just been alluded to by Khan Bahadur Chaudhri Riasat Ali do not at all arise in a case like this.

There is no likelihood of litigation being ever entered into because the question is not with regard to the definition of the trader or with regard to the person who is given a licence. As a matter of fact in this case there is no likelihood of any litigation being ever entered into because the definition is self-contained, and there is no doubt about it that any person who either grows personally or through the tenant shall be regarded as a grower so that this new amendment is entirely superfluous. The idea is only to give the collector a power which will never be used or to give the grower or other people an idea that the collector has a particular controlling power over them. Therefore it is suggested that this should not be allowed. Then there are other reasons also which at this stage I think should also be taken into consideration. The United Provinces Bill is a Bill moved by a private member and it has been circulated now for eliciting public opinion. Therefore this is not the stage at which it could be quoted that such a Bill is being brought on the statute book by the Congress government. There may be a stage when the public may not at all agree to it. Then, there is a difference between the Government of the Punjab and that of the United Provinces. There the hands of the collector are absolutely free and they are not being interfered with as they are interfered with by the Unionist government, so that the collector of the Punjab is altogether a different thing, a different personality and a different officer from the collector of the Congress government. There the ministers do not tour the province with a view to enforce their views. There they leave it to the discretion of the collector who acts on the advice of and according to the wishes of the people. While here the collectors are forced or requested in many cases. I have got certain instances but perhaps it is not proper to disclose them here. The discretion of the collector is fettered on very very petty affairs, even for a post of a few rupees these ministers go to the collector and they interfere with his discretion. Therefore, it cannot be hoped that in a case like this where it is the interest, it is the welfare and it is the betterment of the grower

at stake, that we should give such a power to the collector who is strictly speaking, powerless under the present government. I am also surprised to hear from the Honourable Minister for Development that most of the growers are illiterate, uneducated, poor and purchasable. If that is the value which my learned friend attaches to the *jats* it is really shameful. It is the bigger growers and bigger *jats* who are purchasable: they may be purchased; but so far as the poor people are concerned they are more honest and cannot be purchased at all. Therefore, it is only the reflection of his mind. It is the reverse of it: it may be big growers and big landlords who can be purchased even for mere titles of Rai Bahadurs, Khan Bahadurs and Sardar Bahadurs. So far as the poor persons, the growers, tillers of the soil, are concerned they cannot be purchased and I should like to say that this statement, which is not in the least true, should not be relied upon. It is a false statement and cannot be supported. I submit that the poor *jats* cannot be accused of this thing. If this is the estimate that the learned minister has got for the poor *jats* then he has no right to represent them. The majority of the growers in the province are poor people, 80 or 90 per cent are poor and they are represented by dishonest people who can be purchased. I can say he is represented by people who are dishonest and purchasable. He should have realised when making the statement he has just now done that the majority of the people are honest although they are starving. People who are big growers are the people who can easily be influenced and who can be forced to do things which ordinary people, who do not at all care for them, are not likely to do. With these words I submit that the amendments, as proposed, should not be allowed because that would be a retrograde step and would go against the decision of the select committee in which the Honourable Minister for Development himself agreed that this clause which is unnecessary should be given up. That does not make any difference if the amendment is moved by his Parliamentary Secretary. This may be one thing. I really wonder how such a statement should have been made by the Honourable Minister, who says that he is responsible in some of his statements. That might be due to his experience during the elections. It could be said during the elections which are now over. There are cases where votes were purchased, but the time has changed. Now when the propaganda is carried on province-wide it is not expected that he should have worried about votes. They should now go according to their wishes. You should not accuse these poor people of dishonesty. With these few words I submit that this amendment should be disallowed.

Chaudhri Krishna Gopal Dutt : Before you proceed further may I bring to your notice the fact that we have a unicameral legislature in this province and there is no check on hasty legislation by way of a second chamber and therefore this Bill instead of being rushed through—

Mr. Speaker : What is the object of the honourable member ?

Chaudhri Krishna Gopal Dutt : The object is this that you permitted me to move my amendment which on account of certain words was considered to be out of order. I have redrafted it.

Mr. Speaker : What does the honourable member wish ?

Chaudhri Krishna Gopal Dutt : I have redrafted it and with your permission, I wish to move it.

Mr. Speaker : Sorry ! I am not in a position to allow him to move it.

Question is—

That at the end of sub-clause (c), the following new clause be added :—

"If a question arises as to whether any person is a grower or not for the purposes of this Act, the decision of the collector of the district in which the notified area is situated shall be final."

The Assembly divided : Ayes 66 ; Noes 19.

AYES

Abdul Hamid Khan, Sufi.
 Abdul Haye, The Honourable Mian.
 Afzaalali Hasnie, Sayed.
 Ahmad Yar Khan Daulatana, Khan Bahadur Mian.
 Ahmad Yar Khan, Chaudhri.
 Ali Akbar, Chaudhri.
 Amjad Ali Shah, Sayed.
 Anant Ram, Chaudhri.
 Ashiq Hussain, Captain.
 Chhotu Ram, The Honourable Chaudhri Sir.
 Dasaundha Singh, Sardar.
 Faiz Muhammad, Shaikh.
 Faqir Hussain Khan, Chaudhri.
 Farman Ali Khan, Subedar Major Raja.
 Fateh Jang Singh, 2nd-Lieutenant Bhai.
 Fateh Khan, Khan Sahib Raja.
 Fateh Muhammad, Mian.
 Fateh Sher Khan, Malik.
 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.
 Gopal Singh (American), Sardar.
 Gurbachan Singh, Sardar Sahib Sardar.
 Haibat Khan Daba, Khan.
 Hans Raj, Bhagat.
 Harnam Singh, Captain Sodhi.
 Het Ram, Rai Sahib Chaudhri.
 Inder Singh, Sardar.
 Jafar Ali Khan, M.
 Jogindar Singh Man, Sardar.

Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.
 Kishan Das, Seth.
 Maqbool Mahmood, Mir.
 Mubarik Ali Shah, Sayed.
 Muhammad Ashraf, Chaudhri.
 Muhammad Azam Khan, Sardar.
 Muhammad Faiyaz Ali Khan, Nawabzada.
 Muhammad Hussain, Chaudhri.
 Muhammad Hussain, Sardar.
 Muhammad Jamal Khan Leghari, Nawab Sir.
 Muhammad Nawaz Khan, Major Sardar.
 Muhammad Saadat Ali Khan, Khan Sahib Khan.
 Muhammad Sarfraz Khan, Raja.
 Muhammad Yusuf Khan, Khan.
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
 Muzaffar Khan, Khan Bahadur Captain Malik.
 Nasir-ud-Din, Chaudhri.
 Nasir-ud-Din Shah, Pir.
 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.
 Riasat Ali, Khan Bahadur Chaudhri.
 Ripudaman Singh, Thakur.
 Shahadat Khan, Khan Sahib Rai.
 Shah Nawaz Khan, Nawab Khan.
 Sumer Singh, Chaudhri.

Sundar Singh Majithia, The Honour- able Dr. Sir. Suraj Mal, Chaudhri.	Tara Singh, Sardar. Tikka Ram, Chaudhri.
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NOES

Bhagat Ram Choda, Lala. Bhagat Ram Sharma, Pandit. Chaman Lal, Diwan. Dev Raj Sethi, Mr. Hari Singh, Sardar. Kabul Singh, Master. Kapoor Singh, Sardar. Kartar Singh, Sardar. Krishna Gopal Dutt, Chaudhri. Lal Singh, Sardar.	Mula Singh, Sardar. Muni Lal Kalia, Pandit. Partab Singh, Sardar. Prem Singh, Mahant. Rur Singh, Sardar. Sahib Ram, Chaudhri. Sant Ram Seth, Dr. Shri Ram Sharma, Pandit. Sohan Singh Josh, Sardar.
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The Assembly then adjourned till 12-30 P.M. on Thursday, 17th November, 1938.

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PUNJAB LEGISLATIVE ASSEMBLY.

4TH SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Thursday, 17th November, 1938.

*The Assembly met at the Assembly Chamber at 12-30 P. M. of the clock.
Mr. Speaker in the Chair.*

STARRED QUESTIONS AND ANSWERS.

INCOME OF GOVERNMENT ON ACCOUNT OF CHAHÍ RATES.

***3498. Sardar Kartar Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the total income of the Government on account of *Chahi* rates for the whole of the Province ;
- (b) Income of the Government from the lands at present subject to the *Chahi* rates on the basis of *Barani* rates ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) and (b) No accurate estimate can be formed. A rough estimate of the probable loss in land revenue involved by the abolition of *chahi* rates was, however, made in 1929, according to which the additional revenue from *chahi* rates amounts to about Rs. 42 lakhs.

Sardar Sohan Singh Josh : Will the Government be pleased to state if it is a fact that the same amount was shown by the late Sir Fazl-i-Husain in 1927 ? If so, has there been no increase since then ?

Parliamentary Secretary : I want notice of that question.

TOTAL PROHIBITION.

***3499. Sardar Kartar Singh :** Will the Honourable Minister of Finance be pleased to state—

- (a) whether any steps have been taken to implement the resolution which was passed in the Assembly in respect of introducing total prohibition in five districts of the province ; if so, what ;
- (b) number and names of district boards which have adopted resolutions in favour of total prohibition and demanded total prohibition for their respective districts, and the action the Government propose to take in the matter ?

The Honourable Mr. Manohar Lal : (a) Yes, the matter is under active consideration and every endeavour is being made to expedite the decision. But the honourable member will realize that the introduction of prohibition in so large an area as five districts, is a matter of considerable difficulty and complication. In order to carry out the wishes of the Assembly, a very great addition to the preventive staff will be needed. This,

[Finance Minister.]

by reason of the heavy cost involved, entails a serious drain on provincial finances. Other sources have also to be explored, which will compensate for loss of revenue in the districts, where prohibition is enforced. These matters necessitate detailed examination in all its aspects of the experimental measure, which it is the intention of Government to introduce.

(b) Four. Hissar, Ludhiana, Lyallpur and Karnal. The matter is one for Government to decide, as indicated in the first part of the answer.

Sardar Sohan Singh Josh : May I know what steps have been taken to make the necessary enquiries?

Minister : We have compiled figures on the one side of the probable loss of revenue, and on the other of expenditure on the preventive staff that will be necessary.

Lala Deshbandhu Gupta : Did the consideration of the possible loss in revenue weigh with the Government? Is that the reason for delaying the introduction of prohibition?

Minister : The loss of revenue is likely to be large enough, but so far as Government can see at present it will involve a very heavy expenditure on the preventive staff, and even then there is the possibility that the preventive staff may not be able to achieve fully the object which we have in view.

Lala Deshbandhu Gupta : Do Government realise that in other provinces prohibition on a larger scale is already being carried out without any difficulty?

Minister : Government is aware that efforts at prohibition have been made in several other provinces, but Government is not aware of the exact measure of success achieved in these provinces or the expenditure involved therein.

Lala Deshbandhu Gupta : Have Government written to those Governments or read the reports published by at least the Madras Government?

Minister : Many reports have come to our notice and the Government is in constant touch with facts in other provinces.

Lala Deshbandhu Gupta : Are there any difficulties particular to this province which stand in the way of introducing prohibition?

Minister : This province has peculiar difficulties. It is obvious that if prohibition were to be introduced in certain districts no good result might be achieved on account of large scale illicit distillation. We are also particularly liable to have a great deal of import of illicit liquor from the network of Indian States in the Punjab.

Lala Deshbandhu Gupta : Why not introduce prohibition in the whole province then?

Minister : That, I am afraid would break the back of our finances.

Sardar Sohan Singh Josh : What will be the total loss suffered by Government if prohibition is introduced in the whole province?

Minister : Over two crores.

Lala Deshbandhu Gupta : Will the Government never introduce prohibition in the province?

Minister : I cannot see so far ahead. The original question related to a limited measure.

Lala Duni Chand : Is prohibition part of the accepted programme of the Government?

Minister : I think in the Assembly a resolution was adopted, that as an experimental measure prohibition might be tried in some of the districts of the Punjab and the Punjab Government is not committed at present to anything further than that.

Lala Duni Chand : I wanted a definite answer to my definite question, whether prohibition is the accepted programme of the Punjab Government.

Minister : My answer is definite enough. I am not sure whether the question was clear.

Lala Duni Chand : In how many years do you expect wholly or partly to give effect to the programme of prohibition?

Minister : Partly, it may be to-morrow, wholly I am not a good enough prophet to say.

Diwan Chaman Lall : May I know what is the definition of to-morrow? (Laughter).

Minister : Early enough, not in any remote future.

Lala Duni Chand : Am I to understand that it will not be given effect to within the next ten years?

Minister : I did not say anything of the kind. I said that I am not a good enough prophet to say as to when total prohibition will be introduced in the Punjab.

Lala Deshbandhu Gupta : Does the Honourable Minister mean by to-morrow the to-morrow that shall never come?

Minister : Very clever!

GRIEVANCES OF CHAUDHRI IBRAHIM AND FATEH DIN, HEADMEN OF VILLAGE GHARYALA, ABOUT PANCHOTRA.

***3501. Dr. Sant Ram Seth :** Will the Honourable Revenue Minister be pleased to state whether Chaudhri Ibrahim and Fateh Din, Headmen of village Gharyala, district Lahore, submitted an application to the settlement officer, Lahore, in March, 1938, which was received by him during the month to get the wrong redressed referred to in starred question No. 1951¹ put by me on 7th March, 1938; if so, the action taken on that application or proposed to be taken now?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : No such application was received in March, 1938, but there was an application received in April. Final orders on it were passed by the Deputy Commissioner, Lahore, to the effect that the lambardars should receive *panchotra* according to the amount of *abiana* collected by them.

BUILDING OF A ZAILGHAR AT LAHORE.

***3502. Dr. Sant Ram Seth :** Will the Honourable Minister for Public Works be pleased to state whether answer to my starred question No. 2505¹, put on 4th April, 1938, is ready; and, if not, when it may be expected to be ready?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : No information is available to show how the contributions for the zailghar were assessed, and from whom the amount was recovered, except that a sum of Rs. 5,497-15-6 was collected from the zamindars of Lahore tahsil and credited to District Fund, Lahore, in December, 1915. The District Board, Lahore, then, by its resolution No. 195, dated the 20th November, 1917, requested the Deputy Commissioner to reserve a piece of land for the same purpose in the old tahsil compound in Lahore. The proposal did not, however, materialise as the land in the tahsil compound was sold by auction for residential purposes. The new tahsil building is situated in the district courts compound and there is no plot of land close to it where a zailghar could be built. In fact there is no demand for such a building at present and as there is no record to show the names of persons from whom the money was recovered, refund is impracticable. The amount remains merged in the District Fund balance and to that extent has been at the service of the rural population.

CORRESPONDENCE OF MAHATMA GANDHI re RELEASE OF MR. PRITHVI SINGH.

***3509. Sardar Sohan Singh Josh :** Will the Honourable Minister of Finance be pleased to state—

- (a) whether the Government, Punjab, have received any communication from Mahatma Gandhi with respect to the release of Mr. Prithvi Singh Azad of village Lalru, district Ambala;
- (b) if the answer to (a) above be in the affirmative, whether he is prepared to place that correspondence on the table of the House;
- (c) whether the Government, Punjab, have considered the question of release of Mr. Prithvi Singh Azad; and if so, with what result?

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

(b) Does not arise.

(c) No.

Lala Deshbandhu Gupta : Does Government propose to consider the question?

Minister : I do not know whether the honourable member is aware that the prisoner had been absconding ever since 1922, that is, for the past 16 years. I think I have stated more than once that absconding from jail custody is a very serious offence in itself apart from the original offence.

Lala Deshbandhu Gupta : Does the Government realise that this particular prisoner surrendered himself voluntarily and as such deserves special consideration?

Minister : I know this.

Lala Deshbandhu Gupta : Is that not a sufficient reason for the Government to treat his case as a special one.

Minister : Emphatically no.

Lala Duni Chand : May I know if it is contemplated to start any case against him ?

Minister : He has got a life sentence to go through yet.

Lala Duni Chand : On what charge is he being retained in jail for the last six or seven months ?

Minister : He had still to undergo a very substantial part of his sentence when he absconded in 1922 from jail custody.

Diwan Chaman Lall : What was the original charge ?

Minister : He was convicted under sections 121, 121-A and 124. He was originally sentenced to death and that sentence was commuted to transportation for life. Then he went to the Andamans and he was afterwards brought back. During the course of transit he absconded.

Lala Duni Chand : May I know if he is now undergoing the unexpired portion of the sentence ? If so, when is that sentence to expire ?

Minister : Yes. I have not got the exact dates, if the honourable member gives notice I shall be glad to get him the information.

Mian Muhammad Iftikhar-ud-Din : Is the Honourable Minister aware that some honourable people occupying very high positions in Government today were sentenced to various terms of imprisonment in 1921 and they are now enjoying full liberty, indeed they were released very soon after ? If so, does not Government consider that the offence of Prithvi Singh being of the same nature, he should be treated in the same way ?

Mr. Speaker : That amounts to a request for action.

Diwan Chaman Lall : When was this gentleman originally convicted ?

Minister : I think it was in 1915 or 1916.

Diwan Chaman Lall : Was it in connection with any conspiracy case or was it an independent case ?

Minister : I am afraid I have not got that information. If the honourable member gives notice I shall be glad to get him the information.

Diwan Chaman Lall : May I ask if the Honourable Minister is prepared to look into the details of the case and see if there is any possibility of his coming to the conclusion that this particular prisoner ought to be released ?

Minister : I shall be glad to look into the details, but I may inform the honourable member that even while he was absconding he committed a very serious offence. He bit the nose of some one.

Sardar Sohan Singh Josh : May I know the date when he was arrested ?

Minister : He surrendered to Mahatma Gandhi some time in February, 1938, and he was kept in custody in Bombay.

Lala Duni Chand : Is the Government aware that he has since abjured the creed of violence? If so, will that not weigh with the Government in considering the question of his release?

Mr. Speaker : Disallowed.

**GRANT OF LICENCES FOR PISTOLS TO WITNESSES IN THE FATEHWAL
MURDER CASE.**

***3510. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state—

(a) the names of the witnesses of the Ajnala tahsil, district Amritsar, in the Fatehwal murder case who have been granted licenses for keeping pistols ;

(b) the reasons for the same ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) :
(a) Applications for revolver licences by three persons who were witnesses in the case mentioned were recently sanctioned by the District Magistrate, Amritsar. I do not think it necessary to give names.

(b) Because the District Magistrate considered that they genuinely needed the weapons for self-protection.

Sardar Sohan Singh Josh : May I enquire whether one of the licensees is Teja Singh who was the principal witness in the Fatehwal Murder case ?

Parliamentary Secretary : I am not aware of it.

Sardar Sohan Singh Josh : Why is it that licences have not been given to other witnesses? Is the Government sure that they do not stand in need of self-protection?

Parliamentary Secretary : I have said that only three witnesses were given licences for revolver on application. The grant of a licence rests with the Deputy Commissioner.

Sardar Sohan Singh Josh : Have the licences been given to terrorise the defence witnesses?

Mr. Speaker : Disallowed.

Dr. Sant Ram Seth : Is it a fact that Teja Singh was already in possession of a revolver?

Parliamentary Secretary : I am not aware of it.

Sardar Sohan Singh Josh : Is Ibrahim also one of the licensees?

Chaudhri Kartar Singh : Are these licences granted with the permission of the Commissioner?

Parliamentary Secretary : No. It rests entirely with the district magistrate to grant the licence.

COLLECTION OF FUNDS BY SUPERINTENDENT, POLICE, LYALLPUR, FOR
ZAMINDARA CONFERENCE, LYALLPUR.

*3511. **Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state—

(a) whether the Superintendent of Police, Lyallpur, collected funds through the help of sub-inspectors for the Lyallpur Zamindara Conference ;

(b) if the answer to the above be in the affirmative, the reasons for the same ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) :

(a) No.

(b) Does not arise.

Sardar Sohan Singh Josh : Is the Government sure that the Superintendent of Police did not collect those funds ?

Parliamentary Secretary : My answer is perfectly clear. I have nothing to add to it.

REMISSION IN LAND REVENUE FOR CERTAIN AREAS IN FEROEZEPOR DISTRICT.

*3515. **Sardar Tara Singh :** Will the Honourable Minister of Revenue be pleased to state whether he is aware of the fact that due to scarcity of rains in the Ferozepore district generally and in the thanas Bagapurana, Nathana, and Muktsar, particularly, there has been no *barani kharif* crop, the *barani rabi* crop could not be sown and the *nahri* crops have been destroyed, due to shortage of water, pest and tela ; if so, what steps Government have taken for giving remission in land revenue and *abiana* to the zamindars of the said areas ?

The Honourable Dr. Sir Sundar Singh Majithia : Yes ; owing to failure of the monsoon this year, the *barani kharif* crops failed and *barani rabi* sowings crops are unsatisfactory. Irrigated crops, in spite of a sufficient supply of water, are stunted in their growth on account of dry weather. There was some damage by tela also. The full extent of the damage is being ascertained and remissions found necessary, will be given.

DESTRUCTION OF RABI CROPS DUE TO HAILSTORM IN FEROEZEPOR DISTRICT.

*3516. **Sardar Tara Singh :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether Government is aware of the fact that on account of a hailstorm during February last the rabi crops in villages Sukhanand, Cheeda, Marimustafa, Dauluwala, Lornoabad, etc., in the jurisdiction of police station Bagapurana, tahsil Moga, district Ferozepore, were almost completely destroyed ;

(b) whether it is a fact that the inhabitants of the above-mentioned villages sent representations to the revenue authorities begging therein that the extent of the damage may be investigated and land revenue and *abiana* may be remitted ;

[S. Tara Singh.]

- (c) whether the officers who went to inspect the damaged crops made any recommendations to the Government for the remission of land revenue and *abiana* in respect of those villages; if so, what action the Government have taken or intend to take in this matter?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, serious damage was at first believed to have occurred to crops in certain villages, but a period of warm weather ensued and their condition consequently improved.

(b) Yes.

(c) No recommendations were made to Government, but as the result of local inspection a remission of Rs. 702-10-0 in *abiana* was allowed by the Executive Engineer, Ferozepore division, Sirhind Canal. No land revenue was remitted, as none was admissible under the prevailing rules.

REMISSION OF TAQAVI LOANS ADVANCED TO DISTRICT FEROZEPORE.

***3517. Sardar Tara Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the total amount of *taqavi* loans still due from the zamindars of the Ferozepore district ;
(b) the *taqavi* loans advanced during the last three years and the amount remitted, if any, during this period ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Rs. 1,06,798.

(b) Loans advanced—Rs. 24,845.

No case for remission, so far, has arisen.

CONFIDENCE IN THE PUNJAB PREMIER ON THE QUESTION OF MILITARY RECRUITMENT.

***3525. Mian Badr Mohy-ud-Din Qadri :** Will the Honourable Premier be pleased to state whether it is or it is not a fact that he had quite recently received a good number of telegrams and letters from zamindars of various districts of this province expressing their full confidence in the Premier of the Punjab so far as the question of military recruitment was concerned and that they assured the Premier that they would whole-heartedly support the Government in the matter of recruitment, should any such necessity arise ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : The answer is in the affirmative.

Diwan Chaman Lall : May I ask my honourable friend whether the messages received from the zamindars were from those who were described by my honourable friend Chaudhri Sir Chhotu Ram as belonging to the class of "ignorant, illiterate and purchasable zamindars"?

Parliamentary Secretary : No, Sir. The messages were received from various district boards and representatives and leaders of martial races and leaders of other sections of the population.

Diwan Chaman Lall : Is it a fact that the opinion of the people who would be directly affected by recruiting and whose sons would go to war if recruiting was to take place was taken?

Parliamentary Secretary : It was mostly by the members of the martial races.

Diwan Chaman Lall : What is the number of telegrams received?

Parliamentary Secretary : Several hundreds.

Diwan Chaman Lall : Is the honourable member quite sure that his own party headquarters did not have these telegrams sent?

Parliamentary Secretary : I have no information about party headquarters.

Diwan Chaman Lall : Quite sure?

Parliamentary Secretary : Quite sure.

EMPLOYMENT OF URDU SHORTHAND TO RECORD PROCEEDINGS OF COURTS.

***3526. Mian Badr Mohy-ud-Din Qadri :** Will the Honourable Minister of Finance be pleased to state the number of courts in the Punjab where the system of Urdu shorthand is employed for the purposes of recording court proceedings; if there is none whether there is any proposal before the Government to employ Urdu shorthand for recording the proceedings of the courts in future?

The Honourable Mr. Manohar Lal : There is no court at present in the Punjab where a system of Urdu shorthand is employed for the purpose of recording court proceedings; nor is any such proposal under consideration.

IMPROVEMENT OF GARDENS.

***3527. Mian Badr Mohy-ud-Din Qadri :** Will the Honourable Minister of Development be pleased to state what special steps the Government have taken to improve the condition of gardens in the province since April, 1937, and also state whether they have taken any such step so far as Batala tahsil is concerned?

The Honourable Chaudhri Sir Chhotu Ram : Much experimental work has been done to determine the most suitable varieties of fruit, the most economic manures and the best methods of pruning fruit trees. The Department of Agriculture has established short courses at the Agricultural

[Development Minister.]

College, Lyallpur, in fruit culture and fruit preservation for the general public and one special course for training of *malis*. Propaganda is carried out by holding fruit shows and demonstrations at suitable places. One Agricultural Assistant specially trained in Horticulture has been stationed at the headquarters of each Deputy Director of Agriculture for giving advice to fruit-growers in his area.

The Department has supplied to the public 34,188 reliable fruit plants from its nurseries during 1937-38, as against only 28,865 plants supplied in 1936-37. The supply is expected to go up to over 50,000 plants next year.

Departmental staff is improving inferior *ber* trees by grafting of superior varieties. 9,000 *ber* trees have been top-worked so far.

No special attention has been given to Batala tahsil. It enjoys the same facilities as other parts of the province.

Sardar Sohan Singh Josh : At what prices are plants sold ?

Minister : If my honourable friend gives fresh notice I shall be glad to answer that question.

Sardar Sohan Singh Josh : Is the Government aware that people can purchase plants from private individuals at cheaper rates than those charged by it ?

Minister : No, Sir, I am not aware of it.

Lala Deshbandhu Gupta : Will Government enquire ?

Diwan Chaman Lall : How can the honourable member be aware or not aware when he does not know at what prices they are sold ?

Minister : That may be a very fine argument.

Diwan Chaman Lall : How can he say that he is not aware when he does not know the prices at which Government is selling the plants ?

LAND REVENUE ASSIGNMENT FOR GURDWARA SMADH MAHARAJA RANJIT SINGH.

***3541. Sardar Kartar Singh :** Will the Honourable Revenue Minister be pleased to state—

- (a) whether any land revenue assignment has been made in favour of the Gurdwara Smadh Maharaja Ranjit Singh at Lahore ;
- (b) if so, the amount of the land revenue assigned ;
- (c) whether the amount of land revenue assigned to the said Gurdwara is being regularly paid to the Gurdwara by the Government ;
- (d) if answer to (c) is in the negative, what is the total amount yet due to be paid by the Gurdwara and when does the Government intend to pay up all the arrears of the land revenue assigned to the said Gurdwara ?

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

(b) Rs. 1,000 per annum.

(c) and (d) The matter is under the consideration of Government.

**PUNITIVE POLICE POST AT VILLAGES CHUHAR CHAK AND DHUDIKE
IN MOGA TAHSIL.**

***3544. Sardar Rur Singh :** Will the Honourable Premier be pleased to state—

- (a) whether the Government is aware that a punitive police post has been established at villages Chuhar Chak and Dhudike in Moga tahsil from the 1st September, 1938 ;
- (b) if so, what is the nature of the situation which led the Government to establish a punitive police post there ;
- (c) how many murders, riots and dacoities have been committed by the people of village Chuhar Chak since 1st April, 1938 ;
- (d) what will be the annual amount of expenditure to be incurred upon this punitive police post ;
- (e) whether this amount is to be realized from the people of the village of Chuhar Chak ;
- (f) whether the Government has received any representation from the people of the village of Chuhar Chak that they are not in a position to pay this amount ;
- (g) if so, what action the Government propose to take upon this representation of the people of the village of Chuhar Chak ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) :

(a) Yes.

(b) The location of additional police in these villages was necessitated by the habitual criminality of the inhabitants. The extent of this may be judged by the figures of crime for the last three years, as shown in a statement which I am laying on the table.

(c) Separate statistics are not available here for the period mentioned and it hardly seems worth while to make further enquiry in view of the information embodied in the statement I have furnished.

(d) For the first year Rs. 8,137-4-6 : for the second Rs. 7,447-4-6.

(e) Yes.

(f) Yes.

(g) No action is contemplated.

Sardar Sohan Singh Josh : How much will every zamindar have to pay ?

Parliamentary Secretary : The honourable member might well calculate it himself. I have not had time to calculate it.

Diwan Chaman Lall : May I know whether he would give this House the figures of what he calls habitual criminality during the year preceding the imposition of this punitive police ?

Premier : Outside the House ?

Diwan Chaman Lall : I speak subject to the correction made by my honourable friend, habitual criminality outside this House. (Laughter).

Parliamentary Secretary : That is evident from the statement which I am laying on the table.

Diwan Chaman Lall : May I request him to be kind enough to give the figure if he has got it there so that we may be able to put supplementary questions ? What is the actual figure during the year preceding the imposition of this punitive police ?

Parliamentary Secretary : These figures are for the last three years. As I have already stated in my answer it was not possible to collect the information for the period mentioned in the question. These figures include the offences committed during the last three years.

Diwan Chaman Lall : What is the total number ?

Parliamentary Secretary : 24 and 18 cases in one village and 15 and 18 in the other.

Diwan Chaman Lall : What sort of cases ?

(Parliamentary Secretary read out the statement as printed on the next page.)

Sardar Rur Singh : Is the Government aware of the fact that there is a judicial panchayat at Chur Chak which represented to the Government that punitive police was not necessary ?

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

Sardar Rur Singh : What is the number of criminal offences for this year ?

Parliamentary Secretary : I have given the figures for the last three years.

Sardar Rur Singh : I want for this year.

Parliamentary Secretary : Figures for this year, are not available.

Sardar Sohan Singh Josh : Is it a fact that different persons have to pay at different rates ?

Parliamentary Secretary : It falls equitably on the villagers of the villages where the offences are committed.

Dr. Shaikh Muhammad Alam : Why is it not possible to collect figures for this year when it has been possible to collect for the last three years ?

Parliamentary Secretary : I am giving the honourable member more information than he asked for.

Diwan Chaman Lall : Is the reason for giving this extra information this, that during the actual year preceding this imposition there was less crime than in the other years ?

Sardar Rur Singh : Is it a fact that the burden usually falls on the innocent respectable people and the miscreants escape scot free ?

Parliamentary Secretary : It is not a fact so far as I know.

Diwan Chaman Lall : Will the honourable member make an enquiry in regard to this matter ?

Parliamentary Secretary : I will be glad to make an enquiry, if notice is given.

Statement.

Offences committed ... Dhudhike

.. 24 cases, as follows:—

	309	447, 325, 147	326	457
Sections	1	1	2	5
	324/325	376	392	308
	3	1	1	1
	324/452	430	20/11/78	147
	1	1	1	1
	302/148/149	325		324
	2	1	1	

Chuhar Chak

.. 18 cases as follows:—

	457	307	19/11/78
Sections	2	1	3
	326, 452, 148 and 149	302	379
	3		2
	109	338	325
	1	1	2

Offences traced to the Dhudhike village.

.. 13 cases as follows:—

	419, 420	302	457	396
Sections	1	1	6	1
	452/324	20/11/78	395/397	380
	1	1	1	4

Chuhar Chak

.. 15 cases as follows:—

	457	302	392	9-1/78	394
Sections	1	1	1	1	1
	394/397	19/11/78	307		
	2	1	1		

FASL-E-KHARIF DESTROYED DUE TO SCARCITY OF WATER IN FEROZEPURE DISTRICT.

***3545. Sardar Rur Singh :** Will the Honourable Minister of Revenue be pleased to state—

- whether the Government is aware that there had been no rainfall in Ferozepore district this year and that the crops in this district have withered and Fasl-e-Kharif destroyed due to scarcity of water;
- whether the Government has received representations from the various villages situated in the Ferozepore district that they should be granted relief and remission in land revenue this year as their crops have been destroyed;
- if so, what action the Government propose to take upon the representations made by the villages of Ferozepore district?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): (a) Yes, owing to the scarcity of rains, the barani *khari* crops have totally failed. Irrigated crops have also suffered to some extent.

(b) Yes. Four applications have been received.

(c) The question of relief is under consideration.

Dr. Shaikh Muhammad Alam: Will the Honourable Minister please state for how long it will remain under consideration?

Parliamentary Secretary: It should not take very long.

1 P.M.

Dr. Shaikh Muhammad Alam: Since how long has it been under its consideration?

Parliamentary Secretary: Since the time the report was received.

Sardar Sohan Singh Josh: Will the Government give any *muafi* or will the Government only consider the matter till the present crop period has expired.

Parliamentary Secretary: Government have papers before them and are considering the question.

Dr. Shaikh Muhammad Alam: What is the view of the Government of proper consideration of the matter?

Chaudhri Kartar Singh: Will the Parliamentary Secretary please state whether he is aware of the period during which there has been no rain in the Punjab?

Parliamentary Secretary: Everybody in the Punjab knows that there has been no rain for the last few months in some districts.

Chaudhri Kartar Singh: In view of this fact that there has been no rain in the Punjab at least for the last four months, will the Government consider the question of granting remissions and other concessions in the district of Ferozepore and elsewhere?

Parliamentary Secretary: As the honourable members know, there are some districts in which there has been no rain or very little rain and that for the lack of rains harvests have suffered. The policy of the Government has been that where there has been a loss of crops through lack of rains, adequate concessions should be granted in the shape of suspensions and remissions of land revenue.

Chaudhri Kartar Singh: Will the Parliamentary Secretary please state whether Government has issued any instructions to the officers of the Jullundur and Ambala divisions?

Parliamentary Secretary: Instructions have been issued to all officers in the Punjab that where crops have failed due to failure of rains, remissions should be given.

Chaudhri Kartar Singh: In view of the possibility of famine in the province due to the fact that wheat could not be sown for the failure of rains, have the Government tried to explain its policy to the people by the issue of a special *communiqué*?

Parliamentary Secretary : The question asked related to a particular district and it has been answered. If questions are asked about other districts a reply will be given.

Nawab Shah Nawaz Khan : Have you received any official report about the Ferozepore district that crops have failed ?

Parliamentary Secretary : I draw the honourable member's attention to the answer to question No. 3545 which has just been read to the effect that crops have suffered in certain districts and that the question of remission, etc., is under consideration.

Sardar Sohan Singh Josh : Is it a fact that paddy and cotton and maize crops in Amritsar have totally failed ? If so, what have Government done to give relief to those whose crops have failed ?

Minister for Revenue : Enquiries have been made.

Lala Deshbandhu Gupta : Did the Honourable Minister for Development give a promise to the inhabitants of Karnal district while he was on tour that so far as the district of Karnal was concerned he would himself get the necessary inquiries made for giving them remission ?

Parliamentary Secretary : It is very difficult for me to answer about every district of the province. I have already stated about the districts of the province about which the question was asked and stated that Government will give remissions in districts where crops have failed because of the failure of rains.

Dr. Shaikh Muhammad Alam : About which districts it is easy for the honourable member to answer ?

Lala Deshbandhu Gupta : Will the honourable member please state what the Government proposes to do with respect to various districts in the Punjab which have suffered from drought ?

Mr. Speaker : If any Parliamentary Secretary or a Minister is unable to answer a question the best reply is to ask for notice, but I find that even when they cannot answer a question, they start saying something and then there follows an unnecessary discussion.

Lala Duni Chand : May I know if there is a common belief, though superstitious belief, among the people that the failure of the rains is due to the sins of commission and omission of the present Government ? (*Laughter*).

REPRESENTATION BY THE VILLAGERS AGAINST ODES.

***3546. Sardar Rur Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether the Government has received any representation from the villages of the south-western districts of Punjab that the Odes forcibly graze their herds in the fields of these villagers and destroy their crops ;
- (b) if so, what action Government propose to take in this matter ;
- (c) how many riots and conflicts have taken place in Punjab between the Odes and the villagers during the last five years ;

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- (d) how many villagers and how many Odes have been killed and injured in these riots and conflicts ;
- (e) whether the Government has received representations from the villages concerned that they should be saved from the deprivations of Odes ;
- (f) if so, from how many villages and what are their names ;
- (g) whether the Government has received requests and suggestions from various quarters that lands should be assigned to the Odes for permanent settlement and that they may be compelled to settle down on those lands if so, the action taken or proposed to be taken in the matter with the reasons therefor ?

The Honourable Dr. Sir Sundar Singh Majithia : I have not yet been able to collect the required information.

(Lala Deshbandhu Gupta stood up to ask a question).

Mr. Speaker : When no oral answer is given, how can the honourable member ask a supplementary question ?

Lala Deshbandhu Gupta : I am not asking any supplementary question. I only want to submit that there are certain parts of the question which need no collection of information.

Mr. Speaker : In that matter I have no voice.

Lala Deshbandhu Gupta : I want to have your ruling on the point as to whether it is open to ask a supplementary question, on such parts of the question which need no collection of information.

Mr. Speaker : That is for the Honourable Minister to decide. He has already said that he has not been able to collect information.

Lala Deshbandhu Gupta : I wanted to draw your attention.....

Mr. Speaker : I have more than once said that I have no power to extort answers to questions put to members of Government.

Lala Duni Chand : On a point of order. When the nature of the answer given by the Minister shows that there is an inclination on the part of the Government to avoid answering, is it not then open to us to show that the Government is deliberately avoiding ?

Mr. Speaker : Yes, it is open to the honourable member, but he must follow the proper procedure. It is not by standing up and asking questions which cannot be asked.

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : May I inform the honourable members that there is not the slightest attempt on our part to avoid giving answers when answers are ready.

REMISSION OF FODDER CROPS IN THE NILI BAR COLONY.

*3547. **Sardar Ajit Singh** : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the fodder crops, especially Jawar, which was sown about the middle of July has totally failed in the Nili Bar ;
- (b) a general and full remission on fodder crop has been allowed in the Khadir division of the Nili Bar especially to the Joya distributary of the Khadir canal ;
- (c) no remission has been allowed in the other parts of Nili Bar, in spite of the fact that the zamindars have sent many representations to this effect ;
- (d) if the answers to (a), (b) and (c) be in the affirmative, the reasons why such remission was not allowed in the other parts of Nili Bar ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) In Joya Sub-Division in the Nili Bar Colony, there was some damage caused to the Jawar crop by stem borer.

(b) No. Field to field inspection was done only in Joya Sub-Division as damage there was appreciable and half remission was given on fields having crop less than Re. 0-8-0 in addition to full remission on totally failed crops.

(c) and (d) Full remission has been given where crops have totally failed. Enquiry has revealed that there was no case for a general remission.

Sardar Ajit Singh : Is it a fact that remissions were granted in Joya Sub-Division because Khan Bahadur Mian Ahmed Yar Khan Daulatana's lands are there ?

Parliamentary Secretary : It is false.

Dr. Satya Pal : Is the word " false " parliamentary ?

Mr. Speaker : Will the honourable member please withdraw that question ? He has made an insinuation. (*Voices* : Both must withdraw.) (*Interruption*). Questions attacking the honourable members of this House should not be asked. Both the honourable members, Sardar Ajit Singh and Raja Ghazanfar Ali Khan, should withdraw. The insinuation made against Khan Bahadur Mian Ahmad Yar Khan Daulatana should not have been made. (*Uproar*). I ask Sardar Ajit Singh and Raja Ghazanfar Ali Khan to withdraw the expressions used by them.

Sardar Ajit Singh : I did not mean any insinuation.

Mr. Speaker : When I hold it to be an insinuation, the honourable member should have no hesitation to withdraw it.

Sardar Ajit Singh : I withdraw.

Mr. Speaker : Raja Ghazanfar Ali Khan should also withdraw.

Parliamentary Secretary : Will you kindly allow me to explain my position ?

Mr. Speaker : No. The honourable member may make an explanation but before doing so, he should withdraw the word 'jhut,' uttered by him.

Parliamentary Secretary : I am prepared to withdraw if the Chair will allow me to explain.

Mr. Speaker : The honourable member may withdraw and then explain.

Parliamentary Secretary : I am prepared to withdraw but....

Mr. Speaker : There is no question of the honourable member being prepared. He should withdraw.

Parliamentary Secretary : What the honourable member said was that....

Mr. Speaker : No further discussion. It will lead to further unpleasantness, otherwise I have no hesitation to allow the honourable member to explain.

Parliamentary Secretary : Sir, I withdraw.

CLOSING OF THE PAKPATTAN CANAL OF THE NILI BAR COLONY.

***3548. Sardar Ajit Singh :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that the Pakpattan Canal of the Nili Bar Colony remained closed from 6th October 1938, to 16th October 1938;

(b) whether it is a fact that many telegrams were sent to the Superintending Engineer, Nili Bar, Montgomery, to cancel this closure programme and even now public are sending many representations to the effect that the cotton crop has been damaged by this closure up to 25 per cent. or more;

(c) if the answer to (a) and (b) above be in the affirmative, the action the Government intends to take in the matter?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) Yes.

(b) A certain number of telegrams were received by the Superintending Engineer; to the effect that closure of the canal would adversely affect cotton crop.

(c) The Sutlej river supplies were unusually low this October. So in the interest of efficient distribution of the small available supplies in the river the closure was inevitable and could not be helped.

Sardar Ajit Singh : Sir, due to the shortage of canal water supply to the zamindars, is the Government prepared to give them certain remissions?

Minister for Revenue : I have not followed the honourable member's question.

Sardar Sohan Singh Josh : Does the Government give remissions when the water-supply is scanty?

Minister : That has been done already. We distribute the water equitably according to the supplies in the rivers.

Sardar Ajit Singh : My question is, does the Government give remissions when the crops fail due to the shortage of canal water-supply ?

Minister : If the question relates to less supply of water in the rivers, surely we cannot be expected to increase that supply and if on account of the shortage of water-supply in the rivers water has not reached those places, there is no question of any compensation being given to the people who have received their equitable supply of water according to the supply in the rivers.

Sardar Ajit Singh : Supposing the rivers dry up, will the Government still charge water rates from the zamindars ?

Parliamentary Secretary : The honourable member should know that the Government charges no abiana if no water is supplied due to lack of water in the rivers. Abiana is charged only when water is supplied.

Mian Sultan Mahmood Hotiana : If the Government supplies three turns of water instead of four, then do the Government give compensation for not supplying the fourth turn of water ?

Minister : The remission is to be given according to the Kharaba Rules. If the Kharaba Rules apply, remission could be given.

Nawab Khan Shah Nawaz Khan : Has the water-supply of Bikaner Canal also been decreased owing to shortage of water in Sutlej river ?

Minister : It must have happened incidentally.

Sardar Sohan Singh Josh : Is it a fact that patwaris are all in all in applying the Kharaba Rules ?

Minister : Is that a question to be answered ?

Mr. Speaker : I disallow it.

Mahant Girdhari Das : Is it a fact that water-supply in the canals was short from 22nd September to the 15th of October ? Does Government intend to inquire and find out the percentage of the loss of the cotton crop owing to this shortage of canal water-supply ? Does the Government contemplate giving remissions to that extent ?

Minister : My honourable friend's question is so wide that I should like to have notice of it.

Lala Duni Chand : Has not the Government considered the question of revising the old rules in view of the conditions prevailing now ?

Minister : My honourable friend may wait because there is another question on the subject which is coming up later.

Sardar Ajit Singh : Under the Kharaba Rules if an acre of land does not yield less than $1\frac{1}{2}$ maunds of cotton, no kharaba is given and at present $1\frac{1}{2}$ maund fetches very little price, i.e., only 6 rupees whereas the Government charges about Rs. 10 per acre which is a clear injustice. Therefore, does the Government contemplate revising the Kharaba Rules ?

Minister : I refuse to answer this question.

Sardar Ajit Singh : Why do you refuse ?

Minister : It is a hypothetical question.

**MUAFI FOR MAINTENANCE OF DARGAH HAZRAT KHAWJA MUSA
CHISHTI OF PALLAH.**

***3554. Chaudhri Sumer Singh:** Will the Honourable Revenue Minister be pleased to state—

- (a) whether it is a fact that before the settlement of 1877, the land revenue of Pallah and Takapur villages, tahsil Nuh, district Gurgaon, was a *muafi* to be utilized towards the maintenance of Dargah of Hazrat Khawja Musa Chishti of Pallah;
- (b) whether it is also a fact that this *muafi* was discontinued on the recommendation of the then settlement officer;
- (c) if the answers to (a) and (b) above be in the affirmative, the reasons for discontinuing the *muafi*?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): (a) No. There is no such village as Takapur in the Nuh tahsil of the Gurgaon district.

(b) and (c) Do not arise.

**COMMUNAL REPRESENTATION AMONG HONORARY MAGISTRATES AT
RAWALPINDI.**

***3555. Khan Muhammad Yusuf Khan:** Will the Honourable Premier be pleased to state—

- (a) the total number of honorary magistrates in the Rawalpindi tahsil and the number of honorary magistrates among them who belong to the agricultural classes from the urban as well as from the rural areas and who belong to the non-agricultural classes from the urban area as well as from the rural area;
- (b) whether it is a fact that the agricultural classes are not adequately represented in the above posts; if so, whether the Government intends to make up this deficiency; and if not, why not?

Parliamentary Secretary (Mir Maqbool Mahmood): (a) Nine. None of them are members of agricultural tribes, and all except one come from urban areas.

(b) The matter will be borne in mind when further appointments are made, provided suitable candidates are available.

Khan Muhammad Yusuf Khan: Will Government please give proper representation to the agricultural classes?

Parliamentary Secretary: I have already said that when new appointments are made Government will give due consideration to the claims of the agricultural classes provided suitable candidates are available.

Khan Muhammad Yusuf Khan: When are these appointments made?

Parliamentary Secretary: In some rare cases they are made only in the event of death of the present incumbents but ordinarily after five years the benches are liable to be reconstituted.

Mumshi Hari Lal: Is not the Government intending to abolish the system of honorary magistrates? (*Laughter*).

Chaudhri Sumer Singh: Is Government aware of the fact that the United Provinces Government have abolished the offices of honorary magistrates and appointed its own men in their places?

Parliamentary Secretary : I should like to have notice for that.

Mian Abdul Rab : May I know from the honourable member if there is no vacancy for a period of 10 years whether the agricultural classes will go unrepresented ?

Mr. Speaker : That is a hypothetical question and is, therefore, disallowed.

**ELECTION OF SENIOR VICE-CHAIRMEN OF DISTRICT BOARDS AND
RIGHT OF VOTE.**

***3556. Khan Muhammad Yusuf Khan :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether there is a large number of district boards in the province wherein the nominated members have no right of voting for the election of the senior vice-chairmen ; if so, the number of such districts and the considerations responsible for such conditions ;
- (b) whether the nominated members in the Rawalpindi District Board have the right to vote for the election of its vice-chairman ; if so, on what grounds ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) and (b) Every member of a district board in the Punjab whether elected or appointed has a right to vote for the election of the vice-chairmen.

INDER PALL, LAHORE CONSPIRACY CASE PRISONER.

***3557. Sardar Kishan Singh :** Will the Honourable Finance Minister be pleased to state—

- (a) whether it is a fact that Inder Pall, Lahore Conspiracy case prisoner, is suffering from paralysis ;
- (b) whether the Government has received any representation from Inder Pall's wife regarding his miserable condition in the jail ;
- (c) whether under the circumstances the Government proposes to release the above-named prisoner ; if so, when, and if not, why not ;
- (d) whether the aforesaid patient is treated in the jail hospital and whether or not it is proposed to send him to the Mayo Hospital, Lahore, for better treatment ?

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

(b) Yes.

(c) His case is under the consideration of Government.

(d) He is being treated in the Jail Hospital. The advice of the Mayo Hospital Specialists has been taken and a further examination will be made shortly.

Diwan Chaman Lall : Will he further have him examined ?

Minister : The patient is suffering from a certain malady, thrombosis or paralysis. I hope my honourable friend would not wish me to go into the details of the causes of the paralysis.

Diwan Chaman Lall : What action is Government going to take in view of the fact that he is suffering from paralysis ?

Minister : So far as this is concerned may I inform the honourable member that I went to the jail myself the other day and saw what his condition was. His condition apart from the paralysis is not so bad as the honourable member probably thinks. His general condition is quite good.

Diwan Chaman Lall : Are any special steps being taken for his treatment ?

Minister : I think my honourable friend would not like me to go into details of the treatment but I have satisfied myself that he is given the most appropriate treatment.

SHORT NOTICE QUESTIONS AND ANSWERS.

LAND REVENUE.

1. **Rai Bahadur Lala Gopal Das :** Will the Honourable Revenue Minister be pleased to state in what districts sliding scale has been applied to land revenue in view of the marked depreciation of agricultural produce of both *rabi* and *kharif* ?

The Honourable Dr. Sir Sundar Singh Majithia : The sliding scale system of assessment has been applied to land revenue in the following districts or parts of districts, which came under reassessment recently :—

<i>District or tract.</i>	<i>Harvest from which the sliding scale was applied.</i>
1. Lower Bari Doab Colony (Okara and Montgomery tahsils of Montgomery and Khanewal tahsil of Multan district).	Rabi 1934.
2. Lyallpur district and Rakh Branch colony circle of Sheikhpura district.	Kharif 1936.
3. Nili Bar colony (Montgomery and Multan district areas on the Sutlej Valley Project Canals).	Rabi 1937. (This colony has not been re-assessed, but sliding scale remissions are allowed on the Lower Bari Doab Colony standard).

The Lahore and Amritsar districts are under re-assessment and the sliding scale will be applied to them from the date of introduction of the new assessment.

ASSEMBLY CHAMBER.

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

- (a) the total cost incurred on the New Assembly Chamber building ;
- (b) the amount paid as remuneration to the designers ;
- (c) whether the design of the Chamber was approved by the Cabinet ;
- (d) whether the Honourable Speaker was consulted about the design before it was finally approved ;
- (e) whether any instructions were issued to the contractors not to use any such material as was available in India ;
- (f) whether it is a fact that even the bricks used for fire places in different rooms have been imported from outside India ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) The total cost of constructing the new Assembly Chamber building is Rs. 18,61,470. This is apart from the cost of numerous additional items of work that have been asked for since the building has been occupied.

(b) Nil.

(c) No. The design was prepared before the new Government came into existence.

(d) The Honourable Speaker actually signed the plans.

(e) No. Only such material that was not available in this country was imported.

(f) Fire-bricks used for only some of the fire places were imported as these were not available in India.

Mian Sultan Mahmood Hotiana : May I enquire from the Honourable Minister as to how much expenditure has been incurred on the Chamber itself ?

Minister : That I cannot give off-hand. An approximate idea can be given if the honourable member would give notice.

Begum Rashida Latif Baji : What possible solution would be evolved when the strength of the House will be increased ?

Minister : When that situation arises, the matter will be considered.

Begum Rashida Latif Baji : While spending this big amount of Rs. 18 lakhs why was not consideration for future extension kept in view ?

Lala Deshbandhu Gupta : Is it a fact that it was pointed out to the Government at that time, that this type of Chamber was not suitable for the purpose of the Assembly ?

Minister : Will the honourable member repeat his question ?

Lala Deshbandhu Gupta : Is it a fact that it was pointed out to the Government at that time that this type of Chamber was not suitable for the purpose of a Provincial Assembly ?

Minister : Not to my knowledge.

Diwan Chaman Lall : Was the Honourable Minister aware of the defects of acoustic qualities of this Chamber ?

Minister : I think the honourable member was hearing me distinctly. I have never heard complaints about the acoustic arrangements of the Chamber.

Diwan Chaman Lall : Did not the Honourable Minister, just before he answered my question, ask my honourable friend to repeat his question ?

Is he aware that accommodation provided in this Chamber is not of a satisfactory nature ?

Minister : It is very satisfactory compared with other houses of legislature, especially the House of Commons ?

Mian Sultan Mahmood Hotiana : Did the Government obtain expert opinion before approving the plan ?

Minister : I have already said that the present Government did not approve of the plan. We got it as a legacy from the last Government.

Lala Deshbandhu Gupta : Was the Honourable Premier not one of the members of the Government at that time ?

Premier : I was on the Reserve Bank when this plan was sanctioned. When I returned and saw the plan—and the Secretary of the Assembly will bear me out—I strongly protested against the shape of the Chamber, but it could not be set right.

Lala Deshbandhu Gupta : Was it not possible for the present Government after taking office, to make at least some suitable alterations at that stage ?

Minister : The construction had gone ahead and a lot of expenditure had been incurred. So, it was not possible to do so.

Mian Sultan Mahmood Hotiana : Did the Honourable Speaker approve of the plan of the new Chamber ?

Minister : He not only approved but signed the plan.

Lala Deshbandhu Gupta : Is the Government aware of the difficulties of the press gallery people in as much as they are not able to follow the debates and further that the room provided is very inadequate ?

Minister : I have not heard any complaints. If they are brought to Government's notice they will be considered.

Lala Deshbandhu Gupta : Have you not seen it in papers ?

Diwan Chaman Lall : Was the Honourable Minister aware, when he answered my question regarding unsatisfactory nature of accommodation, whether the House of Commons was built more than a century ago, whereas this Chamber was built only the other day ?

Minister : In the House of Commons, there is a provision for about 400 seats for over 600 members, but we here, not only have one seat for every member, but there are extra seats too.

Dr. Shaikh Muhammad Alam : Was the Honourable Minister aware of the views of the Honourable Premier, when he was answering a question, that the Honourable Premier was not satisfied with the new Chamber ?

Premier : What I said was that I protested against the shape of the Chamber and the seating accommodation for several reasons, but it could not be altered because the basement began in 1935. When I returned the whole thing was ready.

Dr. Shaikh Muhammad Alam : I have no objection to that but was the Honourable Minister aware of your views, when he answered the question, that you were not satisfied with the shape and other things ?

Dr. Sir Gokul Chand Narang : Is the Honourable Minister aware that fire-bricks required for boilers have been manufactured in India for many years and does he know that the temperature in the boiler houses is far more than in those fire-places which are provided in the Chamber ?

Minister : This is information given, of course, but according to my information a particular type of bricks was required which are not available here.

Diwan Chaman Lall : What was the original estimate of the construction of this Chamber ?

Minister : I require notice for that.

Diwan Chaman Lall : Is it a fact that the original estimate is exceeded by several lakhs ?

Minister : Yes. That was also approved by the last Government ?

Mian Abdul Rab : May I know the number of seats provided in the visitors' gallery in this hall ?

Minister : I would suggest that the honourable member may go up and count them.

Mian Abdul Rab : Is the Honourable Minister aware of the fact that the number of seats provided for visitors are not sufficient ?

Dr. Shaikh Muhammad Alam : May I conclude from the reply of the Honourable Minister that he does not know the number of seats in the gallery ?

Mian Muhammad Iftikhar-ud-Din : Does the Honourable Minister know, firstly, that there is a limited number of seats and more people are not allowed to go up and secondly, does he know that the seating arrangement is most unsatisfactory ?

Premier : There are 80 seats at the moment and it is proposed to have a third row with 50 more seats.

Mian Muhammad Iftikhar-ud-Din : Is he aware of the fact that the seats are most uncomfortable and nobody can see the proceedings ?

Minister : I think the proceedings can be heard and seen because I see all the faces from here.

Mian Muhammad Iftikhar-ud-Din : Has the Honourable Minister ever been to the visitors' gallery ?

Minister : Yes.

Khan Bahadur Captain Malik Muzaffar Khan : Is it a fact that Dr. Sir Gokul Chand Narang was the Minister incharge when the plan of the new Chamber was prepared ?

Dr. Sir Gokul Chand Narang : No.

Dr. Shaikh Muhammad Alam : May I know if the Government is considering the question of demolishing this Chamber and making a new one?

Minister : If the honourable member will make a representation in that connection it will be considered. But it will involve a huge amount and it will be waste of public money.

Chaudhri Krishna Gopal Dutt : Is it a fact that correspondents of different newspapers are not allowed to enter the lobbies? They have been refused passes for entering the lobbies.

Premier : Nobody is allowed to enter the lobbies except the members of the House.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Did the Honourable Speaker, while approving the plan, consult anybody or did he sign it on his own responsibility?

Dr. Gopi Chand Bhargava : On a point of order, Sir. Can any question be put about the action of the Honourable Speaker?

Dr. Shaikh Muhamad Alam : In view of the answer given by the Honourable Minister that he would consider the advisability of demolishing the Chamber if a representation is made, may I know what sort of representation he wants?

Mian Sultan Mahmood Hotiana : Is there any difference between a restaurant and the Assembly Chamber?

Mr. Speaker : Disallowed.

Sardar Sohan Singh Josh : Is the Government aware that Sardar Harcharan Singh, a press reporter, was asked to leave the lobby?

Minister : The question whether a particular gentleman was asked to leave the lobby has nothing to do with the cost or the shape or the foundation of the Chamber.

Mr. Speaker : I would request the Honourable Minister not to answer questions until they are allowed.

Minister : When a question is put and you do not stop the questioner, I have to presume that you allow it.

Lala Deshbandhu Gupta : Are Government prepared to make enquiries as to how to remove the defects in the House and the visitors and the Press Galleries as far as it is possible to do now?

Minister : Certainly. We have been considering that question already. If there are suggestions by which the accommodation can be increased or improvements made they will be very carefully considered.

Mian Abdul Rab : May I know from the Honourable Minister whether in view of the unanimous condemnation of this Chamber Government is considering the desirability of consulting a few members of this House to know what alterations are necessary?

Mr. Speaker : That is a request for action.

Diwan Chaman Lall : Is the Honourable Minister prepared to consider the desirability of setting up a committee to go into the matter?

Minister : I have already replied that if there is any useful suggestion, Government will consider it.

Diwan Chaman Lall : Has the Government decided to set up a committee of members of this House to go into this matter ?

Minister : No such decision has been arrived at as yet.

Mr. Dev Raj Sethi : Your reply to part (b) was that no remuneration was paid to the designers. Do I understand that no designers or architects were consulted ?

Minister : The Chamber was designed by the Government Architect. It was he who prepared the plans. He is no more in service ; he has gone home.

Pandit Bhagat Ram Choda : May I ask whether the accommodation in the galleries is kept limited so that only a limited number of people should come and watch the doings of the Unionist Party ?

Mr. Speaker : Disallowed.

Lala Deshbandhu Gupta : Are Government aware of the difficulty which my friends like Mian Mushtaq Ahmad Gurmani experience in passing through the gangway ? (*Laughter*)

Lala Duni Chand : In view of the admitted shortcomings of the previous Government has the present Government ever considered the question that this Chamber could be built more economically, and if so, how much loss has the Government suffered thereby ?

Mr. Speaker : Not allowed. The next question.

BHAKRA DAM SCHEME.

3. **2nd-Lieutenant Bhai Fateh Jang Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) in detail the stage at which the Bhakra Dam Scheme has reached ;
- (b) the time which will be needed to complete the Scheme ?
- (c) the district it is designed to benefit and the extent to which they will be benefited ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) and (b) Attention of the honourable member is invited to the reply already given in part (a) to the question No. 3449¹ (starred).

(c) The scheme is designed to give irrigation to areas where there is no irrigation at present in the South-East Punjab including the districts of Hissar and Rohtak.

I may tell my honourable friend that up to this time we have been negotiating with the Bilaspur State and the Government representatives are going to see His Highness the Raja Sahib of Bilaspur on this question. It is also to be kept in mind that the question of giving lands in exchange for the land that we are to take for the dam requires further consideration. From this point of view, namely whether the Raja Sahib of Bilaspur would accept land or cash compensation, that also depends upon the consultation.

[Revenue Minister.]

which is going to take place in December next. As regards the places that are to be irrigated by the Bhakra Dam Scheme, generally speaking the areas in the Eastern part of the Punjab are at present suffering from severe conditions of famine and will receive the first consideration. I cannot at this stage give any further details as to what other areas are to be benefited by the scheme.

Sardar Kapur Singh : Will the Honourable Minister please state whether the Samrala tahsil is included in the east area of the Ludhiana district ?

Minister : I am afraid I cannot add anything more to what I have said.

Khawaja Ghulam Samad : Cannot Government find any suitable site for erecting the dam in the British territory itself ?

Minister : I may tell my honourable friend that the first consideration is regarding the Bhakra Dam on which Government has spent a very large sum of money. Government is not going to see that that money so far spent is going to waste but if we do not succeed in constructing the dam at Bhakra, naturally other sites will be considered. The Wylie Committee went into the whole affair and submitted to Government a big report in which many other sites have been suggested where dams could be built. This would be considered after the present question has been decided.

Rai Bahadur Mr. Mukand Lal Pari : Do the Government expect that the difficulties pointed out by the Honourable Minister will be overcome in a reasonably short time ?

Minister : I have already stated that the matter is being expedited in the interest of the province.

2nd-Lt. Bhai Fatehjang Singh : What time will the Government need to complete the scheme after it is once started ?

Minister : I cannot say definitely because I am not an engineer, but according to the report it will take three or four years to build it.

Sardar Sohan Singh Josh : May I ask how much more time the negotiations will take ?

Dr. Sir Gokul Chand Narang : When was the correspondence with the Bilaspur State started ?

Minister : It was started several years ago and the matter is being pushed through now since the return of His Highness from England.

Khawaja Ghulam Samad : Has the Government received any satisfactory reply from the Raja of Bilaspur ?

Minister : I have already informed the House that we have received a reply from His Highness the Raja Sahib of Bilaspur that representatives of the Punjab Government should reach Bilaspur to discuss this matter in December.

Sardar Sohan Singh Josh : Is it a fact that an Honourable Minister gave a promise in Rohtak that work on the scheme will be started in the near future ?

Mr. Speaker : Disallowed.

Sardar Sohan Singh Josh : What was said in Rohtak, was it merely party propaganda ?

Mr. Speaker : Disallowed.

Premier : May I suggest to the honourable members that the matter is a very delicate one. Therefore they should not probe further into the details of the case. The negotiations have to be of a very delicate nature. Therefore I request that the members should not go further into the details. We are doing our best to expedite the matter.

Dr. Sir Gokul Chand Narang : May I ask if it has been considered whether it would not be better to have several smaller dams rather than one big one ?

Minister : That problem has been considered before and will be considered again, if necessary.

UNSTARRED QUESTIONS AND ANSWERS.

507—09.—*Cancelled.*

DAMAGE TO PADDY CROPS IN KANGRA DISTRICT.

510. Captain Dina Nath : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that hailstorms visited Kangra district recently and caused a great damage to the paddy crops ;
- (b) if answer to (a) above is in the affirmative, what steps the Government have taken to give relief to the zamindars of the affected area ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, paddy crops in only 21 tikas of Kangra tahsil were somewhat damaged.

(b) The question of granting relief is under consideration.

REPRESENTATION OF HINDU AGRICULTURISTS IN IRRIGATION DEPARTMENT.

511. Captain Dina Nath : Will the Honourable Minister of Revenue be pleased to state—

- (a) number of gazetted Hindu statutory agriculturists in the Irrigation Department in class I and II services ;
- (b) the action the Government intends to take to give Hindu statutory agriculturists adequate representation in the services mentioned in (a) above ?

The Honourable Dr. Sir Sundar Singh Majithia : The honourable member is referred to the consolidated statement for 1938 which will give him the information he seeks. Government is always ready to make up inequalities and does so as and when an occasion arises for taking action.

**CATTLE POUND AT HISSAR AGRICULTURAL FARM AND FINE REALIZED
FROM THE CATTLE IMPOUNDED.**

512. Dr. Gopi Chand Bhargava : Will the Honourable Minister of Development be pleased to state the number of cattle admitted into cattle pound attached to the Hissar Agricultural Farm during the months of August, September and October, 1938, and the fine realized thereon?

The Honourable Chaudhri Sir Chhotu Ram : A statement giving the requisite information is laid on the table.

Statement showing the number of cattle admitted into the Cattle Pound attached to the Government Cattle Farm, Hissar, during the months of August, September and October 1938 and the amount of compensation, in lieu of damages done, realized thereon.

Month.	Number of animals impounded.	Compensation realised.	Pound fees credited to Municipal Committee.
1	2	3	4
		Rs. A. P.	Rs. A. P.
August 1938 ..	<div> <div>From Bir .. 11</div> <div>From Cultivation .. 5</div> </div>	46 8 0	9 8 0
September 1938 ..	<div> <div>From Bir .. 58</div> <div>From Cultivation .. 28</div> </div>	240 10 0	36 0 0
October 1938 ..	<div> <div>From Bir .. 10</div> <div>From Cultivation .. 8</div> </div>	(a) 38 6 0	6 12 0
Total ..	<div> <div>From Bir .. 83</div> <div>From Cultivation .. 42</div> <div>125</div> </div>	325 8 0	..

(a) 5 Cattle which were impounded during the month of October, 1938, not yet released, have been excluded.

GRIEVANCES OF KISSANS AT THE HANDS OF THE ODES.

Mr. Speaker : I have received the following notice from Pandit Muni Lal Kalia :

That permission may be given to raise a debate on the grievances of Kissans at the hands of the odes—a matter of urgent importance which has been the subject of question No. *3543.

Has the honourable member the leave of the House?

The leave was refused.

MOTIONS FOR ADJOURNMENT.

ADDITIONAL POLICE IN CHANAWAL.

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, the quartering of additional police force in village Chanawal, in police station Sehna, district Ludhiana which is very harsh and quite uncalled for under the present circumstances when the village is in the grip of a severe famine and the absconding dacoit from Chanawal has recently been shot down.

My submission in this case is that it is not only the quartering of additional police but the defective administration of the police which was responsible for the commission of so many dacoities in that area that I want to discuss and for the present even the dacoits and those desperados and other absconders have been shot down. There is no necessity to burden the villagers. There could be some excuse three years ago when these absconders were roaming about. It was also due to the defective administration of the police that these absconders were not handled and were not arrested. When notice of another adjournment motion was given in the Simla session, an assurance was given by the Premier that steps were being taken to handle these dacoits and other absconders and in the meantime those people have all been shot down. At the time when there was need for it the Government did not come forward. Now when there is no situation of that kind and there is no dacoit there, orders have been communicated that the police should be posted and the villagers should be burdened to the extent of something like Rs. 50,000. This is a matter of public importance and permission may kindly be given to move the motion.

Mr. Speaker: It is merely an individual grievance. Therefore I disallow the motion.

ADDITIONAL POLICE IN CHUHAR CHAK.

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, the quartering of additional police force in village Chuhar Chak, Police Station Mehna, district Ferozepore, home village of Sardar Bur Singh, M. L. A. is, very harsh and quite uncalled for under the particular circumstances that no abnormal situation has arisen for the last one year.

There have been good many disputes and some people have been involved in certain riots during the last few years. But all these things happened long ago and in a case like this where the events are due to the mal-administration of the police it is not the poor villagers who should be burdened. This is not an individual case but involves a larger issue. The whole population has been burdened.

Mr. Speaker: Criticism of my ruling is not permitted. My reasons for disallowing this motion are exactly the same as given already on the previous motion.

Sardar Lal Singh : On a point of order. Notice of the previous adjournment motion was sent by Mr. Kalia and myself and you were pleased not to allow me to say anything on it.

Mr. Speaker : Yes. I did not. The honourable member is not entitled to speak.

INTERNMENT OF BHAGAT SINGH, BHUJA SINGH, BALWANT SINGH
DUKHIA AND HARBANS SINGH.

Master Kabul Singh : I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the internment order passed against political workers Bhagat Singh, Bhija Singh, Balwant Singh Dukhia and Harbans Singh.

2 P.M.

Mir Maqbool Mahmood : I rise to a point of order. If one order was passed against all these persons, then we have already discussed the adjournment motion the other day. If the orders are separate in the case of these persons, then the motion does not relate to one specific matter and is therefore out of order.

Mr. Speaker : I disallow the motion.

FAILURE OF POLICE TO TAKE ACTION AGAINST MOB VIOLENCE AT
ROHTAK.

Pandit Shri Ram Sharma : 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 Rohtak police to take any action whatsoever on several reports, including one by me, in connection with the mobviolence that broke out on the 7th October last at Rohtak in the procession of Sir Sikander Hyat-Khan, the Premier and Sir Chhotu Ram, the Minister for Development.

(Urdu) : Sir, in connection with the adjournment motion that I have given notice of, I may be allowed to observe that on 7th October, 1938, a riot took place at Rohtak in the procession of the Honourable Premier and Sir Chhotu Ram and lawlessness prevailed to such an extent that several shops were looted and injuries caused to a number of persons. It is a thousand pities that the police took no notice of this general disorder. Not only that. When as many as 12 different cases were duly reported to the police, even then no action was taken by the police of these heinous crimes committed in broad day light at Rohtak. The district police is seriously to blame for their failure to bring the culprits to book. If such serious acts of looting and rioting go un-noticed by the police of a district and if the Government were also to sleep over such a glaring failure of the police in performing their duty, the teeming millions will lose all their confidence in the present administration of the Punjab. Again, the police of other districts will also become slack and a general disorder will prevail in the whole of the province. It is very strange indeed that the police should have taken no notice of the reports that were duly given by certain members of the public. Further, I may be allowed to observe that the adjournment motion in question fulfils all the necessary conditions because it relates to a recent and definite matter of public importance.

Mr. Speaker : Against whom did the honourable member complain ?

Pandit Shri Ram Sharma : Against the police of Rohtak.

Mr. Speaker : Against any particular police officer ?

Pandit Shri Ram Sharma : Against the whole of the police administration in Rohtak.

Mr. Speaker : Did the honourable member make any representation ?

Pandit Shri Ram Sharma : Yes.

Mr. Speaker : To whom was the representation made ?

Pandit Shri Ram Sharma : To the officer in charge of the police at Rohtak.

Mr. Speaker : Does the honourable member contend that that officer did not care for his representation ?

Pandit Shri Ram Sharma : Yes, he did not care.

Mr. Speaker : Did the honourable member complain to the Superintendent of Police ?

Pandit Shri Ram Sharma : Yes, I approached the Superintendent of Police.

Mr. Speaker : Did he approach the district magistrate ?

Pandit Shri Ram Sharma : No.

Mr. Speaker : Did he approach the Deputy Inspector-General or the Inspector-General of Police ?

Pandit Shri Ram Sharma : No. It is not my business to be going to every officer.

Mr. Speaker : May I know exactly the name or even the designation of the officer or officers concerned ?

Pandit Shri Ram Sharma : The officer incharge of the police station, Rohtak, and he must be the local sub-inspector, and—

Mr. Speaker : The complaint is against an individual, so disallowed.

FAILURE OF MONSOON AND CONSEQUENT FAMINE CONDITIONS.

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 failure of the Government to meet the situation that has arisen in the Punjab owing to the virtual failure of monsoon during the last months of August and September and the resulting famine conditions and consequences.

Last time when I brought forward a similar motion you were pleased to rule it out of order on the ground that the failure of the Government was not mentioned in so many words. In this motion I have removed that defect. I have expressly mentioned the failure of Government. I submit that it is not only in Hissar that famine is raging. The famine conditions are acute in other districts also. Here we have got representatives from all the districts and they will be able to explain the conditions in their districts.

Mr. Speaker : The honourable member is now discussing the merits of the motion which he should not do.

Lala Duni Chand : What the House is called upon to consider is whether there are famine conditions in the districts and if there are, whether Government has discharged its duty by the people affected by those famine conditions. Certainly that is a matter of great urgent and definite public importance and I shall be able to show that to-day there are lakhs of people in this province who are starving and lakhs of people who are sleeping under the heavens without any clothes.

Mr. Speaker : The honourable member is again discussing the merits of the motion.

Lala Duni Chand : There are at least thousands of people who do not get even healthy drinking water.

Mr. Speaker : I disallow the motion.

POLICE INVESTIGATION OF THE MURDER OF HABIBULLAH.

Khawaja Ghulam Samad (Southern Towns, Muhammadan, Urban): Sir, I beg to ask for leave to move a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the cold blooded murder of one Habibullah *alias* Bulla, a Jat of Jajjar and a new convert to Islam in broad daylight and the responsibility of the Government in not taking the investigation in hand promptly and doing it only callously, indifferently and reluctantly.

Mr. Speaker : As the motion relates to an individual grievance, it is out of order.

Diwan Chaman Lall : There is a matter of principle involved in it.

Mr. Speaker : I have given my ruling.

Khawaja Ghulam Samad : I could not hear your reasons. I want to know the reason assigned for disallowing the motion. It affects the Muslim public in general.

Mr. Speaker : As stated the motion relates to an individual and therefore I disallow it.

Khawaja Ghulam Samad : The motion is not in regard to an individual; It affects the whole of the Muslim community and their main religious principle of Tabligh.

Mr. Speaker : I have given my ruling and the matter ends there. The honourable member has no right to criticise my ruling.

Khawaja Ghulam Samad : With due deference to your ruling I want to make a submission that this murder has been committed to put an obstacle in the way of Tabligh and to frighten those who want to adopt Islam and the motion does not relate to an individual but to the whole Muslim community.

Mr. Speaker : The honourable member is not allowed to speak on my ruling.

PUNJABIS IN BURMA.

Sardar Lal Singh ((Ludhiana Central, Sikh Rural) : Sir, 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 failure of the Punjab Government to enquire into and inform itself of the plight of the Punjabis in Burma as a result of the widespread rioting, blood-shed and arson in that country.

It is a matter of common knowledge that reports were received from Burma of widespread blood shed and destruction of several mosques and dozens of murders and of the fact that there was a strict censorship on the news from that country. It was learnt from the Premier the other day on the floor of this House that the Punjab Government has not taken any steps to inform itself of—

Premier : The honourable member is under a misapprehension. I said nothing of that sort.

Mr. Speaker : Let him finish.

Premier : He is basing his statement on something which I never said.

Sardar Lal Singh : It was learnt only the other day on the floor of this House that the Punjab Government had not taken the trouble to inform itself as to what had happened to the thousands of Punjabis in that country and it would not care to inform itself whether any Punjabis had suffered. As a matter of fact I know that on the very first day of the riots a Punjabi police constable on traffic duty was murdered in broad day light and I know that several Punjabis have had to leave their houses and properties at the mercy of the looters and run away from that country and take shelter elsewhere, in jails or police stations or with friends. In Rangoon, several mosques, as I said, have been demolished and razed to the ground. It is really strange for the Premier to say that there are no Punjabis or that he does not know that there are Punjabis in Burma, while he knows that the military police and army there is mainly recruited from amongst the Punjabis and they were helpless to defend those very people. I say it is a matter of great negligence on the part of the Punjab Government (*Premier :* He is saying something which is not a fact) to interest itself in matters of Palestine and countries far from here and not to appraise itself of the trouble of people who are actually recruited from the Punjab and are taken away from this place. It is a thing requiring the earnest consideration of this House.

Mr. Speaker : The honourable member is now discussing the merits of the motion.

Sardar Lal Singh : I am showing the importance of the subject and the great negligence of the Punjab Government in looking to the interests of its own subjects. I would add one word. I am not pressing this motion for the simple reason that I know the mentality of the Unionist Government and it would create a very bad impression, it would give the Punjabis of Burma a bad impression if this motion was rejected or disallowed. I would simply ask as a favour from the Premier whether he is now prepared to

[S. Lal Singh.]

make enquiries and put in a word for compensation for the losses that the Punjabis have suffered in Burma because there is an Enquiry Commission sitting at the time.

Premier : The somewhat rambling and confusing speech which was wholly based on something which does not exist and only exists in the imagination of my honourable friend, was not quite clear to me. My honourable friend is wholly incorrect in making an attempt to move an adjournment motion on the score that the Punjab Government had not taken the trouble to inform themselves about the situation in Burma with particular reference to the Punjabis and I am not surprised because this is not the only adjournment motion which has been moved on a ground which does not exist, but several other similar motions have during the present session been moved. It is only one of the tactics used by my friends opposite. (*Interruptions*). Let me finish. I did not interrupt you and I would not let you interrupt me like that. (*Interruption*). My honourable friend is perhaps not aware that when the question of relief arose, I saw a deputation which came from Burma. They saw me and I made enquiries from them myself and I also asked the Government of India that in case any relief from the provincial Governments was necessary they should inform us and that we will be glad to afford relief not only to the Punjabis, but, if need be, to Indians as a whole. (*Hear, hear*). I might also inform my honourable friend that I have written to the Government of India to enquire whether any Punjabis have suffered and also to furnish me with their names and the amount of compensation they have claimed. That reference has been made to the Government of India.

Diwan Chaman Lall : Was it not done before this House met ?

Premier : I also asked my honourable friend the other day that if he has got any individual there, he should let me know at once so that I may make enquiries about him also. If after all this my honourable friend wants to move an adjournment motion on purely imaginary and fictitious grounds, I think it is very unfair to this House and especially to us that an insinuation should be cast where no cause of grievance exists at all. (*Interruption*.)

Lala Deshbandhu Gupta : Does he remember the reply he gave the other day ?

Diwan Chaman Lall : When he gave a reply in this connection the other day, why were all these facts not placed before the House on that particular occasion ?

Premier : I am afraid either I was not quite clear or I was misunderstood. All I asked my honourable friend the other day was that if he gave any instance I would make enquiries. He asked whether any compensation had been paid to the Punjabis. I did not know whether any Punjabis had suffered and, therefore, how could I answer that the compensation had been given or Government had taken any steps ? But so far as the Government is concerned, we referred the matter to the Government of India and asked them to make enquiries. That was before this House met. We have not received any reply so far. (*Interruption*).

Diwan Chaman Lall : These riots took place a long time ago. Surely he had time and he could get the necessary information during this period. He could make enquiries whether Punjabis were affected or not.

Premier : If my honourable friend would allow me to repeat what I said, I saw a deputation which came from Burma. That was some time in September or end of September. They came to see me and related to me the whole story. I need not go into that story now. After that I enquired from the Government of India whether any relief was necessary because I was told that there were several destitute Indians who could not be repatriated or be sent to their homes from Calcutta because they had no funds and I asked them whether the provincial Governments were required to contribute towards their relief and if necessary we should be informed so that we could make a contribution not only for the Punjabis but other Indians as well. I did not specify the Punjabis alone but Indians as a whole. The Government of India and I also, later on, made enquiries with regard to the Punjabis who had suffered, with a view to get correct information as to the losses suffered so that we could put in a claim for compensation with the Government of India.

Sardar Lal Singh : May I ask whether the Honourable Premier has got any record of what was said by this deputation? (*Interruptions.*)

PANCHAYAT OFFICERS.

Chaudhri Kartar Singh : I beg to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance namely, the recent arbitrary discharge of 19 panchayat officers by the Government.

Shaikh Faiz Muhammad : I object to the motion being moved.

Premier : The position as I understand is this. There is no question of any dismissal or discharge. There were certain temporary panchayat officers appointed some of whom were in Government service. Those who were in Government service have been asked to revert to their substantive appointments. With regard to others, those whose work was considered to be unsatisfactory were given notice under the rules that their services would no longer be required. This is merely a temporary service. That is all.

Chaudhri Kartar Singh : Sir, my object in asking leave for moving this motion is to censure the administrative policy of the Government. It is a matter of regret that the Government is bringing about unheard of changes by its defective administrative policy which would undoubtedly affect the future of the province.

Dr. Sir Gokul Chand Narang : May I ask one thing from the premier. He was pleased to say that out of these officers there were some Government officials and they had been reverted to their original posts. Out of the rest those incompetent were dismissed or have been given notice of discharge and some have been retained. May I know how many have been retained out of 19? Is it not a fact that only two have been retained?

Minister for Public Works : Notices have been served on 16 out of 21 who were found incompetent.

Dr. Sir Gokul Chand Narang : Out of the remaining five some have reverted to their posts.

Minister : Out of these 16 a large number would have to revert to their original posts : there will be a few who will have to seek other employment.

Dr. Sir Gokul Chand Narang : What is the number of those who have been turned out?

Minister : I do not think that has anything to do with the admissibility of the motion.

Dr. Sir Gokul Chand Narang : Either the Minister should not make a statement or when he makes a statement he should take us into his confidence and give us the information which is readily available to him at present. My simple question is how many have been retained out of the unfortunate panchayat officers?

Minister : I cannot give you the figures off-hand.

Dr. Sir Gokul Chand Narang : Is it not only two?

Minister : May be.

Mr. Speaker : I will not allow the merits of the case to be discussed at this stage. Chaudhri Kartar Singh asks for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the recent arbitrary discharge of 19 panchayat officers by the Government.

Shaikh Faiz Muhammad : I object to it. I submit that the action that has been taken by the Government has been taken under certain statutory rules.

Mr. Speaker : Is the honourable member making a speech?

Shaikh Faiz Muhammad : I rose on a point of order regarding the admissibility of this motion.

Mr. Speaker : If the honourable member will read rule 43, he will find that unless I consider an adjournment motion to be in order, I have not to read it. If in my opinion it is in order, I read it out and ask if anybody has any objection. I think the motion relates to an urgent matter : it is of public importance, it is definite and not indefinite. I do not know the merits of the case, but the motion is in order.

Dr. Gopi Chand Bhargava : You have already ruled the motion to be in order.

Mr. Speaker : Yes, I have already ruled it to be in order. Those who are in favour of leave being given will please rise in their seats.

(As more than 35 members rose in their seats leave was granted and Mr. Speaker fixed 5 o'clock today for the discussion of the motion.)

MOTION RE ASSEMBLY BUSINESS—EXEMPTION FROM RULES OF PROCEDURE.

Premier : Sir, I move—

That the proceedings on the item—consideration of the new clauses proposed to the Punjab Agricultural Produce Markets Bill—be exempted on this day's sitting from the provisions of the rule "sitting of the Assembly".

Mr. Speaker : The motion, which is moved under rule 12 (c) is—

That the proceedings on the item—consideration of the new clauses proposed to the Punjab Agricultural Produce Markets Bill—be exempted on this day's sitting from the provisions of the rule "sitting of the Assembly."

Diwan Chaman Lall : All I ask is what made my honourable friend move this motion? What is in his mind? What does he want to do? I think he owes it to the House that he should explain it.

Mr. Speaker : The object apparently is that the House will discuss the so-called new clauses up to 5 o'clock. Thereafter the House will discuss the adjournment motion. After the adjournment motion, members shall again meet and continue to sit until all the new clauses are disposed of.

Diwan Chaman Lall : On a point of order. The rules specify list of business. The list specified by my honourable friend in the motion he has made is the Punjab Agricultural Produce Markets Bill.

Premier : New clauses moved to the Agricultural Produce Markets Bill.

Diwan Chaman Lall : I take it my honourable friend wishes to have a night sitting. Is that the intention?

Premier : Yes.

Diwan Chaman Lall : My honourable friend might have been well advised to consult the Leader of the Opposition as I suggested only the other day. Methods of this nature adopted by my honourable friend display a very dictatorial mentality. I think he ought to have consulted the convenience of this House by consulting members of the various parties.

Premier : I warned the House yesterday that if dilatory tactics or obstruction is continued then it will be necessary for us to sit late.

Diwan Chaman Lall : On a point of order. I object to the expression used by the Premier as an insult to the House. Nobody has been guilty of obstructionist tactics. My honourable friend ought to know that this is an important measure which needs complete and full discussion on the floor of the House. It affects the entire province. Nobody can dare allege that anyone on this side has been guilty of obstructionist tactics.

Premier : We have taken two hours on questions instead of one usual hour which is allowed for that purpose and now 10 minutes more have been taken, and yet my honourable friend has the audacity to say that they are not taking more time than is allowed under ordinary rules. As a matter of fact, during the past 4 or 5 days you will have noticed that Government has had only a few minutes every day for their business and yet my honourable friend gets up and says that no wastage has taken place.

Rai Bahadur Mr. Mukand Lal Puri : Has there been any obstruction so far as the Punjab Marketing Bill is concerned?

Dr. Sir Gokul Chand Narang : May I ask the Honourable Premier which part of the proceedings of to-day was intended deliberately to waste the time of the House?

Premier : Am I expected to answer all these inquisitive questions like this?

Mr. Speaker : This motion will be decided without amendment or debate.

Dr. Sir Gokul Chand Narang : What is the object of the Honourable Premier ?

Premier : My object is to expedite the Government business.

Dr. Sir Gokul Chand Narang : Yes, but within reasonable limits, having full regard to the rights of those who are here to safeguard the interests of those whom they represent. If the Government is anxious to carry on their business we are also anxious to do our duty here.

Premier : Sir, are we going to have a discussion on this motion ? The rule says, 'No', but still you are allowing it.

Mr. Speaker : No speech is allowed. There is only one point which I want to make clear, if possible. The rule says :—

"A motion may be made by a Minister at the commencement of the business for the day to be decided without amendment or debate to the following effect :—

"That the proceedings on any specified item of business be exempted at this day's sitting....."

Which is that specified item ?

Premier : Does singular include plural or not ?

Mr. Speaker : Yes.

Premier : Then I submit that new clauses which have been moved should be finished to-day.

Diwan Chaman Lall : The specific item on the agenda is the Punjab Agricultural Produce Markets Bill. There is no such thing as new clauses on the agenda as specific items of business.

Premier : Perhaps my honourable friend has not seen the subsequent list which is handed over to-day.

Diwan Chaman Lall : I have not received any. The only document which has been circulated to us is the day's business and it does not specify any clause as a specific item of business.

Pandit Muni Lal Kalia : On a point of order. The rule says that "the proceedings on any specified item of business". That means that if there are several items on the agenda, then in that case any one of such items cannot be deleted and discussion on it cannot be postponed. It is only in such circumstances that only one specified item of business of the House may be taken up and the business of the House may be interrupted and even after interruption that discussion may be resumed. What is the item of business to-day ? It is the discussion left over from yesterday's business and it was Agricultural Produce Markets Bill. In this case there are more than one item and therefore the rule is inapplicable. There is no specified item.

Diwan Chaman Lall : On a point of order Sir. May I draw your attention to the fact that it is the duty of the Secretary to sit in his seat and attend to your business and not the duty of the Secretary to go and consult the members on the floor of the House ? It is not done in any legislature.

Mr. Speaker : The position is quite clear. There is no possibility of doubt. Yesterday, when the consideration of the Bill was started, I told the honourable members that new clauses may be taken up first.

I proceeded to place some of the clauses, which were considered to be new, and the rest could not be taken up before the House dispersed. The honourable members might have received a list of the so-called new clauses.

Dr. Gopi Chand Bhargava : We have not received it. Nobody on this side has received any such list.

Diwan Chaman Lall : Can there be two lists of business ? I have no knowledge about the other because I have not received it. The actual list of business received by me is the list of business for the meeting of the Assembly to be held on Thursday, the 17th November, 1938, at 12-30 P.M. It specifies the following items : Questions, (1) Presentation of Supplementary Estimates, (2) Business left over from the list of business for Wednesday, the 16th November, 1938, and so on. The question that arises is whether this item is included or not in this list of business ? This item is not included. Even if there is a subsequent list of which no notice is given, can that amend the day's business ? That subsequent list is not supplied to the members on this side. It might have been supplied to certain selected members on that side.

Mr. Speaker : As the motion, in my opinion, is not out of order, I have to put it to the vote of the House.

Diwan Chaman Lall : Since that list of business is not circulated to us, it cannot be held capable of being discussed on the floor of the House.

Mr. Speaker : This paper shows items of business and not the list of business.

Dr. Sir Gokul Chand Narang : There are 3 items of business on the list of 17th November : (1) Presentation of Supplementary Estimates, (2) Business left over from the list of business for Wednesday the 16th November, 1938 and (3) A Minister to move.....so and so. It means the list of business left over from the list of business for Wednesday the 16th November. Now the business left over from the list of business for 16th November was the business for Tuesday the 15th November, and the business for 15th November was the business left over from the list of business for 14th November. So, that is the business now before us. We are dealing to-day with the business left over from a previous list and we cannot specify that business until we get to some definite description of the item, I mean the starting point, and that is this. "A Minister to move that the Punjab Agricultural Produce Markets Bill as reported by the select committee be taken into consideration." So that is the business before the House and this has been repeated from day to day, from 14th to 15th, from 15th to 16th and from 16th to 17th, so, for all practical purposes and for the purposes of being notified, the business now to be conducted is the business that "A Minister to move that the Punjab Agricultural Produce Markets Bill as reported by the select committee be taken into consideration". There is no specification and there is no description of any item. Therefore, I submit that the motion is out of order.

Mr. Speaker : I may state that the expression "list of business" is a very comprehensive expression. It may include a number of items in the agenda and may also include all amendments. When I declared yesterday that new clauses will be taken up first, those new clauses formed separate items in the list of business. In order to facilitate the work of honourable members I asked the Secretary to circulate this agenda to them.

Dr. Sir Gokul Chand Narang : It comes to this that the items of business that we have before us are not given in the list that is circulated to us but some verbal instructions that you were pleased to give.....

Mr. Speaker : No, no.

Dr. Sir Gokul Chand Narang : I was not aware and some other members were not aware.

Mr. Speaker : There is no alteration made in the list of business. It is the same.

Premier : May I submit that if my honourable friend's argument was taken as correct, there would be no use whatever of this rule 12 (3) (c) ? It would be absolutely absurd to make a motion because it would mean that we will have to sit without a break till the whole Bill is finished.

Mr. Speaker : The question is—

"That the proceedings on the item—consideration of the new clauses proposed to the Punjab Agricultural Produce Markets Bill—be exempted at this day's sitting from the provisions of the rule "sitting of the Assembly."

The Assembly divided : Ayes 84, Noes 39.

AYES.

Abdul Hamid Khan, Sufi.
Abdul Haye, The Honourable Mian.
Abdul Rahim, Chaudhri (Gurdaspur).
Abdul Rahim, Chaudhri (Gurgaon).
Afzaal Ali Hasnie, Sayed.
Ahmad Yar Khan Daulatana, Khan Bahadur Mian.
Ahmad Yar Khan, Chaudhri.
Akbar Ali, Pir.
Ali Akbar, Chaudhri.
Amjad Ali Shah, Sayed.
Anant Ram, Chaudhri.
Ashiq Hussain, Captain.
Badar Mohy-ud-Din, Qadri, Mian.
Balwant Singh, Sardar.
Bhagwant Singh, Rai.
Chhotu Ran, The Honourable Chaudhri Sir.
Dasaundha Singh, Sardar.
Dina Nath, Captain.
Faiz Muhammad Khan, Rai.
Faiz Muhammad, Shaikh.
Faiz Chand, Chaudhri.
Farman Ali Khan, Subedar-Major Raja.
Fateh Jang Singh, 2nd Lieutenant Bhai.
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.
Gopal Singh (American), Sardar.
Gurbachan Singh, Sardar Sahib Sardar.
Habib Ullah Khan, Malik.
Hans Raj, Bhagat.
Harnam Dass, Lala.
Harnam Singh, Captain Sodhi.
Het Ram, Rai Sahib Chaudhri.
Jagjit Singh Man, Sardar.
Jugal Kishore, Chaudhri.
Kishan Das, Seth.
Manohar Lal, The Honourable Mr.
Maqbool Mahmood, Mir.
Mubarik Ali Shah, Sayed.
Muhammad Akram Khan, Khan Bahadur Raja.
Muhammad Amin, Khan Sahib, Shaikh.
Muhammad Azam Khan, Sardar.
Muhammad Faiyaz Ali Khan, Nawabzada.

Muhammad Hassan Khan, Gur-
chani, Khan Bahadur Sardar.
Muhammad Hassan, Khan Baha-
dur Makhdom Sayed.
Muhammad Hayat Khan, Noon,
Nawab, Malik Sir.
Muhammad Hussain, Chaudhri.
Muhammad Jamal Khan, Leghari,
Nawab Sir.
Muhammad Nawaz Khan, Major
Sardar.
Muhammad Nurullah, Mian.
Muhammad Qasim, Chaudhri.
Muhammad Sarfraz Khan, Chau-
dhri.
Muhammad Yasin Khan, Chaudhri.
Mushtaq Ahmad Gurmani, Khan
Bahadur Mian.
Muzaffar Khan, Khan Bahadur
Nawab.
Nasir-ud-Din Shah, Pir.
Nasrullah Khan, Rana.
Nur Ahmad Khan, Khan Sahib
Mian.
Pir Muhammad, Khan Sahib Chau-
dhri.

Prem Singh, Chaudhri.
Pritam Singh, Siddhu Sardar.
Ranpat Singhi, Chaudhri.
Rashida Latif Baji, Begum.
Riasat Ali, Khan Bahadur Chau-
dhri.
Ripudaman Singh, Thakur.
Sahib Dad Khan, Khan Sahib, Chau-
dhri.
Shahadat Khan, Khan Sahib Rai.
Shah Nawaz, Mrs. J. A.
Shah Nawaz Khan, Nawab Khan.
Sham Lal, Rai Bahadur Chaudhri.
Sikander Hyat Khan, The Honour-
able Major Sir.
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 Bahadur Sardar.
Wali Muhammad Sayyal, Hiraj,
Sardar.

NOES.

Abdul Aziz, Mian.
Baldev Singh, Sardar.
Bhagat Ram, Choda, Lala.
Bhagat Ram, Sharma, Pandit.
Bhim Sen Sachar, Lala.
Binda Saran, Rai Bahadur.
Chaman Lal, Diwan.
Dev Raj Sethi, Mr.
Girdhari Das, Mahant.
Gokul Chand Narang, Dr. Sir.
Gopal Das, Rai Bahadur Lala.
Gopi Chand Bhargava, Dr.
Hari Lal, Munshi.
Harjab Singh, Sardar.
Kabul Singh, Master.
Kapoor Singh, Sardar.
Kartar Singh, Chaudhri.
Kartar Singh, Sardar.
Krishna Gopal Dutt, Chaudhri.
Lal Singh, Sardar.
Mazhar Ali, Azhar, Maulvi.

Muhammad Abdul Rahman Khan,
Chaudhri.
Muhammad Alam, Dr. Shaikh.
Muhammad Hassan, Chaudhri.
Mukand Lal, Puri, Rai Bahadur
Mr.
Mula Singh, Sardar.
Muni Lal Kalia, Pandit.
Partab Singh, Sardar.
Prem Singh, Mahant.
Raghubir Kaur, Shrimati.
Sahib Ram, Chaudhri.
Santokh Singh, Sardar Sahib Sar-
dar.
Sant Ram, Seth, Dr.
Satya Pal, Dr.
Shri Ram Sharma, Pandit.
Sita Ram, Lala.
Sohan Singh Josh, Sardar.
Sudarshan, Seth.
Uttam Singh, Dugal, Sardar.

SUPPLEMENTARY ESTIMATES.

Minister for Finance (The Honourable Mr. Manohar Lal) : I present the supplementary estimates, 1938-39. I may also intimate that the demands contained in the supplementary estimates are made on the recommendation of His Excellency the Governor.

3 P.M.

AGRICULTURAL PRODUCE MARKETS BILL.

Mr. Speaker : The Assembly will now proceed to consider the Punjab Agricultural Produce Markets Bill.

Sardar Sahib Sardar Santokh Singh (Eastern Towns, Sikh, Urban) : Sir, I ask for leave to move the new clause—

Diwan Chaman Lal : Sir, may I take it that the ordinary convention of this House is that in such matters leave is not withheld for the moving of any new clause ?

Mr. Speaker : I am not aware of any such convention. But the House may establish one.

Diwan Chaman Lal : May I appeal to my honourable friends not to burk any discussion on important matters which are moved by means of new clauses but to establish this very healthy convention to permit the clause being moved ? They can defeat the clause if they do not agree with it.

Sardar Sahib Sardar Santokh Singh : I beg leave to move :—

That at the end the following further proviso be added :—

"Provided further that a licence shall not be required by the various limited companies commonly known as chambers who are established in the various markets of the province, and are dealing in 'futures' and also by persons who have no direct dealings with the growers."

These limited companies are carrying on business in almost all the important markets of the province and are carrying on business principally in "futures". They control the trade of those *mandis*. The Honourable Minister for Development, the sponsor of the Bill, I think, has no idea of controlling the activities of these people. The idea underlying the Bill is to control the dealings of people who have got anything to do with the growers. I therefore submit that this matter which does not strictly come within the purview of what the sponsor of the Bill desires to control may be left out of the operation of the Act, in so far as the granting of licences is concerned.

Mr. Speaker : The honourable member asks leave of the House to move the following proviso :—

Provided further that a licence shall not be required by the various limited companies commonly known as chambers who are established in the various markets of the province, and are dealing in "futures" and also by persons who have no direct dealings with the growers.

The question is whether the honourable member has leave of the House to move the proviso.

Diwan Chaman Lal (East Punjab, Non-Union Labour) : On a point of order. The point very simply is this. The rule contemplates that leave may be asked for in respect of a new clause. Rule 101 refers to new clauses

being offered first and rule 102 refers to "A member proposing a new clause on the consideration of a Bill shall, in the first instance, ask for leave to move the clause". I submit that a proviso is not a new clause. A proviso is a proviso to a clause and by itself it cannot possibly be considered to be a new clause. A new clause would be new if, for instance, under a section with two clauses my honourable friend has sought to add No. 3 as a new clause. But if he seeks merely to add a proviso to sub-clause (2), then I submit that it cannot be considered by any stretch of imagination to be a new clause. Therefore this proviso which my honourable friend wants to move is not a new clause but a proviso which would be covered by an amendment and not by a general description of new clause.

Mr. Speaker: The honourable member has raised an important question as to what a new clause means. If he or any other member of this House will quote some authority in support of his definition, I shall be obliged.

Rai Bahadur Mr. Mukand Lal Puri (Rawalpindi Division, General, Rural): Authorities would also have been quoted if the agenda paper had been circulated in time and we have had time to consider. Unfortunately the agenda paper has been circulated now and amendments which have been dubbed as new clauses have been placed in our hands just now and it is not possible to comply with your wishes. But if the point is taken up tomorrow I should be glad to assist by producing relevant authorities. I have also given notice of two amendments which are on the order paper of today, they are numbered as 35 and 36 and by those amendments I do not want the addition of any clause nor do I want the addition of a sub-clause. All I want is that the provision made in the sub-clause or clause itself be restricted by the addition of proviso. A proviso is not addition of new material but is either an extension or restriction of the clause as it stands and therefore it cannot by any stretch of imagination be considered as a new clause at all. Supposing the clause to which I have given notice of, the proviso, were dropped, then the proviso would have no place at all. Supposing it is withdrawn by the Government or supposing you pass a proviso here today and the original clause to which it is added is dropped by the Government or defeated by the House when that clause is taken up, then where would the proviso be although it has been passed by the vote of the House? The proviso would disappear altogether. The proviso is only necessitated if the original clause is there. I therefore submit that the proviso whose object expressly is to modify, restrict or extend the scope of the original clause could not possibly be treated as a new clause.

Mian Abdul Aziz (Outer Lahore, Muhammadan, Urban): Sir, it is nothing new and the objection which has been raised by Diwan Chaman Lal is a very proper one, because during your long experience you must have seen that each and every proviso which is added to any section is not called a new clause. Proviso is in a way an explanation or a restriction or widening the effect of the section. I would therefore without going any further say that as a rule a proviso has never been treated as a new clause. Proviso is entirely a part of the section itself and its clauses and I agree with my honourable friend Diwan Chaman Lal that proviso should not be considered as a new clause at all.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : Of course it would be sheer presumption on my part to join issues on a legal matter with my learned friends opposite, but I am afraid I cannot agree with the sweeping generalization made in the statement that no proviso can possibly be called a new clause. This is I think somewhat too wide, because according to my honourable friend the mere placing of the word "proviso" before a new clause should make it admissible. It is for the Speaker to decide whether the clause is in substance a new clause or not. I therefore submit that my honourable friend's contention that wherever a word "provided" exists, at least this is what I understand, it would never be a new clause. According to him a Bill can be absolutely altered merely by adding a word "provided" and then going on. I am afraid it is a contention which will not hold water for a minute.

Diwan Chaman Lall (East Punjab, Non-Union Labour) : May I be allowed to interrupt with reference to the argument about the word "proviso" or "provided" meaning proviso. No clause can really start with the word "provided". Can my honourable friend imagine any clause starting with the word "provided" in that sense? I am quite prepared to accept this challenge that throughout the legislative history of India and Great Britain, if my honourable friend can point out a clause starting with the word "Provided", I will take back my words.

Premier : My honourable friend again tries to be too clever. What I said was that by merely adding the word "provided" you cannot make a new clause a proviso.

Chaudhri Krishna Gopal Dutt : On a point of order. In rule 101 under which you are considering this question that new clauses shall be offered first, may I point out to you, that in the rule the word "clause" occurs and not the word "sub-clause". Will you please consider this in the light of the fact that new clauses shall be considered first, the word new clause does not include sub-clauses and proviso?

Lala Duni Chand (Ambala and Simla, General, Rural) : The Premier, so far as I can understand, is treading on dangerous grounds which even lawyers dare not tread. The very word "proviso" shows necessarily that there is something else to which the particular proviso is a proviso. The very word shows that there are certain independent parts of a clause and a proviso is added to it. So the very word proviso shows that the proviso cannot be an independent clause. There must be something else.

Pandit Muni Lal Kalra (Ludhiana and Ferozepore, General, Rural) : Sir, the clauses are generally divided into two parts like sub-clauses, provisos and explanations. In this case proviso cannot in itself be a clause which is only a part of a clause. But we are dealing here with the addition of a new clause and therefore the point raised by Diwan Chaman Lall applies to the present case and these things fall out of the scope of the present discussion.

Lala Bhim Sen Sachar (North-Western Towns, General, Urban) : I just want to submit that in my humble opinion whether a particular paragraph is a "new clause" or an "amendment" has to be determined by a member himself; and it is after he says it is a new clause, that the chair determines whether or not it is a new clause. When he gives notice of it

as an amendment then you have to consider it as an amendment and decide whether it satisfies the rule with regard to amendment and whether it can be moved as an amendment or not. Therefore my submission is that this question whether a particular paragraph or whatever you might call it is an amendment or a new clause is a matter entirely for the member giving notice of the paragraph to decide.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural): Sir, I have not had the privilege of hearing one or two members who preceded me, but if the Honourable Premier would attend, I would like to say that I would agree with the Honourable Premier that a proviso would be a new clause if the word "provided" is being used as a camouflage to cover the clause which is really an independent clause and has no reference to the preceding clause or sub-clause. In that case the attempt of a member to propose the proviso in this form would not be considered a very straightforward one. It would obviously be a disingenuous attempt on the part of such a member and it would not be difficult to point out that it is really not a proviso but only a camouflage for a new clause so that in reality it would not be a proviso but either a new clause or a new sub-clause. But that is not the general connotation of a proviso. A proviso always means that whatever is contained in that proviso has reference to something that has gone before it and its object is to restrict the operation of the preceding clause or sub-clause. It is in the nature, if I may so put it, of an exception to the clause or sub-clause or it may be in the nature of an explanation. Therefore, the test is whether it is in the nature of an explanation or whether it is in the nature of an exception. Lastly, can these words, which are embodied in the proviso, stand independently and have any significance? If that test is kept in view there would be no difficulty in deciding whether a proviso is or is not a separate clause or sub-clause.

Sardar Dasaundha Singh: May I submit a word? (*Voices: Yes.*) (*Laughter.*) So far as a proviso is concerned, its effect always is either to add something to the original clause or to take away something from it. Thus a change is effected in the scope and the meaning of the clause, and in a way the whole clause becomes a new clause. The effect of the proviso being such, the proviso should be treated as a new clause.

Advocate-General (Mr. M. Sleem): Sir, the question whether a certain clause is a new clause or an amendment is a question of fact to be decided on the merits of each case. The Honourable Premier was, I submit, quite right in saying that by merely adding the word "provided" you cannot determine the question. In this particular matter the clause in question is clause 4 and there is already a proviso to it "Provided that a licence shall not be required by a grower". Now, that is a part of that clause. It is proposed by this amendment that there should be a further provision, viz., the licence should not only be not required by a grower but by certain other persons also. That being so, it seems to me that the subject matter is not a new one. It is introducing merely a further proviso to the clause in existence. If passed, a licence shall not only be not required by a grower but will also not be required by the persons or the company specified here. In other words, the scope of this clause would be restricted,

[Advocate-General.]

Therefore, dealing with the subject matter of this particular clause, I would submit that this is not a new clause.

Mr. Speaker : The question is rather a difficult one..

Diwan Chaman Lall : Before you give your ruling—because it is very important—I would ask you to consider two points from another point of view also. One of the points raised is this. If there is an amendment which introduces new matter in the original clause, or new words create a new clause, that would be covered by the definition. The second point is this, if there is anything in the clause relevant to the new matter being provided, then you would also consider that to be a new clause. There is also a third point which is this, when a clause contains two or more sub-sections which are not mutually dependent, then an amendment can be moved and cannot be considered as a new clause. You will find this on page 407 of May's Parliamentary Practice. I will take the second point, namely, there is something there according to which this particular proviso is being moved, namely, it is restricting the scope of the persons who shall be capable of holding licences or shall be compelled to seek a licence.

Mr. Speaker : It shall be adding something which is not there.

Diwan Chaman Lall : Supposing a particular clause or a proviso to the clause suggests that the 175 members of the House shall be tied down to their seats for three hours every night and suppose an amendment is moved that Sir Chhotu Ram shall not be tied down (*laughter*), then that is an amendment: it is not a new clause. The thing is there already: all persons who deal with the sale of purchase of raw material in a particular notified area shall be compelled to seek licences. If my honourable friend's proviso says that out of that circle there shall be a certain number of people who shall not be compelled to seek licences, strictly speaking it is an amendment.

Mr. Speaker : It is said that explanations, exceptions and provisos to clauses or sub-clauses, already existing, should not be treated as new clauses. But what about amendments which propose that a sub-clause may be added after a sub-clause?

Rai Bahadur Mr. Mukand Lal Puri : That is a different matter.

Mr. Speaker : I agree that provisos, explanations and exceptions should be treated as new clauses; but when it is proposed that such and such sub-clause be added that will be treated as a new clause, and also when it is proposed that such and such sub-clause be substituted for such and such sub-clause, it will be treated as a new clause.

Rai Bahadur Mr. Mukand Lal Puri : It is not a matter of agreement; whether we agree to accept it or not, is immaterial. The question is, what is the correct interpretation of the rule.

Mr. Speaker : I am inclined to hold that all clauses or sub-clauses, which are proposed to be added, should be treated as new clauses; and that all amendments proposing that for such and such sub-clause such and such sub-clause be substituted, should also be treated as new clauses; but that provisos, explanations and exceptions are not new clauses.

Diwan Chaman Lall : May I draw your attention to the fact that at present we are discussing a new point raised by me, namely, that a proviso is not a new clause. That is all. As regards sub-clauses, we will deal with the matter when the occasion arises.

Mr. Speaker : I accept the opinion of the Advocate-General and do not insist upon treating this proviso as a new clause.

(At this stage Mr. Speaker called upon Chaudhri Krishna Gopal Dutt to move his amendment, but he was absent.)

Diwan Chaman Lall : I request you, Mr. Speaker, to be kind enough to confine your ruling over the issue that I raised and give us a hearing when the time comes in regard to this particular matter about a sub-clause—whether a sub-clause is to be treated as an amendment or as a new clause?

Mr. Speaker : What I have decided is that an independent sub-clause will be treated as a new clause.

Diwan Chaman Lall : Then in that case, may I submit that this particular sub-clause cannot be considered as a new clause because it has reference to the definition already given. It has something that already exists and not something that does not exist. That is not a new matter. All it is seeking to do is to define the 'notified market area'.

Mr. Speaker : The point under discussion is, whether the substitution of one *sub-clause* for another *sub-clause* should be treated as an addition of a new clause; just like the substitution of a *whole clause* for a *whole clause*.

Diwan Chaman Lall : The second point that I raise is whether a sub-clause of this nature—

Mr. Speaker : We are not going into the details of the nature of a sub-clause. If the motion is that such and such sub-clause be substituted for such and such sub-clause, may I know from the Advocate-General whether the clause proposed to be substituted is a new clause? According to parliamentary authorities a clause proposed to take the place of an existing clause is a new clause. But the question now for decision is whether the same is correct about a sub-clause.

Advocate-General (Mr. M. Sleen) : My submission is this. When you say that a certain new clause be substituted, it cannot be done without also saying that some other clause which is in existence should be deleted. Then the form of moving a new clause is that former clause should be deleted and the other should be substituted. Therefore, it is undoubtedly a new clause. The question that arises in several cases where a certain clause is divided into a large number of sub-clauses, is whether those sub-clauses are new clauses or not. Some of those sub-clauses contain subject-matter which is already there. If you are not to introduce subject-matter which is foreign to that clause, then, I submit that in that particular case it would not be the addition of a new clause. It would vary in each case.

Mr. Speaker : According to parliamentary practice even a re-drafted clause is treated as a new clause.

Advocate-General : The logical way would be to consider it a new clause. Even if it is re-drafted, it is a new clause.

Mr. Speaker : Thanks for your valuable opinion.

Dr. Sir Gokul Chand Narang : If you look to the real substance and not to the form, if you said, "For the words the area notified under section 4 substitute the following," then it would not have been substitution of one clause for another.

4 P.M. The old clause, I should say the trunk of the old clause, would have remained and only some change would have taken place in its extremities. You could have said, 'notified market area means any place, fair or market, etc.' But he made a mistake, I should say, in framing it. He said, that for sub-clause (e) the following be substituted and therefore it comes within the purview of your remarks. Otherwise it would not have come. I understand the learned Advocate-General says that it should not be treated as a new clause because in substance it is not a new clause.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) : Unless there is a rule which must be obeyed, will it not be more conducive to the convenience of the House and quick despatch of business and to the easy understanding of the whole procedure, if we proceed with the agenda item by item in the order in which these items stand?

Premier : May I submit that where there is a question of doubt, to expedite the business and to accommodate my friends opposite, do not treat it as a new clause, but as an amendment, and where there is no doubt, treat as a new clause. Why waste the time of the House?

Mr. Speaker : On that view perhaps the best course would be to proceed with the agenda item by item. But the difficulty is that the House has just now passed a motion that we shall continue to sit to-day till all the new clauses are disposed of.

Minister for Development : That is exactly what I have suggested.

Dr. Sir Gokul Chand Narang : He can move another motion cancelling the original one.

Mr. Speaker : May I ask if the House is prepared to take up the agenda item by item, as suggested by the Honourable Chaudhri Sir Chhotu Ram?

Voices : Yes.

Preamble.

Mr. Speaker : The question is—

That the Preamble be the Preamble of the Bill.

The motion was carried.

Clause 2.

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

That in sub-clause (a), line 1, for the word 'includes' the word 'means' be substituted.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) : I am prepared to accept this amendment.

The motion was carried.

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

That in sub-clause (a), lines 8 to 11, the words 'but chewing' be deleted.

The motion was carried.

Mr. Speaker : The question is—

That the first three lines of clause 2 stand part of the clause.

The motion was carried.

Mr. Speaker : The question is—

That sub-clause (a) of clause 2 as amended stand part of the clause.

Rai Bahadur Mr. Mukand Lal Puri : This amended clause, as far as I have been able to make it out, reads as follows :—

“Agricultural produce means harvested cotton, wheat, barley, rice, oilseeds, maize, gram, sugarcane (*gur* and *shakar*) or any other crop which may hereafter be declared by notification to be agricultural produce for the purpose of this Act.”

This amended clause also, confers a power on the executive which no legislature ought to allow. The principal object of this Bill is not the regulation of the sale or purchase of each and every commodity in this province, but the sale and purchase of the main commodities of the agricultural produce. Now, this definition not only names practically all the principal commodities of agricultural produce, but contains a kind of ubiquitous clause that agricultural produce means not only harvested cotton, wheat, barley, rice, oilseeds, maize, gram, sugarcane (*gur* and *shakar*) but also any other crop which may hereafter be declared by notification to be agricultural produce. My objection is to the notification and the words ‘or any other crop which may hereafter be declared by notification.’

Mr. Speaker : The honourable member cannot object to these words.

Rai Bahadur Mr. Mukand Lal Puri : That is why I oppose this sub-clause. Unfortunately I have not sent in any amendment on this point nor has any other member sent any such amendment. I am, by saying these few words, bringing it to the notice of the Government and to the notice of the House that they are extending tremendously the scope of the Bill and to ask whether they intend to leave it to the Government to specify any commodity. What is the use of specifying about 10 principal commodities and yet adding the words ‘or any other crop’ to which the Government might extend it by notification.’ It would be just as well to say that agricultural produce would be a crop about which a notification has been issued. Therefore, I object to the words.

Mr. Speaker : But that the honourable member cannot do.

Dr. Sir Gokul Chand Narang : He is giving reasons.

Rai Bahadur Mr. Mukand Lal Puri : My reason for opposing this clause is that these words are objectionable.

Mr. Speaker : The honourable member cannot object to any particular words. He can object to the whole sub-clause.

Rai Bahadur Mr. Mukand Lal Puri : As you have been pleased to remark, the whole includes the part. I object to the whole clause because a part of it is objectionable. That is why I submit that if you include these words.....

Mr. Speaker : That has already been stated.

Rai Bahadur Mr. Mukand Lal Puri : Permit me to complete my sentence, and, I hope, I have your permission.

Mr. Speaker : Question is—

That sub-clause (a) of clause 2 as amended stand part of the clause.

The motion was carried.

Mr. Speaker : Question is—

That sub-clause (b) of clause 2 stand part of the clause.

The motion was carried.

Lala Duni Chand (Ambala and Simla, General, Rural) (*Urdu*): Sir, I beg to move—

That in sub-clause (c), line 3, the words 'through tenants or otherwise' be deleted.

I want to submit before this House that the amendments tabled on behalf of the Congress party have been sent in with two objects in view. In the first place we have put forward these amendments as touchstones of our sincerity to the cause of the poor zamindars of this province and that of our friends of the Unionist Party. Our second object is this that we want to benefit only those people who really deserve our sympathy. We want to benefit those people who are *kisans* in the real sense of the word. We do not want that those people who are agriculturists only in name, but are big landlords should in any way deprive the poor *kisans* of their legitimate rights. If any right has been conferred on the poor peasants we want not only to retain it for them, but also to preserve it for them. We, therefore, want this legislation to be enacted in this form that the term 'grower' only includes those who till the soil with their own hands. Big zamindars should not be included in the term. If my amendment is accepted all the peasant proprietors, hereditary and non-hereditary tenants will be included in the term 'grower'. They shall have nothing to complain if my amendment is carried. Sir, my main objection to this clause as proposed by Government, is that it is too wide of the mark and aims at including even those landlords who never till their lands. The definition of the word 'grower' should apply to those zamindars only who actually till their lands and earn their living from cultivation. It should, on no account, be extended so as to include all those big landholders who might have permanently taken their residence in a city and never take the trouble of tilling the soil. If the present definition of growers is allowed to remain as it is, we may well imagine what its effects would be in actual practice. The Bill will not benefit the poor cultivators but will shower its blessings on the rich landlords of the Punjab. Only those persons will be allowed to reap its fruits who would be in a position to receive and entertain the Unionist ministers. It is clear, therefore, that either the rich or the most clever people can be successful in such acts of flattery. To me it appears to be quite certain that only those persons will be able to win the favour of the present government who can carry on a false propaganda in favour of the Unionists.

Minister for Development : Is there any relevancy in it?

Diwan Chaman Lal : Why is my honourable friend so restive?

Minister for Development : I could hear any amount of irrelevancy if it did not take so much of our valuable time.

Mr. Speaker : The honourable member should speak to the motion and not repeat his arguments.

Lala Duni Chand : I was submitting, Sir, that only clever people can win the favours of the Unionist Government, because plain folk do not know the art of flattery. Further, the Government wants such persons as are able to bring forward a certain number of individuals along with them to attend the meetings convened by the Unionist ministers. It is clear that clever persons alone can dupe the innocent villagers by making castles in the air, and thus tempting the plain village folk to swell the crowds at the meetings of the Unionists. My view about all this trouble is that, as the old order has changed and the new masters of the province have stepped into the shoes of the white masters, the latter are devising this new method of attracting followers. The English masters thought that the richer classes were the natural leaders of the people in this country, because the poorer people in India have been accustomed to respect the wealthier sections of the population. In that regime the people knew that whosoever could please a few British officers, would make a fortune in the country. Flattery, therefore, was the order of the day with those who had some object to attain. But let me make it clear, in fairness to the British officers, that whereas they encouraged flattery, they did not encourage disorder and rioting.

Minister for Education : Call them back again !

Lala Duni Chand : But now the Unionists are creating a new class of flatterers. A new type of courtiers and 'yes-men' are being evolved.

Mr. Speaker : The honourable member should not repeat.

Lala Duni Chand : May I respectfully submit, Sir, that I am not repeating any argument ? I am simply explaining what kind of 'yes-men' are being produced by the Unionists.

Mr. Speaker : It is the third time that the honourable member has repeated the same argument.

Lala Duni Chand. I am submitting that a new type of helpers () are being created by the Unionists in this province.

Mr. Speaker : Repetition, again.

Lala Duni Chand : No, Sir, I am not repeating. I am explaining what kind of people the new helpers of Government will be. In connection with the motion under consideration, I am submitting that only those persons should be included in the definition of growers, who till the soil with their own hands. I want and, in fact my party wishes, that the real tillers of the soil should be given proper representation on the market committees. But it is a pity that no one among the Unionists is prepared to consult the humble peasants of this province. Whenever the question of giving any rights comes up before the Unionist Government, they conveniently ignore the poorer sections of the population. I can assert without any fear of contradiction, that 999 out of one thousand zamindars are poor peasants. They cannot even have the privilege of Sir Chhotu Ram's "darshans." Only those persons can come near the Honourable Minister who command votes in their ilaqa.

Mr. Speaker : This idea has been repeated three or four times.

Lala Duni Chand : Sir, I am not repeating.

Mr. Speaker : Please proceed.

Lala Duni Chand : Sir, it is given in the Bill that a 'grower' means 'a person who grows agricultural produce personally, through tenants or otherwise.....' Here the word "otherwise" has been deliberately inserted in order to include in the definition of the word 'grower' all those parasites who call themselves zamindars, but have never put their hand on to the handle of the plough. They are agriculturists by caste only, not by profession. If this definition is accepted, then even those persons will come up on the market committees who do not know what rural life means. My plea is that only those persons should be included in this category who till the soil with their own hands. Otherwise the landlords who never cultivate even a fraction of an acre, will come up to rule supreme under the garb of growers. That seems to be the clear intention of the Unionists. I cannot imagine any third kind of growers beyond the zamindar tilling his own land or the peasant who is cultivating the land belonging to another zamindar. This third kind of growers should not be created by the Unionists. That is my main objection.

In connection with the Bill now before the House, Professor Brij Narain has asked the Honourable Ministers to show how they are going to help the kisans.

Mr. Speaker : The whole Bill is not under discussion at present.

Lala Duni Chand : I have said that if the amendments given notice of by the Congress party are accepted they will stand the kisans in good stead. I would request you, Sir, to look at these amendments and point out to us if we have any bad intentions or how we intend to harm the interests of the kisan. It has been said several times that the Congress party is in fact a bania party and they are by their conduct and action going to harm the kisans. Let me invite your attention to the definition of 'grower' as it is given in the Bill. Do you consider that this Bill, in spite of this definition, would really benefit the kisans?

Mr. Speaker : I have again to say that the whole Bill is not under discussion at present.

Lala Duni Chand : Sir, the amendments given notice of by the Congress party are in fact intended for the greatest good of the kisans. But we do not want that such persons who do not deserve should be helped. Why do you not differentiate between those who are actual growers and those who actually take away their agricultural produce? Either the Government do not realise the significance of this differentiation, or if they do realise, they do not want to make it. There is a great defect in this Bill.

Mr. Speaker : I have to say again that the Bill is not under discussion. The honourable member is persisting in irrelevancy.

Lala Duni Chand : I wish to make a respectful request. I well understand what is relevant and what is not relevant. I am not one of those people who do not understand as to what is relevant and what is not. I have experience of these legislatures for the last so many years and, therefore, I do understand what relevancy and irrelevancy is. I may kindly be allowed to proceed without interruption.

Mr. Speaker : The honourable member is an able and learned lawyer, no doubt, but just now he is not speaking to the motion under discussion.

Lala Duni Chand : I am adopting a very respectful attitude. I have my own rights and I shall take the utmost care to see that your orders are respected in every way, but if I am interrupted like that, it is impossible for me to go on. I shall in that case have to resume my seat. (Urdu). I was saying that the definition of grower explains to a little extent the principle underlying the Bill. As a matter of fact we honestly believe that the kisans need relief and that they should be afforded all possible relief. But you should make a distinction between people who deserve help and who do not deserve it. But if you do not like me to make a lengthy speech—

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

Lala Duni Chand : The Congress party and myself have given notices of various amendments and when they will be put before the House we will have an opportunity to explain our views on the subject. Let me close my remarks by saying that our amendment is intended only to benefit the deserving people while the Government draft amendment includes even those persons who do not really stand in need of relief.

Mr. Speaker : Clause under consideration, amendment moved—

That in sub-clause (c), line 3, the words "through tenants or otherwise" be deleted.

Parliamentary Secretary (Mir Maqbool Mahmood) (Urdu) : Mr. Speaker, my learned friend has in the course of a lengthy speech tried to put a wrong interpretation on the clause under consideration. If you refer to the Census Report of 1931 you will find that in the Punjab the number of actual tillers of the land is 5,320,303 as against 320,673 of those who grow agricultural produce through tenants or servants. I now draw the attention of my honourable friend to the second part of the definition of a grower which says :—

"But shall not include a grower who works as a dealer or a broker, or is otherwise engaged in the business of disposal or storage of agricultural produce."

This means that if the grower is also a dealer he shall not be considered a grower for the purposes of this Bill.

Now, Sir, there are 53 lakhs of growers who till the land themselves and only 3 lakhs who work through their tenants, but there is no difference between the two so far as their marketing interests as growers are concerned. But no attempt on the part of my honourable friend can confuse either of these two categories of growers whose marketing interests are opposed to those who have been excluded from the definition of a grower. There can never be any confusion in regard to growers and brokers. We have to take our decision with regard to this definition on the basis of the interests of the grower and the dealer.

The second point raised by my friend opposite was that the Government may not include the actual tillers of the soil in the market committees and the representation of growers may be confined to the big landlords who work only through their tenants and servants. It is really surprising that the cause of the actual tillers of the soil is being championed by a person—

Chaudhri Krishna Gopal Dutt : Is it relevant? There should be one rule for both sides of the House.

Mr. Speaker : Will the honourable member please withdraw his remark ?

Chaudhri Krishna Gopal Dutt : May I explain ?

Mr. Speaker : I do not want any explanation.

Chaudhri Krishna Gopal Dutt : I was not addressing you at all. I was addressing the Parliamentary Secretary.

Mir Maqbool Mahmood : Sir, I am always anxious to hear what my honourable friend has to say, but in this Chamber I can do so only through you.

Let my honourable friend opposite ponder for a moment whether it lies in the mouth of the representatives of *arhtis* and brokers to champion the cause of the tillers of the soil. There is another aspect of the question, and that is whether my friend is of the opinion that those growers who work through their tenants do not deserve any help or protection. However, I am prepared to concede that there is some weight in the point that all the seats in a committee should not go to big zamindars. But, Sir, we have ourselves put forward an amendment that these members shall be *appointed* according to the rules made in this behalf.

Now coming to the argument that members of marketing committees should be elected and not appointed by the Government, I would request my honourable friends to bear in mind the expenditure that such a step will involve. The figures for the last general elections to the Assembly show that the expenditure per vote was no less than two rupees. Now, there are about 58 lakhs of growers of both descriptions and the expenditure on elections will be out of all proportion to the imaginary gain which my honourable friend may be expecting. They should also think how great a burden this expenditure will prove to the market committees.

Lala Duni Chand : On a point of order. I want you to enlighten us, Mr. Speaker, whether all that he is talking has got any relevancy whatsoever ?

Mr. Speaker : The motion before the House is—

That in sub-clause (c), line 3, the words "through tenants or otherwise" be deleted.

There is no question of elections. The question is whether these words should be omitted.

Diwan Chaman Lall : On a point of order, again. The honourable member is completely irrelevant. The point is not whether there should be election by a district board. The question is whether the definition of the grower should be confined to a particular class. There is no question of election. We will come to elections later on.

Mir Maqbool Mahmood : I beg to submit, Sir, that if you were to keep in view the parts of the Bill where the word "grower" occurs you would agree that the definition of this word has a great bearing on clauses 8 and 9.

Mr. Speaker : Where is the definition of grower given ?

Diwan Chaman Lall : Grower's definition is not given anywhere.

Mir Maqbool Mahmood : My honourable friends are putting forward such a proposal as would render the measure impracticable. They should just consider what will be the result of granting votes to all the growers. However, the Government is leaving the matter to rules. They will in due course consider the question as to where members should be nominated and where they should hold elections through panchayats or district boards or otherwise.

Mr. Speaker : The honourable member may speak to the motion. He can put forward these arguments when we come to clause 8 where committees are appointed by election or otherwise. The honourable member will now please speak on the merits of the amendment before the House.

Mir Maqbool Mahmood : If there were only one section affected by this definition of the word grower—

Mr. Speaker : We are only concerned with the definition of grower. The grower may be anybody.

Mir Maqbool Mahmood : I submit that other clauses are affected by the definition of grower.

Mr. Speaker : We are only concerned with the definition.

Mir Maqbool Mahmood : I most respectfully request you to throw light on the point whether it is not permissible to point out as to how the various sections will be affected if we change the definition of "grower."

Mr. Speaker : Please illustrate your point.

Mir Maqbool Mahmood : I submit that there is a world of difference between the definition offered by my friends and the one proposed by us. Now, I want to show what will be the effect of accepting their definition on the rights and privileges of the growers. The definition has a direct bearing on clauses 4 and 8.

Dr. Sir Gokul Chand Narang : On a point of order. We are now dealing with the definition of a grower. We are not concerned at present what effect an amendment of the definition would have on clauses that come later on. Once we decide the definition of a grower we can also amend other sections accordingly. You cannot anticipate.

Mir Maqbool Mahmood : Sir, we are drafting the definition of the word "grower" not for the dictionary but for the Bill.

Mr. Speaker : It being 5 P. M. now, the Assembly will proceed to the discussion of the motion for adjournment.

5 P.M.

ADJOURNMENT OF THE SITTING.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) : Sir, I move that—

The Assembly at its rising this day be adjourned till Monday the 21st November, 1938, at 12-30 P.M.

The motion was carried.

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

MOTION FOR ADJOURNMENT.

PANCHAYAT OFFICERS.

Chaudhri Kartar Singh (Hoshiarpur West, General, Rural) (Urdu) : Sir, I beg to move—

That the House do now adjourn.

Sir, the adjournment motion which I have just moved in the House relates to those 19 panchayat officers who have been recently given notice of dismissal. The panchayat officers were first appointed in the year 1924-25. Since then the commissioners and the deputy commissioners of various divisions and districts in the Punjab have expressed different views concerning their importance and the value of their work. Sometimes they have expressed their adverse opinion against their working of the system, while on other occasions the Government was usually advised to adopt popular electoral system.

The motion now under discussion relates to that administrative policy of the Government under which the said panchayat officers have been discharged. When I was asking for leave to move this motion in the House the Honourable Minister for Public Works was pleased to remark that their dismissal has been deemed fit because the officers in question had proved themselves inefficient and incapable of doing their duties. But my submission is that if these officers were called for an interview each one of them would prove to be a typical jat and also most of them may turn out to be better qualified than our Honourable Minister for Public Works himself.

Mr. Deputy Speaker : I would request the honourable member not to be personal.

Chaudhri Kartar Singh : Sir, I am not indulging in personal remarks. So far as the Honourable Minister's personality is concerned he is one of my friends, but I cannot desist from criticising his highly objectionable policy. At present my object is to defend the unfortunate panchayat officers who have been charged with inefficiency. I make bold to say that if they were to be presented before a commission specially appointed for the purpose each one of them would prove more capable than the Honourable Minister himself. I may assure the House that I am not indulging in personal recrimination.

Mr. Deputy Speaker : The honourable member persists in being personal.

Chaudhri Kartar Singh : The work of most of these unfortunate panchayat officers has been highly commended from time to time by the Government itself. In this connection I shall read out an extract from the report on the working of the panchayats in the Punjab during the year 1928-29—

"In this connection the work performed by the Panchayat Officers of Hoshiarpur (Sardar Milkha Singh), Gujrat (Khan Sahib M. Abdul Malik), Lyallpur (M. Abdul Bari) and Multan (the late Chaudhri Dil Ahmad) has been specially commended by the Deputy Commissioners concerned. As the existing Panchayat Officers have justified their appointment it is proposed to appoint such officers in 8 more districts as soon as funds permit."

(A voice : But that was ten years ago).

Sir, I only take the case of Sardar Milkha Singh whose work was highly appreciated by his superiors on several occasions. But it is really sad that now his services have been dispensed with, notwithstanding the fact his work has been continuously appreciated for the last 10 years. It was due to the strenuous efforts of these very panchayat officers that the Government thought it necessary to admit in its report for the year 1984-85 that more or less 1,050 panchayats had been established in the province. It is really strange that the Government is dismissing those 19 panchayat officers without assigning any 'sensible' cause for doing so. It is a fact that with the exception of four of them who are non-agriculturists all the rest are real Jats. Now, the question arises as to why even the *bona fide* Jats are being turned out. The House is expected to give considerable thought to this question. The fact of the matter is that even among Jats, there is a division. There is a section among Jats which owes unqualified allegiance to the white rulers. There is another section which is determined to throw away the foreign yoke in collaboration with the Congress. The capitalists among Jats, who are in power in this province these days, are turning out of Government service their Jat brethren of the latter type. The Government thinks that these people do not support the programme of the Unionists. Then, the Government suspects that these people do not do any propaganda work for it. Such Jat panchayat officers, therefore, are being turned out. I want to ask the Honourable Minister for Public Works, has any Government ever let its private policy interfere with its day-to-day administration? After all, what is the fault of these Jat panchayat officers? They have been working under Government now for eight years. Have they given any cause of complaint during this period? I know that my honourable friend the Parliamentary Secretary is busy over there collecting the material for his speech, but I am sure that he will not be able to meet my arguments. Furthermore, I am aware that several commissioners are of the opinion that the panchayat system will come to an end if it is allowed to continue in its present form, and that the Government should appoint, as Panchayat Officers, nominees of the deputy commissioners only.

Minister for Public Works (The Honourable Major Malik Nawabzada Khizar Hyat Khan Tiwana): There are no nominations made.

Chaudhri Kartar Singh: My point is, if the Government is of the opinion that the panchayat system cannot work like this, why does it not abolish it altogether? Why does it turn out of service those poor people who have been serving in the rural areas? The Honourable Premier claims to be a Punjabi and to be one who is just to Punjabis. I want to ask him: why have not the two panchayat officers been discharged? But this is a secret. All the affairs of this Government are full of secrets. Seen from close quarters the chaotic state of administration under this Government is only too apparent. It is yet another *Sikhashahi*. (Laughter).

Mr. Deputy Speaker: Please speak to the motion.

Chaudhri Kartar Singh: I have every respect for the Chair. I would say that the Government has established a veritable *Nadir Shahi*. I hope that the Minister in charge will give his honest opinion if the discharging of these officers has been to the good of the province.

[Ch. Kartar Singh.]

Another colleague of his, Chaudhri Sir Chhotu Ram, told us the other day that it was his honest conviction that all the Bills which had been introduced by the Government had been brought forward for the good of the province. I want again to ask, what harm have these poor men done to the administration? It is a pity that even agriculturist employees are being turned out. I think the policy of the Government differs from division to division: it is different in the case of Rawalpindi on the one hand, and of Ambala and Jullundur Divisions on the other. I would submit that if the Government were to set right its policy of its own accord, the series of adjournment motions on the floor of this House will come to a natural stop. The Opposition cannot go on tolerating injustice. Now, it has surpassed all limits. Government passes orders of discharge against its employees behind closed doors. Perhaps it suspects that these people will not vote for them in the next general election. The vacancies thus created, are being filled by such people whom the Government hopes will not only vote for it themselves but will secure the votes of other people too. But let it appoint hundreds of honorary magistrates and registrars in the hope of getting their votes and those of others through them, the Government is bound to suffer a defeat in the next general election. (*Hear, hear*).

Mr. Deputy Speaker : Please speak to the motion.

Chaudhri Kartar Singh : Sir, I was submitting that if the Government continues to carry on the work of administration like this, the employment of any number of loyal servants and relatives of members of Assembly for the purpose of taking propaganda work from them, will be of no help. The result of turning out these *bona fide* Jats will be anything but useful for the Government. I want to ask one question from the Honourable Minister for Public Works. Has he the courage to deny that Government's own men will be employed to fill up the vacancies caused by the discharge of these people? We shall point out by moving cut motions during the discussion on the next Budget as to how many panchayat officers are related to members of Assembly and where they have been posted. Why, I ask, are old hands being chucked off when new men have to be employed to take their places? Are these people inefficient? I hope that the honest and principled gentlemen sitting on those benches who hold the reins of the Government of this province in their hands, will answer my objections. I do not propose to take any more time of the House but resume my seat.

Mr. Deputy Speaker : The motion is—

That the House do now adjourn.

Minister for Public Works (The Honourable Nawabzada Major Khizar Hayat Khan Tiwana): May I intervene at this stage merely to give some facts connected with this adjournment motion? I will leave the merits of the case alone for the time being and deal with them later. In all 14 panchayat officers were appointed between the years 1927 and 1930. Their services were subsequently dispensed with in 1931. So, it is wrong to say that they have been in employment for the last six or seven years continuously.

Another misstatement has been made and that is this, that all these panchayat officers who were doing satisfactory work and whose work was commended in various reports have now suddenly been dismissed. The report quoted is for 1928-29. What was commendable in 1928-29 is no longer so as our standards of efficiency have gone up and are different now. If we were to see things progressing at that crawling pace, then ages must pass before we can see the ancient panchayat system revived in this country.

Coming to the posts under discussion, these posts are 21 in number and appointments were made in the year 1936. So, these 21 panchayat officers have been only holding these posts for the last two years. The posts were temporary. The incumbents had not been confirmed and were on probation. This was in order to test whether they had the particular aptitude and missionary spirit for this kind of work. When we took over, we examined their cases. I will now state what is the result of their work. But before doing so, I must state that there was another misstatement made by the honourable mover of the adjournment motion and that was that 19 people had been given notice that their services would not be required. I may say that only 16 notices have been served. As a result of this 8 persons will be reverting to their original posts. In their case, therefore, it is only a question of transfer back to their original service. So, only 8 are left. Let me now acquaint the House with what they have done during these two years. The panchayat officer of Jullundur added 28 panchayats in all, that is, 14 panchayats per annum. The officer of Lyallpur added 18, that is, nine per annum. The officer of Gujrat added 12, giving an average of six per annum. The officer of Multan added 11, that is, $5\frac{1}{2}$ per annum. The Attock man added 10, giving an average of 5 per annum. The Rohtak man added 8, giving an average of 4 per annum. The officer of Gurdaspur, about whom reference was made now added only two panchayats, that is, an average of one per annum. The officer of Amritsar added two panchayats, that is, an average of one per annum again. The panchayat officers of Ludhiana and Sialkot added nil in two years. Then there is another man under whose charge the number of panchayats was reduced by two, i.e., minus one per annum and that is the Lahore man. The record of the Ferozepore panchayat officer is the same, i.e., minus two in two years. Of these there are two officers whose honesty is doubtful and against whom serious allegations of corruption exist.

An honourable member : Do you care for honesty ?

Minister : Yes, certainly ; and this adjournment motion is the reward for that.

An honourable member : Is it a fact that all these persons who have been dispensed with belong to the Central Punjab ?

Minister : No. I may assure the House that in replacing these people every district, division and community would get their due representation. It does not matter who is to be removed, because he has to be replaced by a member of that very class and that very community.

It was said that these people are very able and that they might be given a trial. We judge people's ability by the result of their work. (*Hear, hear*). I have just quoted figures to show you the achievements of their work. Then it was said that they were Jats who are being turned out.

[Minister for Public Works.]

That is another mis-statement as usual. There are Jats and non-Jats among those who were turned out. When we consider the question of efficiency and honesty we do not discriminate between Jats and non-Jats. But as far as recruitment is concerned I may assure honourable members opposite that only people with tribal connections, and with rural influence who have a missionary zeal for this particular type of work will be recruited.

An honourable member : Who will select them ?

Minister : The selection will be made by those who are the accredited representatives of this House.

Diwan Chaman Lall : Is there a selection board ?

Minister : I have said that those people will select the officers who command the confidence of the majority of this House.

Diwan Chaman Lall : Will that be selection by an executive authority or by a board ?

Minister : The appointments have not yet been made. After they have been made the honourable member will have ample opportunity of asking how the men have been selected. For the present the question is irrelevant. The question under discussion is, why were these people given notice ? I am giving the reasons why notice was served on these 16 persons.

Diwan Chaman Lall : Were they asked to offer any explanation ?

Minister : To start with they were not permanent people. They were only temporary. But if they have reasonable explanation to offer Government would consider it.

Diwan Chaman Lall : Having made serious allegations against them on the floor of this House I take it that the Honourable Minister will give them an opportunity to explain themselves, so that they may not be condemned unheard.

Minister : I have merely stated the facts. Hard facts are better than any explanation. Here are the facts and if we are to remain contented with this rate of progress, the panchayat system which we all wish to see revived will never come into existence.

Then it was said that relations of members of the Legislative Assembly will be recruited. But that has got nothing to do with the motion before the House. When the time comes the honourable member will get my reply. If the member of the Legislative Assembly's relation is suitable, we will certainly consider his claim.

One word more I should like to say. It was asked, again and again why were these gentlemen turned out ? Government service is not a charitable institution where we are to keep people in service merely for distributing doles. We want efficient and honest people. The people who will be recruited in the place of the men who have been turned out will be on probation also. I may assure the House that if these men also do not come to our standards, they will also go the same way that their predecessors are going. The question that anybody is a relation or friend of somebody will not weigh in this matter.

An honourable member : What is your standard ?

Minister : I want people who have a special interest in the welfare of the rural people and who want to better the condition of the villages. We do not want mercenaries who accept office for the mere pay attached to it.

The honourable member asserted that these panchayat officers are being appointed for political considerations and that they were recruited for doing propaganda. That is totally incorrect and is one of those usual assertions that are made by those people who find the ground slipping under their feet. We do not want these men as party propagandists. We want them as missionaries in the cause of rural uplift. They are not expected to do any party propaganda. They will be Government servants doing their own work. Party propaganda will be done by the party itself. We have plenty of resources to carry on that propaganda. I do not want to say anything more at this stage, but if any further points are raised in the course of the debate I shall reply to them later.

Lala Deshbandhu Gupta (South-Eastern Towns, General, Urban) (Urdu) : Sir, let me say at the outset that I had absolutely no idea of making a speech this evening and I would not have got up to make a few observations but for the simple reason that I was not allowed to elicit certain information through a question while the Honourable Minister of Public Works was making his speech. I now take this opportunity to obtain the information I wanted to elicit. Coming to the point, I may be allowed to observe that the Honourable Minister of Public Works was pleased to say in defence that the services of the panchayat officers were dispensed with as they were inefficient and incompetent and some of them corrupt.

Minister : Not all. I never said that. There are serious allegations against two.

Lala Deshbandhu Gupta : And less serious against the rest. (Urdu) : My submission in this behalf is that there is, at least, one such person among these unfortunate panchayat officers who have been charged of incompetence, about whom, the report regarding the working of panchayats during the year 1928-29 tells us a different story. Well, Sir, I would like to enquire if there is one Milkha Singh who is going to be dismissed. I do not know definitely if he is going to be dismissed or reverted. It is for the Honourable Minister concerned to throw some light on that point.

Minister : I have already replied to that. The standards on which that report is based, we do not take as very satisfactory. But Milkha Singh is one of the persons included in the list. I have quoted the figures and only 14 panchayats have been added in two years.

Lala Deshbandhu Gupta : My query is a simple one. About two years have elapsed since the Unionist Government came into power. How is it that all these 17 cases have come to their notice all at once ? What have they been doing till now in this connection ? Why were they keeping mum ? These are the questions which create a serious suspicion in our minds and suggest that there is some political motive behind this move. If it is intended to stop corruption, it is well and good. In the matter of checking corruption the Congress party is much more advanced than the Unionists. As a matter of fact the Congress cannot put up with

[Deshbandhu Gupta.]

any corruption even for a moment. We cannot tolerate the idea of retaining corrupt officers in service. But in this case what surprises us is that all these officers have been working under the same Minister for the last two years and no action was deemed necessary. It means that either they are not dishonest or if they are really dishonest the Government have been deliberately putting up with them. This is what gives an occasion for doubt that the Unionist party might be creating new jobs to be distributed among the supporters of its members. It might be a new method to keep their party in tact. I wonder why no action was taken before against these officers if they were really corrupt or inefficient. Let the Government explain that they had no ulterior motive in dispensing with the services of these officers.

Parliamentary Secretary (Mir Maqbool Mahmood) (*Urdu*): Sir, I have listened to the speech of my learned friend with rapt attention. In spite of the fact that the Honourable Minister has clearly explained that the case of these temporary men has been dealt with on merits, the honourable members opposite are still harping upon the same tune. Let me refer them to page 9 of the Central Provinces Government's report on the working of the Congress Government there for the first year, where they will find that with one stroke of pen all the public prosecutors there have been removed. This shows that a whole department was abolished and none of the employees presumably was afforded an opportunity to defend his case. In a Congress province they dismissed all the Public Prosecutors from service and why?

Lala Deshbandhu Gupta: Because they have been working as agents of an alien bureaucracy.

Mir Maqbool Mahmood: How do you know that? I ask when the Central Provinces Government had dispensed with the services of so many employees without any fault of the latter, why the honourable member opposite did not care to sympathise with them. We do not mind such matters because governments do such things. But here when we want to remove inefficient men from service, we are asked why we have retained them in service for a period of two years. We have given them a sufficiently long rope to prove their worth. There is nothing wrong in it. It was rather an act of benevolence on the part of the Government. I do congratulate Chaudhri Kartar Singh on his frankness for he has said that these officers have been removed from service simply because they had sympathies with the Congress. As a matter of fact a Government servant who works against the policy of the Government or who displays a partisan spirit has absolutely no right to be retained in service. Again it has been asked on which principle new appointments are made. In reply to this I would say that in the matter of appointment or dismissal, this Government like other governments, observe the principle of fitness for social service. With these words I oppose the adjournment motion.

Honourable Members: Question be now put.

Mr. Deputy Speaker: The question is:

That the question be now put.

The motion was carried.

Chaudhri Kartar Singh (Urdu): I am not aware of the political views of these panchayat officers, nor have I said that they believe in the Congress creed. My submission is that the Government has by its defective policy divided the Jats into two hostile camps. On one side are those who believe in the nationalistic views and on the other side there are those who take pride in their enslavement by the British. The Honourable Minister has stated that these officers have proved corrupt and dishonest inasmuch as their efforts have resulted in establishing only one or two panchayats. As regards Milkha Singh I would submit that some 10 years back in 1928 the Government itself was pleased to appreciate his work. Again in the Panchayat Report for 1935 it is noted that there were 1,050 panchayats at the time in the province. Now the question is, if these officers have been inefficient in their work how could that number of panchayats be easily established? I ask as to why the Government does not openly confess that by turning out these men it intends to recruit new officers who can be safely entrusted with the party propaganda work. If the Government admits this fact, we promise to hold our peace and abstain from moving any adjournment motion, and wait for the time when we shall be able to combat such *zulum*s. We do not seek any favour of you. At first it was said that the Government was definitely upholding the cause of Jats. But now it is said that the Government does not make any distinction between the agriculturists and the non-agriculturists. The Government only believe in efficiency. But now it is asserted that the panchayat officers are being turned out because of their inefficiency and corruption. If the Government can take action against these so-called corrupt officers why did it not deem it proper to take action against the Official Liquidator who has mis-appropriated the property of the late lamented Lala Harkishan Lal?

Premier : It is a reflection on the High Court.

Chaudhri Kartar Singh : Sir, I can provide proof to this effect. I was submitting that if the Government had come to know of their dishonesty and corruption it ought to have given them timely warning. If they were inefficient and incapable they could have been turned out even before this. I have not moved this motion with the object of requesting the Government to appoint our people. Nothing of the sort. We do not care to seek such favours from the Government. My object is only to remind the Honourable Minister of his moral duty and thus to apprise him of the situation. I request him not to dismiss these officers without any sufficient cause. The Government should show mercy at least to the dependents of these unfortunate persons.

Mr. Deputy Speaker : The question is—

That the House do now adjourn.

The motion was lost.

The Assembly then adjourned till 12-30 p. m. on Monday, 21st November, 1938.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and the role of the accounting department in ensuring the integrity of the financial statements. It also highlights the need for transparency and accountability in the reporting process.

2. The second part of the document outlines the various methods used to collect and analyze data, including surveys, interviews, and focus groups. It emphasizes the importance of using a mix of qualitative and quantitative techniques to gain a comprehensive understanding of the research topic.

3. The third part of the document presents the results of the study, showing that there is a significant correlation between the variables being studied. The findings suggest that the proposed model is effective in predicting the outcome of the study.

4. The fourth part of the document discusses the implications of the study for practice and policy. It suggests that the findings can be used to inform decision-making and to develop strategies to improve the performance of the organization.

5. The fifth part of the document concludes the study by summarizing the key findings and highlighting the limitations of the research. It also suggests areas for future research and provides a final statement on the importance of the study.

PUNJAB LEGISLATIVE ASSEMBLY.

4TH SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Monday, 21st November, 1938.

*The Assembly met at the Assembly Chamber at 12-30 P.M. of the clock.
Mr. Speaker in the Chair.*

UNSTARRED QUESTIONS AND ANSWERS.

REVISED CONSTITUTION OF LYALLPUR MUNICIPALITY.

513. Munshi Hari Lal : Will the Honourable Minister of Public Works be pleased to state whether it is a fact that the constitution of the Lyallpur Municipality has been revised and fresh wards for the purposes of the election have been formulated and duly approved ; if so, when the new election of the Municipal Committee, Lyallpur, will be held ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The constitution of the Lyallpur Municipal Committee has been revised and the wards are being revised. The dates of the next general elections will be announced by the Deputy Commissioner, Lyallpur, soon after the new wards are notified.

REPRESENTATION OF MUSLIMS OF AMBALA DIVISION IN GAZETTED POSTS.

514. Khan Sahib Chaudhri Sahib Dad Khan : Will the Honourable Premier be pleased to state—

- (a) the number of Muslim Extra Assistant Commissioners in the cadre ;
- (b) the number of Muslim Extra Assistant Commissioners belonging to the Ambala division ;
- (c) whether it is a fact that the representation of Muslims of Ambala division in the Gazetted posts of the services under the Punjab Government is inadequate ; if so, the action the Government propose to take in the matter ?

The Honourable Major Sir Sikander Hyat-Khan : (a) and (b). The honourable member is referred to the Punjab half-yearly Civil List and the History of Services of Gazetted Officers. These publications contain in detail the information required.

(c) It does not appear that the representation of Muslims of the Ambala division in Gazetted posts of services under the Punjab Government is in any way inadequate, and no scheme to reserve vacancies on a communal basis division-wise is contemplated.

FIREARMS OF LICENCE HOLDERS IN HISSAR TOWN.

515. Khan Sahib Chaudhri Sahib Dad Khan : Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that the firearms of licence holders in Hissar town were taken and deposited after the communal riots there ;
- (b) whether it is a fact that firearms belonging to Hindu licence holders have been returned while those belonging to Muslim licence holders have not been returned ; if so, reasons for this disparity in conduct ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes.

(b) No. On the contrary hitherto 15 licences of Muslims and 7 of Hindus have been restored.

TEACHERS EMPLOYED BY THE DISTRICT BOARD, HISSAR, THROUGH THE DISTRICT INSPECTOR OF SCHOOLS, HISSAR.

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

- (a) how many teachers have been employed by the District Board, Hissar, through the present District Inspector of Schools, community-wise ;
- (b) whether it is a fact that the advertisement for inviting applications for the posts referred to in (a) above was not given to any Muslim newspapers ; if so, why ?

The Honourable Mian Abdul Haye : (a)

Hindus.	Muslims.	Sikhs.	Total.*	REMARKS.
23	2	2	27	*Excludes two Muslims and one Sikh who were appointed, but did not join.

(b) The advertisement was not given in any Muslim newspaper, but the District Inspector of Schools, Hissar, is not responsible for this as the choice of selection of newspapers for advertisements rests with the District Board.

ANNUAL AUCTIONING OF OPEN SPACES BY LOCAL BODIES FOR PARKING MOTOR VEHICLES.

517. Sardar Hari Singh : With reference to the reply to my starred question No. 2776¹, asked on the 24th June, 1938, will the Honourable Minister of Public Works be pleased to lay on the table of the House the result of the inquiries that were being made and also state the action taken by the Government in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : A statement is laid on the table showing the facts as ascertained. The result of the inquiries is to show that some of the municipal bodies in

the Multan division are still making large profits out of their stands, and the Commissioner is being asked to take appropriate action.

Name of the local body.	Summary of the complaint made by the Punjab Motor Union.	Facts as ascertained by Government.	REMARKS.
1	2	3	4
<i>Notified Area Committee, Renala Khurd.</i>	<ol style="list-style-type: none"> 1. The Committee maintains a combined motor and tonga stand which is situated on Public Works Department land for which a rent of Rs. 100 per annum is paid by the Committee. 2. The stand has been auctioned this year for Rs. 8,100. The Committee has earned from the stand an amount of about Rs. 30,000 during the last eight years. 3. Not more than a thousand rupees has been spent by the Committee on the stand. 4. The contractor charges "an exorbitant rate of adda fee from lorry-walas." 	<ol style="list-style-type: none"> 1. This is correct. 2. The amount earned by the Committee from this combined stand from 15th January, 1931, to 31st March, 1938, was Rs. 17,696. 3. Steps to provide amenities are being taken. Rupees 1,584 have been spent so far and the Committee intends to spend more on the construction of sheds, etc. The stand being on land controlled by the Public Works Department, no permanent structure can be built, but suitable sheds will be provided when the new Renala Mandi is constructed. [P] 4. The rates charged by the contractors are those fixed by the Committee. 	
<i>Municipal Committee, Okara.</i>	<p>The stand has been auctioned at an "extraordinary sum of Rs. 8,000 per year." The Committee has earned more than Rs. 50,000 during last 10 years "without providing the lorry-walas with any of the facilities." The adda is full of deep dips and the contractor charges "the exorbitant sum of Re. 0-8-0 per lorry per trip."</p>	<p>The actual amount realized by the Committee from 1930-31 to 1937-38 was Rs. 32,525. The lease for 1938-39, which was auctioned for Rs. 8,000, has been cancelled and the Committee has taken the management of the stand in its own hands. It is not correct that the adda is full of "deep pits." The Committee has spent Rs. 4,280 up to date on amenities. "The stand has been provided with water, lights, latrines and sheds and more improvements are in hand." A fee of Re. 0-8-0 is charged from those lorries which spend 24 hours at the stand and a fee of Re. 0-4-0 from those which stop for shorter times to collect passengers.</p>	

[Minister for Public Works.]

Name of the local body.	Summary of the complaint made by the Punjab Motor Union.	Facts as ascertained by Government.	REMARKS.
1	2	3	3
<i>Municipal Committee, Montgomery.</i>	The Committee realised more than Rs. 60,000 within last few years from fee for the use of stand which it has got on lease from District Board at the rate of Rs. 25 per month. The adda possesses one "Kitson Gas" and an "apology of a small shed for passengers."	The Committee realised Rs. 42,495 from 1928-29 to 1937-38 by auctioning lorry stand. A passenger's shed, hand-water pump, lorry washing platform and a latrine have been provided at the stand. The adda fee has been reduced to Rs. 0-5-0 per lorry and Rs. 0-2-6 per motor car.	
<i>Municipal Committee, Pakpattan.</i>	The Committee "auctions lorry stands every year at a very high rate. It has managed to collect adda fees from all lorrywalas' forcibly although they do not park their lorries on its stand."	The income of the Committee from 1930-31 to 1937-38 was Rs. 12,250. For 1938-39 the stand has been auctioned for Rs. 700. A shed has been provided and arrangements for water have also been made.	
<i>Notified Area Committee, Arifwala.</i>	The Committee "has realised more than Rs. 35,000 from the lorry and tongawalas." The contractor charges an "exorbitant" fee of Rs. 0-10-0 per lorry per trip.	The amount earned from 1928-29 to 1937-38 was Rs. 31,768, and the amount spent by the Committee is something over Rs. 9,000. A fee of Rs. 0-10-0 is charged by the Committee. It is stated that the Committee spends about Rs. 1,000 annually on maintaining the stand.	
<i>Notified Area Committees, Burewala and Vihari in Multan district.</i>	These Committees charge an "exorbitant" adda fee of Rs. 0-10-0 per lorry per trip. Though thousands of rupees are realised from lorrywalas no facilities regarding "shed, water, floor, lights or waiting room" are provided.	The Burewala Committee has spent Rs. 12,300 and the Vihari Committee Rs. 895-8-0 on the construction of addas. Apart from these initial expenses, their recurring expenditure ranges from Rs. 1,000 to about Rs. 1,500 per year. These expenses are for the pay of sweeper, lighting charges, contingencies and annual repairs.	
<i>Notified Area Committee, Chichawatni.</i>	The Union representation contains no complaint against this Committee.	The amount earned from 1931-32 to 1937-38 was Rs. 3,000. The Committee is looking for another suitable site for a stand and will provide it with passengers' sheds and other amenities such as water, light, fencing, etc.	
<i>Small Town Committee, Sadhaura, in Ambala district.</i>	The Committee realizes Rs. 12 per lorry yearly as adda fee without providing any lorry stand or any other facility.	No tax or fee is charged by the Committee. The Committee only charges a rent of Rs. 1, per mensem per lorry "for the use of its land which has been set apart for the use of lorries."	

Name of the local body.	Summary of the complaint made by the Punjab Motor Union.	Facts as ascertained by Government.	REMARKS.
1	2	3	4
<i>Small Town Committee, Shorkot, in the Jhang district.</i>	The Committee collects more than Rs. 1,000 yearly by charging "exorbitant" fees on lorries and tongas without providing any facilities. The stand is full of "deep pits" and surrounded by palm trees.	Action is being taken to cut down the palm trees. The Committee has already fixed a tube-well. A resolution has also been passed by the Committee to get an estimate for the construction of a shed on the stand, but it is reported that no funds are available this year for the proposed work.	

PROVISION OF SEEDS FOR MOTOR LORRIES BY THE AMRITSAR MUNICIPAL COMMITTEE.

518. Sardar Hari Singh : Will the Honourable Minister of Public Works be pleased to state—

- (a) whether the Punjab Motor Union has drawn the attention of the Government that the Amritsar Municipality is regularly using the lorry stands as a source of income and has not cared to provide sheds for motor lorries to get shelter from sun and rain ;
- (b) if the answer to part (a) above be in the affirmative, the action Government has taken or proposes to take in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) The general representation of the Punjab Motor Union, to which reference was made in the reply to the honourable member's question *2776¹ contained a complaint that the Amritsar Municipal Committee had done nothing to provide shelters at lorry stands, but no complaint was made in respect of the income received by it from those stands.

- (b) Does not arise.

AMOUNT PAID BY GOVERNMENT FOR POLICE LORRY VOUCHERS.

519. Sardar Hari Singh : Will the Honourable Minister of Revenue be pleased to state—

- (a) the total amount of money on account of police lorry vouchers paid by the Government in the months of June, July and August, 1938, separately in the districts of Lahore, Amritsar, Jullundur, Hoshiarpur, Montgomery, Rohtak, Sheikhpura and Lyallpur and the system according to which this money is disbursed ;
- (b) whether it is a fact that this amount is generally paid by the police officers to a third person and not directly to the motor owner or driver ;

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- (c) whether it is a fact that in the districts of Amritsar and Rohtak amount of money on account of the lorry vouchers is being paid through Motor Unions ; and if so, whether the Government intends to adopt the same system throughout the Punjab.

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

REPRESENTATION OF ZAMINDARS OF VILLAGE BHAJU KALAN,
DISTRICT FEROZEPUR, FOR REMISSIONS OF ABIANA.

520. Sardar Tara Singh : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether he is aware of the fact that owing to scarcity of rains there has been no kharif crop in village Bhaju Kalan, police station Nathana, district Ferozepore, and the rabi crops could not be sown, while the nahri crops such as cotton, Maki, and Chari were destroyed by pest ;
- (b) whether he is further aware of the fact that the zamindars of the above-mentioned village have represented for a remission in abiana ; if so, the action Government proposes to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No, but owing to deficient monsoon rains throughout the district the barani kharif crops in this village as well as in many other villages of the district have been severely damaged. The irrigated crops were, however, normal and not damaged by any pest.

(b) No representation was received by the Executive Engineer, concerned for remission of abiana. An application was, however, received by the Naib-Tahsildar, Nathana, who after investigation reported that the condition of the kharif crops was normal and that no remission was necessary. Under the ordinary kharaba rules, abiana has been remitted on 17·71 acres of land.

FINANCIAL ADVISOR TO THE REGISTRAR, CO-OPERATIVE SOCIETIES.

521. Chaudhri Krishna Gopal Dutt : Will the Honourable Minister of Development be pleased to state—

- (a) whether he has received any representation from the Society of Registered Accountants in Northern India, regarding the appointment of a financial advisor to the Registrar, Co-operative Societies, Punjab ;
- (b) if so, what action the Government have taken or intend taking on it ?

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

(b) None. Appointment to the post of Financial Advisor will be made on the advice of the Punjab and North-West Frontier Province Joint Public Service Commission.

MAULVI ISA KHAN, HEADMASTER, BELEWALI VERNACULAR MIDDLE SCHOOL.

522. Chaudhri Kartar Singh : Will the Honourable Minister of Education be pleased to state whether any inquiry under rule 2, clause 5, District Board Rules, 1926, and Education Circular 4355 was made at the time the District Board, Muzaffargarh, discharged Maulvi Isa Khan, Headmaster, Belewali Vernacular Middle School, under the orders of the General Committee on 6th July, 1937 ; if not, why ?

The Honourable Mian Abdul Haye : Yes, the necessary enquiry was made under the rules.

QUESTION HOUR.

Premier : Sir, I beg to suggest that we might to-day dispense with the question hour so as to give an additional hour for the discussion of Supplementary Demands. I have consulted my honourable friend the Leader of the Opposition and he agrees to this suggestion of mine.

The Assembly agreed to this proposal.

ACKNOWLEDGMENT BY PRESIDENT OF TURKISH REPUBLIC OF THE SYMPATHY OF THE ASSEMBLY.

Mr. Speaker : In reply to the message of condolence and sympathy sent by me on behalf of this House to His Excellency the President, Turkish Republic, Ankara, I have received the following cable :—

I am greatly touched by the sympathetic manifestations of the Punjab Assembly. I present you my warmest thanks. Renda.

SUPPLEMENTARY DEMANDS.

GENERAL ADMINISTRATION.

The Honourable Mr. Manohar Lal : I beg to move—

That a supplementary sum not exceeding Rs. 1,22,000 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 General Administration.

Mr. Speaker : Motion moved—

That a supplementary sum not exceeding Rs. 1,22,000 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 General Administration.

I notice that the honourable members, who have given notices of nominal reductions, have proposed various amounts. This is irregular. Only one sum, i.e., Rs. 100, in the case of every motion, the object of which is criticism of administration, etc., should be fixed.

Chaudhri Krishna Gopal Dutt : For instance ?

Mr. Speaker : For instance, the honourable member's motion No. 1 says—

That the item of Rs. 75,000 on account of Travelling and Daily Allowances of members be reduced by Rs. 74,999.

If the honourable member wishes to move motion No. 1. or No. 2, and proposes a cut of Rs. 100 in either case, I have no objection to his doing so.

Chaudhri Krishna Gopal Dutt : Do you mean that any sum over Rs. 100 should not be suggested ?

Mr. Speaker : Yes. I may state for the information of the honourable member that in the case of any cut the object of which is a substantial or economic reduction, any amount, which the honourable member wishes to reduce, may be proposed ; but where the cut is a nominal one and the object is only criticism, the sum of Rs. 100 only should be proposed and all such cut motions shall be taken in the order of receipt of their notices.

Chaudhri Krishna Gopal Dutt : I understand that for future purposes, but may I know that the very fact that there is a large amount—

Mr. Speaker : The honourable member is welcome to move his first amendment by proposing a reduction of Rs. 100 instead of Rs. 74,999.

Chaudhri Krishna Gopal Dutt : I want to understand one thing for future purposes. For instance, honourable members give notice of a sum which is greater or higher than Rs. 100, will you give preference to that ?

Mr. Speaker : I have already stated that in the case of ordinary cut motions for Rs. 100 each, the object of which is only criticism, the motions will be taken and dealt with in the order in which their notices are received ; while in the case of motions proposing economic and substantial reductions, the motion proposing the highest reduction will be taken up first and the motion proposing the lower amount next and so on.

Chaudhri Krishna Gopal Dutt : May I move my second motion ?

Mr. Speaker : May I ask what the honourable member means by criticising the advisability of incurring this expenditure ?

Travelling and daily allowances of members of the Assembly.

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General Urban) : That was a mistake on the part of my typist. It should have, been "incurring so much expenditure"; instead of the word 'this' it should have been 'so much.' I take it like that. I beg to move—

That the item of Rs. 75,000 on account of Travelling and Daily Allowances of members be reduced by Rs. 100.

I do not want to waste the time of the House on this as I desire some other honourable members to speak on it. The consideration before me is that there are a large number of demands and only one day is allotted for their discussion and most of these shall have to be guillotined and, therefore, it is not my intention to make any lengthy speech on this motion. I would like to make a few observations on this. The first is, and I take

advantage of this opportunity to again draw the attention of this House to it, that the allowances which the honourable members of this House draw are exorbitant so far as my opinion goes.

Mr. Speaker : The honourable member is not in order in criticising the law and rules in force. If the honourable member wishes to have the law or rules changed, he shall have to proceed separately.

Chaudhri Krishna Gopal Dutt : When supplementary grants are put before the Assembly, that opportunity should be availed of, and I think is availed of, for attacking the general policy so far as that particular item is concerned. This interpretation is according to the ruling which you gave.

Mr. Speaker : The honourable member is quite right but that is not the case here.

Chaudhri Krishna Gopal Dutt : The rate of allowances can be discussed on this particular cut motion.

Mr. Speaker : No. I may state for the information of the honourable member that there are three kinds of allowances which are drawn by the honourable members of this House. The residential allowance, the conveyance allowance and the travelling allowance. The first two allowances are fixed by an Act passed by this House. The third allowance, namely the travelling allowance is fixed by rules passed by this House. So, the honourable member cannot go beyond the said Act and Rules, and criticise the policy of the Government in administering the law as it is.

Chaudhri Krishna Gopal Dutt : There is then no use of discussing the general budget.

Mr. Speaker : That is not for me to decide.

Chaudhri Krishna Gopal Dutt : But the ruling you gave in Simla was that we could discuss the general policy so far as it related to that particular item.

Mr. Speaker : I stick to it even now. The honourable member may discuss it by all means.

Chaudhri Krishna Gopal Dutt : If you are pleased to restrict that, then I would only say that there would not be any use of my discussion on this point. I would only say that there were not many important things in the session for which this money was spent and there are more important things which could have been discussed there and from that point of view I criticise that.

Mr. Speaker : Demand under consideration, motion moved---

That the item of Rs. 75,000 on account of Travelling and Daily Allowances of members be reduced by Rs. 100.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : Sir, I am sorry that my honourable friend Chaudhri Krishna Gopal Dutt has found his style somewhat cramped owing to your ruling. I sympathise with him because I was looking forward to a very brilliant speech from him like his other speeches on this interesting and important question. There is one thing which I might venture to point out to my honourable friends opposite, that is, as my honourable friends are aware, we have been sitting for over a week and if they would calculate actually the amount

[Premier.]

of real business done, they will find that so far as this side of the House is concerned we try to save as much money as possible. My friend the honourable the Finance Minister calculates that it costs us Rs. 4,000 a day which of course is a very large amount considering that our resources are limited; and unfortunately on account of scarcity of conditions in various parts of the province, it would have been an admirable thing if we could have saved a part of that amount. I venture again to point out to my honourable friends opposite that if they would co-operate with us and try to save time on matters which to me seem superfluous—which may seem to them somewhat important—we could sit together and chalk out a plan whereby we might eliminate all this unnecessary discussion and concentrate on very vital and important things so that we may save the time of the House and consequently the money of the province and the public. I hope my friends opposite will co-operate with us. I am absolutely prepared to come and talk to them and chalk out the line on which we might proceed hereafter to avoid unnecessary and avoidable waste of time and money.

Chaudhri Krishna Gopal Dutt : It is a pity that the whole discussion has been restricted. I explained the point which I had in view; but one point which I put before the House has not been answered by the Honourable Premier. My contention was that the entire session in Simla was waste of public money with the exception of one item, i.e., the Money-lenders' Bill which was, excepting two or three clauses, necessary. This item could have been finished in one week. Beyond that it was waste of public money.

Mr. Speaker : Order, order. The honourable member should speak respectfully of the business done by the House.

Chaudhri Krishna Gopal Dutt : I said some of the business.

Mr. Speaker : The honourable member can certainly criticise the business or proceedings of the House, but without speaking contemptuously or disrespectfully.

Premier : May I answer the questions which my honourable friend has put to me?

Chaudhri Krishna Gopal Dutt : Shall I have the right of reply afterwards?

Mr. Speaker : The honourable member is presumed to know the rules of business. He moved his motion: he had a right of reply which he has exercised. Now the Government member has the right of reply.

Premier : My honourable friend, if I understood him rightly, said that the rather protracted session at Simla was unnecessary waste of time and money, and he said only one Bill perhaps and that is the Money-lenders' Registration Bill was in order and the rest was sheer waste of time.

Mr. Speaker : Well, I have already taken exception to that expression.

Premier : I also take an exception to that expression on quite a different ground and that is, that our constituents, the public think, differently and they have shown this in so many ways which cannot be controverted by anybody in this House or outside. I think we need not stress that question.

Mr. Speaker : Question is—

That the item of Rs. 75,000 on account of Travelling and Daily Allowances of members be reduced by Rs. 100.

The motion was lost.

Travelling and Daily allowances of Members of Committees.

Mr. Speaker : The next motion is that of Lala Duni Chand. He says in his note "to discuss the question of travelling and daily allowances of members of committees." What does the honourable member mean by committees? Which committees does he mean?

Lala Duni Chand : I mean the select committees, Resources and Retrenchment Committee, Unemployment Committee and such other committees.

Premier : The Resources and Retrenchment Committee has nothing to do with this.

Mr. Speaker : Is the honourable member aware that they are not paid from this provision?

Lala Duni Chand : I will confine myself to select committees.

Mr. Speaker : What does the honourable member mean by travelling and daily allowances of members?

Lala Duni Chand : I want to criticise the question regarding travelling and daily allowances to members of the Assembly who serve on such select committees.

Mr. Speaker : Will the honourable member please make himself a little more clear as to what he means by "criticising their travelling and daily allowances"?

Lala Duni Chand : That money should not be wasted unnecessarily on select committees. The business of the House should be promptly disposed of and I shall make certain other suggestions.

Mr. Speaker : Will he discuss what has been done in the past or what is proposed to be done in future?

Lala Duni Chand : I want to speak on what will be done in future.

Mr. Speaker : The honourable member may speak.

Lala Duni Chand (Ambala and Simla, General, Rural) : I beg to move—

That the item of Rs. 75,000 on account of Travelling and Daily Allowances of members be reduced by Rs. 100.

(Urdu) : My object in moving this cut, as it would appear from the remarks appended to the notice of this motion, is to discuss the question of

[L. Duni Chand.]

those travelling and daily allowances which are paid to members for attending the select committee meetings. I may be permitted, in this connection, to observe that if greater caution and vigilance is observed, the amount of money paid to the members can be reduced to a considerable extent. I would, therefore, suggest that instead of holding select committee meetings when the session is not on, we should always try to hold these meetings during the session of the Assembly. This will save a good deal of public money. Even in the present session we have seen that there were three off-days in the last week. From 29th November to 27th November, there will be another five off-days. Ordinarily the days when the Assembly meets are fewer than the days when it does not meet. I, therefore, request that meetings of select committees should be held during off-days in order to save public money. In select committees much time is wasted, and if a little more care is taken, I am sure the work will be done sooner and at less expense than we have been incurring hitherto. It is my earnest desire that while working in select committees we should put forward only constructive proposals and refrain from wasting the precious time in many other ways. There should be honesty of purpose. With these words I close my remarks.

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

The item of Rs. 75,000 on account of Travelling and Daily Allowances of members be reduced by Rs. 100.

Premier (The Honourable Major Sir Sikander Hyat-Khan) (*Urdu*) : My honourable friend Lala Duni Chand has made a pretty long speech and the point he has particularly emphasised is that meetings of committees, I mean select committees, should be held on days when the Assembly is in session in order to save the public money. I hope the honourable mover would remember that in the last Simla Session we used to sit from 9 A. M. to 12 noon in the select committees and thereafter attend the meetings of the Assembly from 2 P. M. to ten o'clock in the night. I think the honourable member over there, I mean, Sardar Hari Singh, would bear me out that the honourable members protested against such continuous long sittings every day and in doing so they remarked that that was a sort of slave driving. Let me tell the honourable mover that so far as this Government is concerned they have been doing what he requires them to do now and that they will be prepared to do the same even in future. Again the honourable mover has said that while working in the select committees we should keep in view the honesty of purpose, put forward only constructive proposals and refrain from wasting our time in many other ways. That is what every reasonable person would welcome. I pray God that my honourable friend may adhere to his words.

Lala Duni Chand (*Urdu*) : No doubt, the meetings of the select committees are sometimes held on days when the Assembly is in session. But that is not very often done. I would like that almost all such meetings should be held during the session. With regard to my request that we should work honestly and put forward constructive proposals, I would like to observe that hitherto we have not been working with as much honesty, truthfulness and earnestness as we ought to do.

Mr. Speaker : The question is—

That the item of Rs. 75,000 on account of Travelling and Daily Allowances of members be reduced by Rs. 100.

The motion was lost.

Mr. Speaker : The question is—

That a supplementary sum not exceeding Rs. 1,22,000 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 General Administration.

The motion was carried.

PUBLIC HEALTH.

Minister for Finance : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 3,25,000 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 Public Health.

The motion was carried.

VETERINARY.

Minister for Finance : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 1,00,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Veterinary.

Mr. Speaker : Motion moved is—

That a supplementary sum not exceeding Rs. 1,00,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Veterinary.

Government Cattle Farm, Hissar.

Pandit Shri Ram Sharma (Southern Towns, General, Urban) : Sir I beg to move—

That the demand be reduced by Rs. 100.

(Urdu) : This cut relates to the Government Cattle Farm at Hissar for which a sum of one lakh of rupees is provided. There are about ten thousand cattle for which approximately fifty thousand maunds of bhusa is required every month. The previous store of bhusa is almost exhausted. In this connection what appears to me very objectionable is that the authorities concerned have purchased bhusa at very dear rates. The actual market rate was 9 or 10 annas per maund but it was bought for the farm at an exorbitant rate of one rupee a maund. That is my complaint which I want to bring to the notice of the House. These transactions have resulted in a loss not only to the Cattle Farm and Exchequer of the province but also to those famine-stricken people whom the Government wanted to render some help. Now, the Farm purchased 50,000 maunds in the first instalment and 65,000 maunds in the second instalment. This will show how much loss has been incurred, when they could easily purchase fodder at lower rates, i.e., at 9 or 10 annas a maund. The Director of Agriculture in his report gives out that 14 annas per maund is the current price of bhusa. I can challenge this statement, but even accepting it as correct, the authorities at the Cattle Farm cannot assert that they did not

1 P.M.

[Pt. Shri Ram Sharma.]

sustain any loss. The money thus lost, I submit, is public money paid by the tax-payers and the Government cannot escape the blame for all that has happened in the course of all these transactions. With these words I commend my motion for the acceptance of the House.

Mr. Speaker : Demand under consideration, motion moved—

That the demand be reduced by Rs. 100.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) (*Urdu*) : Sir, the object of Pandit Shri Ram Sharma in moving this cut motion is to provide proof to the effect that the Government has purchased fodder for the Cattle Farm, Hissar, at a very high rate, notwithstanding the fact that it could be had from the private contractors at a much lower rate. I think my honourable friend opposite ignores the fact that the Government while purchasing fodder from various places in the province is not out to make any profit. It has to bear the railway freight, cost of transport to railway stations, loading and unloading charges, etc., and thus, including all such expenditure the Government sells the fodder at the actual cost price. The Government is not after any middle-man's gain. It purchases fodder at a place where good fodder can be had at a reasonable price. The argument that the Government has struck a bad bargain has no foundation. Another point to which I wish to draw attention of my honourable friend opposite is that private contractors generally sell fodder which they purchase from various places in a loose condition, while the fodder purchased by the Government for the Cattle Farm was in bales. The Cattle Farm is situated at a distance of 8 miles from the railway station and if the fodder were not in bales a considerable portion of it would have missed its destination. Under these circumstances the price had to be a bit higher.

Another point which deserves attention of the House is that the customer seldom gets more than 35 seers of fodder for a maund from private contractors. On the other hand the Government has no motive or reason to resort to such tactics. It gives to its customers full 40 seers for a maund. Had he borne these facts in mind he would not have complained of the Government selling fodder at a higher rate. Nevertheless, the Government has decided that in future all the fodder, whether for the Cattle Farm or for zamindars, should be purchased through a single agency, and I am glad to inform the House that these operations have been placed in charge of Khan Bahadur Maulvi Fateh Din, the acting Director of Agriculture, than whom it is difficult to find a more efficient, more sympathetic and more honest officer in the whole province.

Diwan Chaman Lall (East Punjab, non-Union Labour) : The point raised by my honourable friend is a very simple one. I do not think that my honourable friend the Minister for Development has met the point. The point raised was this that whereas it was possible to purchase fodder at 9 annas or ten annas a maund, why is it that the Government purchased fodder at Re. 1 per maund? Surely the argument advanced by my honourable friend sounds a little bit amateurish. His argument is this, that because it was baled fodder, therefore the price was higher. What I want to know is this, was any attempt made to raise this particular type of fodder at this price at which my honourable friend says it was available there?

There is no reply. The very fact that my honourable friend asserts now that an administrative officer has been put in charge for future purposes whose honesty is beyond doubt, well, what does it show? My friend has some misgivings in his mind as to what has happened in the past. Why did he make this arrangement? Why was this arrangement not in operation before? Was there any attempt made to get hold of various people who were in a position to sell this fodder to him, and compare their prices, or were the local authorities merely given *carte blanche* to do what they liked?

Another point of very great importance is this. My honourable friend asserts that for three successive years the monsoon has failed and the stocks of fodder were depleted. Is that correct? Well, that has been said by my honourable friend in explanation to this particular demand. Surely a wise administration would have seen to it that at a time when it was possible to purchase fodder in order to make up the deficiency in the stocks that fodder should have been purchased and the deficiency in the stock made up. Surely my honourable friend ought to give us some sort of an explanation as to why during those two years, such lean years as we witness this year, why an attempt was not made to make up the deficiency. Besides these two points my honourable friend has raised a third point in explanation of the fact that a higher price was paid, and I want you, Mr. Speaker, to notice that my honourable friend does not deny the fact that a higher price was paid. His explanation is merely an explanation as to why a higher price was paid.

The third explanation that he gives is this, that ordinarily contractors would sell fodder to the sellers at 35 seers to the maund, whereas Government sell fodder at 40 seers to the maund. I ask him seriously that if he is purchasing for Government, would he purchase 35 seers to the maund instead of 40 seers to the maund? That is rather an amateurish argument that he has advanced. Is it not possible for Government to check the actual weight of the maund, is it not possible for them to see to it that the maund is of 40 seers? But because there is a fear that the contractors hand over fodder to other people at 35 seers to the maund, therefore my honourable friend thinks that the price that Government had to pay was a higher price. I ask him in all seriousness, is he so sure that everybody else except my honourable friend's department are such utter fools, such utter idiots that they would be handing over good money to the contractor who is selling them a maund of bhusa and receiving only 35 seers in return? Is Government so alert, so intelligent, so careful, so administratively up-to-date and up to the mark that they would not be done in the eye, that they would get their 40 seers for the maund, while everybody else in that area is incapable, according to my honourable friend, of checking the weight of the maund and that the contractor is bamboozling everybody else but that the Government is so alert that it cannot be bamboozled? That is a very amateurish and childish argument. Nobody can be bamboozled and particularly no Jat can be bamboozled easily by being offered 35 seers to the maund. Surely my honourable friend, the Minister, ought to know; otherwise the economy of this province would soon come to an end. What is at the back of this motion which my honourable friend has moved? It is,

[Diwan Chaman Lall.]

that the Minister should make an attempt in future to so arrange matters that the local authorities who are given power to make these purchases do so with their eyes open and do not pay a pie out of the public Exchequer more than is necessary in making these purchases. It is the duty of Government to see when they make purchases on such a large scale that they pay the lowest price in the market, at any rate lower than the price paid by purchasers making small purchases. Surely a wholesaler or a purchaser on a large scale can buy at a lower price. Yet such is the defective working of my honourable friend's machinery that instead of paying a lower price, he pays nearly 80 per cent. more than the average market price (*Interruption*). I am not a good mathematician, yet my working shows that the difference between 9 annas and one rupee comes to about 75 per cent. Certainly the Honourable Minister should give a better explanation for having paid this higher price.

Minister for Development : I shall say a few words in all seriousness in reply to a few questions which have been put in all seriousness by Diwan Chaman Lall. He thinks that I have missed the point of Pandit Shri Ram Sharma's motion. But this is not so. As far as sale to private zamindars is concerned I have already explained the position. My honourable friend has raised a further question which is that purchases were made at annas 15 a maund.

Diwan Chaman Lall : I said nothing of the sort. The acoustics of this Chamber are so defective or probably my friend's understanding of these matters is so defective that he imagines an argument where no argument was raised at all.

Minister : The statement made by the honourable mover of the motion and by his supporter is wrong. The price charged on the spot for the sale of bhusa was 15 annas. It is true no doubt that the actual purchase price of bhusa was only nine annas, but the freight and other charges come to six annas a maund. The difference in the price paid for bhusa supplied by Government and private contractors was I believe one anna and six pies per maund. But this difference is due to the fact that bhusa supplied by private contractors was soiled and brown, while that supplied by the Superintendent of the Cattle Farm at Hissar was white and clean. These are facts which were enquired into and reported by the local authorities. It will thus be seen that no money has been wasted.

My honourable friend raised another point relating to the delay which the Hissar Cattle Farm authorities made in the purchases of bhusa. He knows or ought to know that there had been two bad years. Ordinarily the third year might have been expected to be a reasonably good year. After all bhusa is to be purchased only in June or in the beginning of July. There was every hope that we should have a good fodder crop this year in the farm, because the initial rainfall was good. It was only later that it was realised that we were face to face with a famine.

Mr. Speaker : I do not think the Honourable Minister has a right of reply.

Lala Deshbandhu Gupta : May I ask the Honourable Minister whether he is relying for all this information that he has given in his speech on the report received from the Cattle Farm itself or upon the report of any other agency?

Minister : The report was made by the Deputy Commissioner.

Lala Deshbandhu Gupta : Is he prepared to make further enquiries into the matter?

Minister : I have made enquiries and have communicated to the House the result of those enquiries.

Lala Deshbandhu Gupta : I challenge the correctness of the report received by the Honourable Minister and I am prepared to prove that the facts stated therein are not correct.

Mr. Speaker : The question is—

That the demand be reduced by Rs. 100.

The motion was lost.

Mr. Speaker : The question is—

That a supplementary sum not exceeding Rs. 1,00,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Veterinary.

The motion was carried.

INDUSTRIES.

Minister for Finance : I beg to move—

That a supplementary sum not exceeding Rs. 40,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Industries.

Mr. Speaker : Motion moved—

That a supplementary sum not exceeding Rs. 40,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Industries.

Hosiery Institute, Ludhiana.

Sardar Kapoor Singh (Ludhiana East, Sikh, Rural) : Sir, I beg to move—

That the item of Rs. 40,000 on account of Total—Opening of a workshop at the Hosiery Institute, Ludhiana, be reduced by Rs. 100.

As you will see I am moving this cut simply to bring home to the Government that in future they should always go to the Indian market for buying raw materials, because, so far they have been buying from the foreign markets. According to the last year's budget they were getting Rs. 12,000 worth of raw materials for this institution but all that money was going to the foreign markets and the raw material such as woollen yarn was being brought from abroad.

Lala Deshbandhu Gupta : My honourable friend is forgetting that it is in substance a foreign Government which is in power in our province.

Sardar Kapoor Singh : They were not buying from Indian markets. The present Government is buying all its raw material from foreign countries. I know that lately the Government has issued a circular that in future Indian goods should be preferred and especially the Punjab goods.

[S. Kapoor Singh.]

But I know that that circular is not meant to be followed but it is merely an eye-wash to deceive the people. The Government has issued many other circulars. For instance, the Government has issued a circular about bribery, but everyone knows how far that circular is being acted upon and how far bribery is being checked by the present Government. So, I do not believe in these circulars. As long as the Government does not give a concrete proof of its honesty, as long as the Government is going to foreign markets for its raw material, there is no use of this circular.

My second object in moving the cut motion is to impress as to the admission of rural area students in this school. So far as I am aware nearly 40 or 50 students are getting training in this school and out of these students you will not find even one-fourth or one-fifth coming from rural area.

Mr. Speaker : The honourable member's first part of the motion is in order, but the second part is out of order.

Sardar Kapoor Singh : That part also concerns the institutions, because when we get this raw material I want to impress on the Government that rural area students should be given some chance to have their training there and to work in the workshop also.

Mr. Speaker : Will the students of the institution be allowed to work in this workshop or will outsiders be taken ?

Sardar Kapoor Singh : The students are to be admitted next year too and this workshop can give some scope for their training.

Mr. Speaker : Then the honourable member shall have to discuss the admission of students to the institution and that matter is not now before the House.

Diwan Chaman Lall : Probably the honourable member wants to suggest that demonstration classes may be held for students coming from outside as well.

Sardar Kapoor Singh : My object is that in this workshop they would be requiring some other hands.

Mr. Speaker : I am in sympathy with the honourable member. But the point is that admission to the school or to the institution is one thing, while admission to the workshop is another thing. Now we are discussing the workshop. Consequently the honourable member cannot discuss the admission of students to the institute.

Sardar Kapoor Singh : The employment of certain persons in that workshop might come in. When a workshop is started, then Government would be employing in that workshop certain other persons. If they are going to run this workshop on a commercial basis, then it is necessary that some people might be employed and in respect to that employment I would like to press that people who come from rural areas might also be taken. So far those students who are having their training mostly come from the urban areas because rural area people are not able to bear the expenditure of training. But if the Government when it is going to open a workshop admits students from rural areas and pays them some living wage, say 4 or 5 annas a day in the beginning, it will be a good thing. After some time when they get training they may be paid Re. 1 or Rs. 2 daily. That

would attract people from rural areas and it will be an encouragement to the rural area people to join this institution and work in the workshop too.

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

That the item of Rs. 40,000 on account of Total—Opening of a workshop at the Hosibry Institute, Ludhiana, be reduced by Rs. 100.

Diwan Chaman Lall (East Punjab, Non-Union Labour) : There is only one point that I wish to bring to my honourable friend's notice. My honourable friend has, in dealing with this particular demand, stated that the cost of raw material, overhead and incidental expenditure of the workshop will be Rs. 40,000. Now may I, in the interests of a proper scrutiny being had on expenditure of this sort, suggest to my honourable friend, the Finance Minister and also to my honourable friend who has presented this demand, that fuller details may be given of the estimates prepared by the department? As it is, a lump sum of Rs. 40,000 has been put forward as the demand for this particular purpose, a good purpose and an excellent purpose, a purpose which we would all support. But it is necessary for the House to be told what the various items are, for instance, the cost of raw material, how much the department expects to spend on the cost of raw material, how much on overhead charges, how much on incidental charges and a few more relevant facts relating to this demand. I hope my honourable friend will in future, when he is putting another demand, put forward the necessary details, so that we can properly scrutinise the demand.

Minister for Development (The Honourable Chaudhri Sir Chottu Ram) : I will make a few observations, very brief ones, first in reply to the criticism made by Sardar Kapoor Singh. He introduced gratuitously the question of students being rural in preference to urban although his motion only related to the purchase of raw material about which he advocated that it should be Indian raw material and not foreign raw material. So far as students are concerned, however, whether rural or urban, they are indigenous and not foreign. But with regard to raw material which is being purchased for the workshop, I may assure my honourable friend that all the cotton yarn, practically all the silk yarn and more than half of the woollen yarn is Indian. It is only a small fraction of the woollen yarn of a superior type not available in India which is being purchased from other countries. The reason for purchasing this foreign raw material—a portion of it—is that we are using this material to meet specific orders given by a particular firm which requires goods of a particular type. We cannot prepare these goods unless we have some mixture of foreign woollen yarn.

With regard to the suggestion which has been made by Diwan Chaman Lall, I may say that I am very grateful to him for this suggestion. In future I shall try to do my level best to get all the information available and place it before the House. So far as this particular occasion is concerned although precise figures have not been given, a glance at the memorandum shows that most of this money will be spent upon the purchase of raw material, the machinery being already there and the workers being already there and overhead charges being practically nothing. Therefore I may assure my honourable friend that practically the whole of this sum will be spent on the purchase of raw material. In future I will make the information even more precise.

Pandit Muni Lal Kalia (Ludhiana and Ferozepore, General, Rural): I take it that the Honourable Minister for Development has been to Ludhiana many times and has also visited some of the factories in Ludhiana and he will support me that there are more than two hundred factories in Ludhiana out of which at least 30 or 40 factories are such as are equipped in a much better way than the institute which is now going to be commercialized. There has been a number of complaints against this institute and some of them were brought to the notice of the House during the budget session.

Minister for Development: That has nothing to do with this motion.

Pandit Muni Lal Kalia: I am coming now to the lack of supervision.

Mr. Speaker: Is the honourable member speaking to the motion before the House?

Pandit Muni Lal Kalia: Yes.

Minister for Development: The motion is with regard to the purchase of raw material.

Pandit Muni Lal Kalia: Certainly it is a question of raw material and I submit it is a relevant matter because this institute will be entering into a competition with the other factories in Ludhiana.

Mr. Speaker: Then the honourable member may oppose the whole demand and not the motion which is now before the House.

Demand under consideration, question is—

That the item of Rs. 40,000 on account of Total—Opening of a workshop at the Hosiery Institute, Ludhiana, be reduced by Rs. 100.

The motion was lost.

Industrial Research Fund.

Chaudhri Krishna Gopal Dutt (North Eastern Towns, General, Urban): Sir, I beg to move—

That the demand be reduced by Rs. 100.

In my opinion this item in to-day's agenda is the most important one and I would like to place certain facts and figures and certain suggestions before the Honourable Minister for Development and I hope he will take due notice of these suggestions and seriously give consideration to them and also place those suggestions before the Research Fund Committee which he may create. I may at the very outset say that this is one of the few things which the Government has done which I highly appreciate. (*hear, hear from the official benches*). I welcome the creation of the proposed Research Fund. My only complaint is that the money set apart for this purpose is not adequate. I know that provincial finance is very rigid. The other day my honourable friend, the Finance Minister, was complaining about the rigidity, the inelasticity and the insufficiency of the provincial finances, but in spite of that I believe that there are resources on which the Government can fall back and create certain funds larger in amount than those created

for this purpose. Only Rs. 1,50,000 have been set apart for this purpose. May I draw the attention of the Honourable Minister for Development in this connection to the funds set apart in other countries for this purpose? This purpose is not an idle purpose. This is the very basis of industrial organisation of a country. I was reading the other day in the newspapers that the British Government have set apart one million pounds for a research fund.

Sayed Amjad Ali Shah : What is the budget of the British Government?

Chaudhri Krishna Gopal Dutt : Here it is only Rs. 1,50,000, but in England it is one million pounds and not rupees and that even is not going to be wasted as apprehended in this country. There are fears and apprehensions, though I do not lay the blame on the Minister, but I beg to submit that this is a new thing, an experiment which is going to be tried. I know that on a small scale they have already a research laboratory at Shahdara and it has done a little bit of good work, under Dr. Sarin, but this is much less than what is required under the circumstances. I am one of those people who believe that the prosperity of the province lies in the rapid and wholesale industrialization of the province. I do believe that there is no disparity, there are no differences between agriculture and industry. It is unfortunate that in this province a difference has been created. I hold that the prosperity of the country depends on both industry and agriculture: I do not agree with the Honourable Minister for Development if he holds that agriculture should be given preference to industry. I believe that both of them should run hand in hand. The prosperity of one lies in the prosperity of the other. Industry depends on agriculture, and agriculture in its place depends on the prosperity of the industries. In this connection I want to put certain suggestions before the Honourable Minister. He should first know that our province is industrially very backward. It may be leading other provinces in certain things, but so far as industries are concerned, the Punjab is perhaps the most backward province. Is it not a matter of surprise that the Punjab is rich in raw materials, is rich in workmanship and has men industrious and capable and still the province is industrially very backward? There are various reasons for this. One of them is that science has not yet been harnessed for the furtherance of industry in this province. The other thing which I want to say in this connection is this that in my opinion, the export of raw materials should be discouraged to a certain extent. Raw materials are being exported in large quantities to be manufactured in other countries and then imported into the Punjab as finished products. I make bold to say that those very finished articles that are imported from other countries into this province or in other provinces can be manufactured in the Punjab, provided there is a will, there is a heart, there is sincerity and there is money. I believe we can have money by retrenchment and I am anxiously waiting in this connection the Report of the Retrenchment and Resources Committee so that we may see what other resources we can utilise for the furtherance of industry in this province. My point is that in the first instance the Punjab Government should see that its policy is directed towards the discouragement of the export of the raw materials so that those very raw materials should be utilised for the furtherance of industry in this province.

Syed Amjad Ali Shah : Specified suggestion is requested.

Chaudhri Krishna Gopal Dutt : My second point is as to who should control this Research Fund. I hope the Honourable Minister for Development will consider this matter very fully before he takes a decision in this matter. I think he has mentioned it in the note that it is the Government which is going to run this Fund. I beg to differ from him. In my opinion there should be a separate board, there should be a separate sub-committee, which should control this Research Fund. I suggest that this sub-committee should be constituted like this—two advanced industrialists of the province should be taken into this committee or board and two experts, research scholars, should be taken on it. One nominee of the University should be taken into it and two representatives of the Board of Industries should be taken on this new sub-committee. I think that the Honourable Minister for Development has got no time to devote to this Research Fund, and, therefore, he would do well to place the entire sources of this Research Fund at the disposal of those people who are competent to run this.

My next suggestion is that the researches made by this Research Fund should not be kept as secrets. This is a very important point. I see what is going on in the province. There are so many research scholars—one is in the University, one is in Shahdara Laboratory, one is at Amritsar and the fourth is somewhere else and they are making experiments. What experiments are they doing? Some of them are utilising them for their own purpose or for the purpose of one or two industrialists. If the Government is going to spend money on a Research Fund, it should be used for the benefit of the province as a whole (*hear, hear*) and not for one or two industrialists only. Therefore, the result of the researches made through this Research Fund should be made public. For that, I suggest that there should be a separate Publicity Department. This is the one proposal I put before the Honourable Minister for Development and I hope he will consider it seriously, that a Publicity Department is required very urgently in this province not merely for giving publicity to the research, but even otherwise also because I see that there are a large number of people—I happen to be a trader or an industrialist myself and I know so many of them—who have got money and who can advance and further the cause of many industries, but they do not know the modern methods through which those industries can be improved and how they can make more money out of it and how by this method unemployment and other attendant evils can be removed. What is the use of the Government making researches and what is the use of the Government trying to develop industries here and there when the people at large do not know that? I suggest to him that every country, every Industry Department in every country, has got a separate Publicity Department, but here in the Punjab, the Government has got no Publicity Department of its own. The Department for Industries has so many new things to offer and those new things are confined to the official records. I refer to the editorial notes on the subject written by responsible newspapers. One appeared perhaps in the *Tribune* and the other appeared in the *Civil and Military Gazette* stressing the need for having a separate Publicity Department for Industries.

Mr. Speaker : The honourable member is not speaking to the motion.

Chaudhri Krishna Gopal Dutt : I was suggesting that the results of the Research Fund should not be confined to the laboratories and should not be confined to a few big firms. Their publicity should be made wide in the province.

Mr. Speaker : So far the honourable member is right.

Lala Bhim Sen Sachar : Why not depend upon the propaganda capacity of the Honourable Minister for Development ?

Chaudhri Krishna Gopal Dutt : I do not expect that the Publicity Department would do propaganda on behalf of the Honourable Minister for Development, but it will do propaganda on behalf of the Industries Department.

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

Chaudhri Krishna Gopal Dutt : This remark was provoked by Mr. Sachar's interference ; otherwise I was relevant. I do not want to enter into discussion at this stage as to what particular industries there are which require development in this province. There are so many industries, for example, the textile industry which, in my opinion, should be made a semi-state industry. It should not be left merely to private enterprise. I know that there are differences among the Ministers themselves on this question. I recall the speech delivered by Honourable Mr. Manohar Lal the other day on the occasion of the opening of the Exhibition when the sponsors of the Exhibition complained that the Government did not give any help to them and the Honourable Minister for Finance retorted that these things should be done by individual enterprise. I am one of those who believe that most of the industries—particularly the major industries—should be nationalised. That is my opinion and textile industry is one of them. Textile industry, in my opinion, should be developed as far as possible because that is one of the most important industries.

Mr. Speaker : Please speak to the motion.

Chaudhri Krishna Gopal Dutt : And research should be carried on what lines and in what articles ?

Mr. Speaker : Please speak on the Industrial Research Fund.

Chaudhri Krishna Gopal Dutt : I am speaking on the Research Fund. The research fund is meant for two things—to help the industrial growth of the province, and to increase the industrial research in the province. The first is to help industries of the province. They are going to create research on certain industries with a view to see as to how they should develop them. I may suggest in passing that there are certain fibrous plants out of which they can prepare artificial cotton and wool. That is one item which I suggest should be placed before the Industrial Research Fund Committee so that they may investigate into it. I would resume my seat by saying only one word and that is that the waste which the Honourable Minister for Development sees on a large scale in the streets, and which is a nuisance, can be converted into money. For instance, I would refer to tin foils from cigarette packets, Railway tickets, empty cardboard containers, broken lanterns, biscuit tins, etc., etc., which are converted into useful

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articles in other countries. In Germany all those articles, which are considered as waste, are collected and are remade and reshaped into articles of utility. This was one of the important items which was before the Research Scholars of Germany and I hope that the Honourable Minister for Development can also make millions out of this waste. The Industrial Research Fund should, therefore, devote its attention to this aspect of the matter.

Lala Bhim Sen Sachar : Send him to Germany !

Chaudhri Krishna Gopal Dutt : The last suggestion that I have to make is regarding the appointment of research scholars. In this connection I suggest that the appointment of scholars should be on merits alone, and communal, functional or occupational considerations should have nothing to do with the appointment of these scholars. The one department which should be free from communalism or functionalism or occupationalism is science and there should be no question of caste, colour or creed or religion so far as the domain of science is concerned. I hope that the appointments of research scholars will be on merits alone.

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

That the demand be reduced by Rs. 100.

Lala Deshbandhu Gupta (South-Eastern Towns, General, Urban) : I only want to add one suggestion to the various suggestions so ably made by my friend Chaudhri Krishna Gopal Dutt. I also wish to draw the attention of the Honourable Minister for Development to the necessity of co-ordinating our efforts in the domain of industrial research with those of other provinces. I find that the amount allotted for this important work is too small and for any province to undertake the industrialisation of the province with the backing of such a small research fund surely is not hopeful. We cannot have big hopes based on this meagre resource. I would therefore suggest that, if possible, efforts should be made by Government in line with the other provinces. Those who operate on the fund should try to keep themselves in full contact with other provinces and should not waste any money in undertaking the same research work which is being carried on in other provinces. It is very essential. If only we co-ordinate our efforts with those of other provinces and do not remain as an untouchable province, I think we will achieve much more with the amount spent than we can do by isolating ourselves. So far you will realise that we have made no effort in that direction. You are aware that the Ministers for Industries in the seven provinces met in Delhi some time back with a view to discuss the industrialising of the country. It was rather unfortunate that we had no representative of ours on the conference. I want to impress on the Minister for Development that so far as these matters are concerned, it is only the joint effort that will pay and we should not stand on ceremonies. It may be that to-day in this province it is the Unionists who rule, but surely we should not lose the opportunity of pooling our resources with other provinces and take the fullest advantage for the rate payers for the money spent. I would therefore impress on the Minister for Development that he should keep himself in touch with other provinces and that every effort should be made to coordinate our efforts in this programme with other provinces.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) (*Urdu*): At first I did not intend to speak on this particular demand at all, but as my attention has been drawn to certain lines given in the Supplementary Estimates I deem it fit to bring the same to the notice of the House and make certain observations in this respect. On page 7 of the Estimates supplied to the House it is stated that:—

Rupees 1½ lakhs will be taken during the current financial year out of the existing provision of Rs. 2 lakhs for "Assistance under the Punjab State Aid to Industries Act."

Had it been the intention of the Government to create the Industrial Research Fund out of the sum saved by the Government, I would have requested it to increase it by making further additions to it. But unfortunately it is not being done. So far as the scheme of opening an Industrial Fund is concerned I do admit that it is absolutely necessary for promoting the industrial growth in the province. But no man with a grain of sense in his head can possibly approve of the way in which the Government is going to create this fund. The original sum of Rs. 2 lakhs was sanctioned by the House definitely for the purpose of providing financial help under the State Aid to Industries Act to those who intended to start any industry, but had not enough capital to make an investment on the enterprise. It was advisable to utilize this sum for the object for which it was originally provided in the budget. But it is really sad to note that the Government is going to take out Rs. 1,50,000 out of the original sum for creating the Industrial Research Fund. It means that it has spent only Rs. 50,000 under the State Aid to Industries Act. Last year the Government provided one lakh of rupees for this purpose but actually spent only Rs. 80,000. This year the Government earmarked Rs. 2 lakhs in the budget for providing help to those industrialists who really stand in need of it and we were under the impression that the Government with this big sum in hand would bring about an industrial revolution in the province. But to-day to our great disappointment we find that the Government has miserably failed in distributing the amount among those who really deserve such financial help. I think there can only be two reasons for the failure of the Government in spending the sum properly. Either nobody cared to apply for such help or certain persons applied for it, but only a selected few could obtain it and the applications of the others were rejected for reasons best known to the Government.

Now the Government intends to spend a sum of as much as 1½ lakhs on laboratories for making industrial research work. It means that only 50,000 would be spent under the State Aid to Industries Act during the current financial year. There is no gainsaying the fact that the scientific research work would go a long way in promoting the industries in the province, but it seems rather ridiculous to deprive the deserving industrialist of the financial help on the one hand and to encourage the industrial research work on the other. If in the opinion of the Government the research work is absolutely necessary, I would submit that it should not be started at the expense of the needy industrialists. According to our rules the sum of Rs. 2 lakhs provided for assistance under the Punjab State Aid to Industries Act was entrusted to a committee which has the discretion of spending the amount as it thinks fit. Now it does not seem fair and proper on the part of the Government to interfere with the rights and privileges of

[Dr. Gopi Chand Bhargava.]

the said committee by taking out Rs. 1½ lakhs from the existing provision with a view to subsidize industrial research work. In the laboratories, I am sure, only a very few experiments could be made during a certain period and may be that all the time is spent on a single experiment. In this way no possible inducement or encouragement could be given to those private individuals who are willing to stake their capital on an industry. Moreover, I have got certain apprehensions as regards the success of the research work. We know that for the completion of research work even a century would not suffice. It appears that in future the Government is not prepared to afford financial help under the Act to private individuals. How strange it is that last year the Government provided one lakh for the purpose, but actually spent only 80,000! This year no doubt a huge sum of Rs. 2 lakhs is provided in the budget but only Rs. 50,000 is going to be spent in this direction. In other words the Government wants to get the Act reduced to a dead letter. I am sure, this scheme of the Government would prove extremely harmful and fatal to the industrial progress of the province. With these words I wholeheartedly support the cut motion under discussion.

Lala Duni Chand (Ambala and Simla, General, Rural): My cut motion No. 6 is closely connected with this cut motion.

2 P.M.

Perhaps you will not allow me to move that cut motion independently. Therefore, I will take part in the debate on this motion.

I am also glad that a start is being made by the Government in the direction of the creation of an industrial research fund. I am glad that the Government is going to pay serious attention to the growth of science and to the investigation of the scientific truths. I want, in the first instance, to lay down one or two propositions that must be accepted by the Government, if the Government wants to achieve any success. The members of Government who are carrying on this Government must bear in mind that the realm of science is not circumscribed by any territorial limits and that research in science is beyond any kind of communal or sectional considerations. This is the fundamental principle that Government should bear in mind in advancing the objects of this newly created fund. I do not want to pre-judge the case nor do I want to prejudice the case of the Government at this stage in any way. All the same I have got certain apprehensions considering the way in which this Government was being carried on and is being carried on and will be carried on. I must give expression to these serious apprehensions. I believe that the only way to carry on an efficient Government is to requisition the services of the best talent available in this country and the highest ability available in this province. I regret to say that I cannot pay tributes to the Government that it has been anxious and is anxious to secure the best talent available in this country. The case is quite the reverse.

Mr. Speaker: The honourable member is discussing the general question of recruitment in services.

Lala Duni Chand: I was speaking in connection with the question that is before the House. I was laying down certain propositions and those propositions have a direct bearing on the question that is before the House.

Now, I want to place another view before the House and it is this that if the Government wants to employ this fund usefully, the first thing that it should do is that it should give a large number of research scholarships. The Government is aware that a certain amount of research work is being carried on in the University laboratories in Lahore, and a certain number of science students are applying their brains day in and day out to the discovery of certain scientific truths. Unless the Government is very liberal in awarding research scholarships, of course, much progress cannot be made. It will be very difficult for the Government to have a large amount of money to investigate into all the realms of scientific investigations. This is the nearest thing that is available to the Government and by scholarships the Government can do some useful work and this research fund can be usefully employed. I have got my apprehensions and my apprehensions are that other departments of the Government also require maximum amount of talent but in those departments that talent is not forthcoming. I am aware of the Education Department and the Medical Department. These two departments particularly require the highest amount of talent. I know how things are done. The Punjab Government is an expert in the art of putting square men into round holes. I know that they are really putting round men into square holes, but they do not secure round men to be put into round holes. They always try to put square men into round holes. I know that as a result of the working of the Education Department that department has very much deteriorated and so has the Medical Department. I have got some apprehensions with regard to the functions of this department. The line of action that the Government has adopted with regard to the Medical Department and the Research Department is not a right one. I am afraid that the same line will be pursued with regard to this department. I am sure, it will be impossible for the Honourable Minister for Education to deny that those candidates, who, owing to their ability come to occupy the highest position at the top, are not taken into the medical service. Similarly, there are men, possessing extraordinary ability for the Education Department, but they are not being taken in that department. The principle of proportionate allotments to different communities is being carried too far and with a vengeance. I would impress upon the Government that this department should require nothing but talent, nothing but high ability and nothing but merits, and that this department should be free from communal considerations. I know that this department would require the best talent that will be available in this province. The Punjab University is turning out every year the best students that can promote the growth of science in this province. I know there are first class M.Sc.s. and B.Sc.s. who go to the doors of the Government but they are turned away. The best brains remain unutilised. How many first class science M.Sc.s. now are there in this province who cannot find even ordinary jobs to eke out their existence? What is absolutely necessary is that in the case of a department like this, all those students, to whatever community they may belong—whether they are Anglo-Indians, Christians, Muslims or Hindus,—should be encouraged regardless of all kinds of considerations. As I have said, I do not want to pre-judge the case of the Government at this stage. In fact, I am prepared to congratulate the Government on their making a start in this direction. It is a very healthy direction. I am also sure that I know that if the Government actually takes assistance from this

[L. Duni Chand.]

department or from those people who will carry on this department, Government can very much get rid of these ideas from which they are suffering. As I have said, science knows no communalism, no Hinduism and no Muhammadanism and, I hope that if at least this department is made a model department so far as requisition and the harnessing of ability is concerned, I shall have a certain amount of satisfaction. With these words I support this motion.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram): Sir, I welcome the general support which has been given by the Opposition to the underlying principle of the Industrial Research Fund. I particularly appreciate the observations which were made by the mover of the motion, and I assure him that I will bear in mind everything that he has said and will give his suggestions my most careful and, in most cases, my very sympathetic consideration. There are, however, a couple of points on which I do not agree with him. For instance, he said that we should discourage the export of raw material. But he forgets that as long as our raw material is in excess of our demands, in excess of the supplies which we can consume ourselves or in excess of what we can turn into manufactured goods, we must continue to export that excess. However, I am at one with him that we should do our level best to create factors in the province which will enable us to consume as much of the material produced in the province as possible.

He also criticised the inadequate amount which has been provided for this purpose. I agree with him literally. It is perfectly true that the amount which has now been set apart is very inadequate, but he must remember that we are passing through very difficult times and it is a tribute to the desire of the Government to promote the cause of industries, that in spite of the present severe financial stringency Government has agreed to set aside a sum of Rs. 1½ lakhs in order to create the Research Fund. I hope that private donations will also be forthcoming.

Chaudhri Krishna Gopal Dutt: Do not depend on private charity.

Minister: It is very discouraging to hear my friend say that I should not depend upon the donations and goodwill of private industrialists. I think private industrialists have as much moral obligation to help the promotion of industries as Government. So far as this Government is concerned, it has given the House an earnest of its desire to promote industrial interests. I am also sure that Government will continue to devote increasing amounts to the promotion of industries in the province. So far as this particular fund is concerned, Government is prepared to add to the amount from year to year according to the amount which is available for expenditure on new services.

The honourable mover of the motion also made certain observations with regard to the advisability of having a very good technical Control Board. So far as advice is concerned, he may rest assured that neither the Director nor the Minister of Development will act by himself. They will naturally have a technical committee to advise them on this important subject. The Director of Industries is not himself a scientific man, although his general

knowledge and experience of the subject has been of the utmost value. The poor Minister for Development is neither a scientist nor an industrialist, and will welcome any suggestion and advice from any quarter if they are given by men of goodwill and knowledge. If I can judge from the whispers that were going on between Dr. Sir Gokul Chand Narang and Chaudhri Krishna Gopal Dutt I infer that they are not prepared to help.

Dr. Sir Gokul Chand Narang : The Honourable Minister has no right to draw inferences when he has not even heard what we whispered. What was the justification for drawing this inference ?

Minister : That was my inference and I readily retract it if my inference was wrong, but I have serious misgivings as to the exact trend of the whispers that took place between my honourable friend and the mover of the motion.

Dr. Sir Gokul Chand Narang : Sir, the Honourable Minister has made a very serious insinuation that he did not expect any charity from industrialists if he could judge from the whispers which were exchanged by me with my friend Chaudhri Krishna Gopal Dutt. Let me tell him for his information that when he referred to charity and my friend expressed a doubt, I whispered to him that he did not know that the industrialists were maintaining most of the institutions in the country.

Minister : The remarks of Dr. Narang seem to be encouraging with regard to the importance of this fund and with regard to the willingness of industrialists to help this fund as much as they can.

Lala Deshbandhu Gupta suggested that this province should not hesitate to co-ordinate its efforts with the efforts which are in progress in other provinces for industrial advance. I can assure him that so far as is practicable and reasonable this Government will not hesitate to co-operate with other governments. Of course, this province cannot be expected to act to the dictation of other provinces, but so far as reasonable co-operation is concerned, my friends may rest assured that it will not be lacking.

I am afraid Dr. Gopi Chand's remarks were rather discouraging. He qualified his general blessing to a research fund by adding that he apprehended that other forms of assistance might suffer as a consequence of the creation of this fund. He thought that loans that were being advanced under the State Aid to Industries Act might be curtailed. I must assure him that so far as the advancing of loans is concerned, it will not suffer any diminution, but apart from the amount which is set aside for advancing loans there are other forms of State aids sanctioned under the State Aid to Industries Act and one of the most important items of these other forms is industrial research. We have only diverted Rs. 1½ lakh out of the amount meant for these items which cover the field of miscellaneous forms of assistance. With these remarks I resume my seat.

Chaudhri Krishna Gopal Dutt : I am glad to note that the Honourable Minister for Development agrees that the sum set apart for research fund is inadequate and that he will give due regard and consideration to the proposals made by this side of the House. There is one thing on which a little bit of altercation has arisen and I would like to say something on that. The question is as to how the researches should be made by that committee, whether they should be voluntary or at the instance of certain firms or

[Ch. Krishna Gopal Dutt.]

industrialists. That is a point which I overlooked in my first speech. I am thankful to Dr. Sir Gokul Chand Narang for his interruption, because he has thereby reminded me of that particular point. In referring to that point I shall try to answer the point raised by the Honourable Minister for Development with regard to private charity. I do believe that the industrialists of this province have times out of number given charities for the purpose of developing industries in the province. But since we have got our own fears and apprehensions with regard to the working of this committee, the industrialists may be chary of giving private charity to that committee. The best way therefore to get money from the industrialists for that fund would be to allow the industrialists to suggest to that committee as to what industries they are interested in and in what direction they want researches to be made. In that case the industrialists can be asked to contribute to that research fund. That would be better than making an appeal either personally or through newspapers. If the industrialists are asked to contribute to the fund for a specific purpose in which they are interested, they would be only too glad to contribute to that fund.

The second point which I wish to refer is to the efforts that are being made to snatch a great industrial research scholar from the Punjab. I hear that a great research scholar of the Punjab is going out of the province to some other province. I understand that the Hindu University or some other institution intends to snatch away Dr. S. S. Bhatnagar from the Punjab. In my opinion he is an asset for the industrial research in the Punjab. He is a great scholar and is a pioneer in this direction. I would urge the Government to use its efforts to see that he is not snatched away from our province.

Mr. Speaker : The question is—

That the demand be reduced by Rs. 100.

The motion was lost.

Mr. Speaker : The question is—

That a supplementary sum not exceeding Rs. 40,000 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Industries.

The motion was carried.

CAPITAL OUTLAY ON INDUSTRIAL DEVELOPMENT.

Minister for Finance : I beg to move—

That a supplementary sum not exceeding Rs. 620 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 Capital Outlay on Industrial Development not charged to Revenue.

The motion was carried.

PUBLIC WORKS DEPARTMENT (BUILDINGS AND ROADS) ESTABLISHMENT.

Minister for Finance : I beg to move—

That a supplementary sum not exceeding Rs. 12,460 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 Public Works Department, Buildings and Roads Establishment.

Mr. Speaker : Motion moved—

That a supplementary sum not exceeding Rs. 12,460 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 Public Works Department, Buildings and Roads Establishment.

Architectural Division.

Lala Duni Chand (Ambala and Simla, General, Rural) : In asking for this grant the only possible satisfaction that the Government can have is that it is developing some æsthetic sense. The architectural sub-division was created only a few years ago, I believe in 1934 in connection with the construction of the Chamber in which the present session is being held. Now, the Government wants to convert this sub-division into a regular division. One of the evils from which the province is suffering is the evil of top-heavy administration and the multiplication of departments and the creation of new posts. Hitherto all this work including the architectural work has been going on without the creation of any new department. I understand that up to this time we have had sufficient number of engineers in the Public Works Department who have been doing the architectural work. I do not understand why all of a sudden the Punjab Government has taken it into its head to create this division. I submit that this is going to prove a heavy drain on the resources of the country. The policy that the Government should adopt is that they should try to get the utmost work out of its officers. I know most of the highly paid Government officers do comparatively less amount of work and those who are the least paid are required to do a greater amount of work. It is high time that the Government should look into this aspect of the administration and see that the highly paid officers are not allowed to indulge in the luxury of idleness while the low paid are made to do the hard work. The Government has not given reasons in the explanatory note as to why the necessity for the creation of a new division has arisen. When the Government was going to create this new division it was the duty of the Government to acquaint the House with all those facts, all those circumstances, which have led to its creation. Unless it is absolutely necessary and unless it is impossible to get on with the work without it, there is no need for the creation of this department. With these words, I oppose this demand not because I do not want to give any money to the Government, but because it is unnecessary for the Government to have this money.

Minister for Public Works (The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana) : I think there is a misunderstanding over this question. No permanent division has been created now. The present arrangement is to last till February, 1940. You will find all these particulars at the end of page 10 of the memorandum. There was also heavy work in the present two divisions and they could not cope with it and so another division has been created merely for better supervision and to avoid waste of public money. Without proper supervision, though we would have saved the cost of the establishment, there would have been leakage in other directions and besides would have led to defective work. There is no new division created in the department and the criticism is uncalled for.

Diwan Chaman Lall (East Punjab, Non-Union Labour): I would not have spoken on this motion but for the fact that apparently my honourable friend himself is not perfectly sure as to what the facts in regard to this matter are and what the object of the criticism is. If my honourable friend would turn to the book which he has placed before honourable members, on page 10 he will find that the work regarding this Assembly Chamber could not be completed in time. One of the points to be made against this particular demand is, why was not the work completed in time?

Minister: Now that you are asking it I will give you a reply.

Diwan Chaman Lall: It is not up to my honourable friend to adopt this very strange procedure which my honourable friend, in fact my honourable friends on those benches adopt. It is up to them as the custodians of the public purse to place all the relevant facts before the House. It is no excuse and no argument if my honourable friend were to turn to me now and say "you raised this particular matter, I shall give you a reply." Surely, when my honourable friend knew that this Chamber had not been completed by a particular date, that the staff did not complete its work as it should have been completed, it was up to my honourable friend to have placed the relevant facts before this House. This is public money. It is not my money. It is not my honourable friend's money. It is the money of the poor man regarding whom my honourable friend the Minister for Development the other day stated that he is "ignorant, illiterate and purchasable." He may be maligned as ignorant, illiterate and purchasable; but surely he demands this much that when you take his money you should account for it properly and give the necessary information.

Minister: Whom are you quoting?

Diwan Chaman Lall: My honourable friend says who made this speech. As far as this Ministry is concerned, it has joint responsibility and if one of his colleagues sitting in the Treasury benches utters those words he must take the responsibility for those words himself.

Minister: He was quoting your neighbour perhaps.

Diwan Chaman Lall: My honourable friend probably was not here.

Dr. Sir Gokul Chand Narang: Which neighbour is my honourable friend referring to, left or right? So far as I am concerned I never said that. He knows that the higher personages were more easily purchasable than the poor zamindars.

Diwan Chaman Lall: So far as I am concerned these were exactly the words used on the floor of the House by my honourable friend, one of his colleagues. What I want to put before my honourable friends is this. They have not got out of the bureaucratic mentality of the previous Government. The previous Government used to come forward with suggestions of this kind, place a paragraph before honourable members knowing perfectly well that there was nobody to challenge them, with the result that everything that they demanded was got through in a hurry. Things have changed although the mentality of my honourable friends opposite has not altered. I want them to look at the changed circumstances of the case.

I want them to realise that it is necessary for them when they come before this House to demand a particular sum of money for a particular purpose, to place all the relevant facts regarding that purpose before this House and not to get up and say, "now that you have raised this particular criticism, I will give you a reply." Mr. Speaker, surely some sort of a scrutiny ought to have been made regarding this particular matter by my honourable friend. If there was some scrutiny made, if there was some sort of examination made as to the factors which contributed towards the delay in the construction of this Chamber, why did not my honourable friend place all those facts before this House? Who was responsible? What action was taken? The action that seems to be taken is this, that if a particular set of officers of a particular department had not completed their work in time, then the only answer that my honourable friend can give is, make them a permanent body of officers under my honourable friend's department. That is his answer to the manner in which the construction of this Chamber has been delayed. I do submit that my honourable friend in this note states, however, that there is construction work to be done in two divisions and it is for that purpose that this architectural division is required. It is up to him to tell us what is the constructional work that requires the existence of these two divisions. Surely my honourable friend may have one member of his party in purdah, but why does he want to adopt intellectual purdah in regard to these matters? Why cannot he be perfectly frank with this House and this country regarding all the details, all the expenditure that is brought before this House? It was up to him to have used this opportunity of having told us in his speech on the floor of this House regarding the details of this expenditure, the necessity for these divisions and all matters relevant thereto. But my honourable friend is adopting, as I have already stated, the attitude of his predecessors and is behaving in a thoroughly bureaucratic manner.

Khan Bahadur Chaudhri Riasat Ali (Hafizabad, Muhammadan, Rural): I have been at considerable pains to understand my constitutional position whilst speaking on this motion. But once more I have taken a leaf out of the book of my friends over there that while considering the motion which preceded this motion in relation to the creation of an industrial research fund, some of my honourable friends have been opposing that motion and others have been supporting it. I will, I suppose be quite safe while being a member of my party, in offering my criticism on this motion. My criticism will be more in favour of the mover of the motion than in favour of the gentlemen here (*Opposition: Cheers*). My whole trouble is depicted in one couplet—

مرا درد نیست اندر دل اگر گویم زبان سوزد
و مر دم در کشم ترسم که غز اسلخوان سوزد

For the benefit of those gentlemen who may not have understood me, I may say that if I had not spoken on this motion I would not be doing justice to my conscience. My main objection is as to the method of imposing these sub-divisional officers and executive engineers on us. As has been said by the honourable mover, the first date for the completion of the work was 30th June, but later on it went up to October, 1938, and when it was completed, there were to be found out some excuses to carry on that white elephant.

[K. E. Ch. Riasat Ali.]

which had been paid hitherto out of public funds. Therefore what was done? A new sub-division was created and when the sub-division was created and the sanction was to expire, then it was said that additional work of an important nature was in hand and the work in the two Lahore sub-divisions has been increased and therefore there should be another divisional officer. I only want to submit, that before such posts are created, before extra expenditure is incurred on staff and specially on the Public Works Department staff in connection with which I believe that the addition of a single peon is waste of public money (*hear, hear from the Opposition benches*), these things should be scrutinized. They might have been scrutinized, but not to the satisfaction of an ordinary layman or a representative of the people who shoulder the burden of the whole taxation of this province. One thing more that I have not been able to understand is this that there is a gesture that this thing is to hang on for another year, because if you go through paragraph 2 it is given there that it will go on till 28th February 1940. Of course we might have ample opportunity to discuss when this matter comes before us in the next budget session as an item of new expenditure, but so far as this opportunity is concerned I suggest that this should have been scrutinized more. At a time when we are making daily demands, when we are craving for retrenchment, no new post whatever should be created (*hear, hear from the Opposition benches*) till the time that the Retrenchment Committee has finished its deliberations and submitted its report. This is undermining the whole spirit of the creation of the Retrenchment Committee and I would request my honourable friends sitting here that each question should be scrutinized more carefully and as a matter of principle no new post whatever should be created till the time the report of the Retrenchment Committee is before us. These are my words of criticism on this demand.

Mr. Speaker : Question is—

That a supplementary sum not exceeding Rs. 12,460 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 Public Works Department, Buildings and Roads Establishment.

The Assembly divided : Ayes 73 ; Noes 29.

AYES.

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.
Ali Akbar, Chaudhri.
Anant Ram, Chaudhri.
Badr Mohy-ud-Din Qadri, Mian.
Bhagwant Singh, Rai.
Chhotu Ram, The Honourable Chaudhri Sir.
Dasaundha Singh Sardar.

Dina Nath, Captain.
Faiz Muhammad, Shaikh.
Farman Ali Khan, Subedar-Major Raja.
Fateh Jang Singh, 2nd-Lieutenant Bhai.
Fateh Khan, Khan Sahib Raja.
Fateh Muhammad, Mian.
Fazl Ali, Khan Bahadur Nawab Chaudhri.
Fazal Din, Khan Sahib Chaudhri.
Fazal Karim Bakhsh, Mian.
Few, Mr. E.
Ghulam Mohy-ud-Din, Maulvi.
Gopal Singh (American), Sardar.

Habib Ullah Khan, Malik.
 Haibat Khan Daha, Khan.
 Hans Raj, Bhagat.
 Hari Chand, Rai.
 Harnam Das, Lala.
 Indar Singh, Sardar.
 Jagjit Singh, Bedi, Tikka.
 Jugal Kishore, Chaudhri.
 Khizar Hayat Khan Tiwana, The
 Honourable Nawabzada Major.
 Kishan Das, Seth.
 Manohar Lal, The Honourable Mr.
 Mubarik Ali Shah, Sayed.
 Muhammad Akram Khan, Khan
 Bahadur, Raja.
 Muhammad Azam Khan, Sardar.
 Muhammad Hassan Khan Gurchani,
 Khan Bahadur Sardar.
 Muhammad Hassan, Khan Bahadur
 Makhdum Sayed.
 Muhammad Hayat Khan Noon,
 Nawab Malik Sir.
 Muhammad Hussain, Sardar.
 Muhammad Nawaz Khan, Major
 Sardar.
 Muhammad Nurullah, Mian.
 Muhammad Qasim, Chaudhri.
 Muhammad Saadat Ali Khan, Khan
 Sahib Khan.
 Muhammad Sarfraz Khan, Chau-
 dhri.

Muhammad Yasin Khan, Chaudhri.
 Muhammad Yusuf Khan, Khan.
 Mushtaq Ahmad Germani, Khan
 Bahadur Mian.
 Muzaffar Khan, Khan Bahadur
 Nawab.
 Nasir-ud-Din, Chaudhri.
 Nawazish Ali Shah, Sayed.
 Prem Singh, Chaudhri.
 Pritam Singh Siddhu, Sardar.
 Ranpat Singh, Chaudhri.
 Rashida Latif Baji, Begum.
 Riasat Ali, Khan Bahadur Chau-
 dhri.
 Ripudaman Singh, Thakur.
 Roberts, Sir William.
 Shahadat Khan, Khan Sahib Rai.
 Shah Nawaz Khan, Nawab Khan.
 Sham Lal, Rai Bahadur Chaudhri.
 Sikander Hyat-Khan, The Honour-
 able Major Sir.
 Sohan Lal, Rai Sahib Lala.
 Sumer Singh, Chaudhri.
 Sundar Singh Majithia, The Honour-
 able Dr. Sir.
 Suraj Mal, Chaudhri.
 Talib Hussein Khan, Khan.
 Tikka Ram, Chaudhri.
 Ujjal Singh, Sardar Bahadur Sardar.
 Wali Muhammad Sayyal Hiraj,
 Sardar.

NOES.

Bhagat Ram Ghoda, Lala.
 Bhim Sen Sachar, Lala.
 Chaman Lall, Diwan.
 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.
 Kartar Singh, Sardar.
 Kishan Singh, Sardar.

Krishna Gopal Dutt, Chaudhri.
 Lal Singh, Sardar.
 Muhammad Hassan, Chaudhri.
 Muhammad Itikhar-ud-Din, Mian.
 Muni Lal Kalia, Pandit.
 Partab Singh, Sardar.
 Prem Singh, Mahant.
 Raghbir Kaur, Shrimati.
 Rur Singh, Sardar.
 Sahib Ram, Chaudhri.
 Sant Ram Seth, Dr.
 Satya Pal, Dr.
 Shri Ram Sharma, Pandit.
 Sohan Singh Josh, Sardar.

PUBLIC WORKS DEPARTMENT, HYDRO-ELECTRIC ESTABLISHMENT.

Minister for Finance : I move—

That a supplementary sum not exceeding Rs. 31,484 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 Public Works Department, Hydro-Electric Establishment—Working Expenses and Capital Expenditure.

Mr. Speaker : Motion moved is—

That a supplementary sum not exceeding Rs. 31,484 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 Public Works Department, Hydro-Electric Establishment—Working Expenses and Capital Expenditure.

Construction Divisions.

Lala Duni Chand : I rise to oppose this demand in its entirety. The general observations which I have already made in regard to the previous demand will also apply to this. The Government wants to have two new Construction Divisions. They shall have to employ two executive engineers, two assistant engineers and a lot of subordinates. Sufficient light has not been thrown on the question as to why the necessity for creating these two new divisions has arisen. I submit that it has already been pointed out—I should think as representing the view of the Government—by Khan Bahadur Chaudhri Riasat Ali that it will be extremely objectionable to make even a single new appointment. I do not know if Khan Bahadur Chaudhri

Riasat Ali has voted on the previous motion with us
3 P.M. or with the Government. When he has said one thing, if he goes back upon it and votes for the Government, surely that cannot give much satisfaction to the House. If Khan Bahadur Chaudhri Riasat Ali was really in earnest as his words showed, in that case, it was his duty as an honest man—

Mr. Speaker : The honourable member is irrelevant.

Lala Duni Chand : I am saying that from the attitude that was shown by Khan Bahadur Chaudhri Riasat Ali—

Mr. Speaker : I repeat that the honourable member is irrelevant.

Lala Duni Chand : The point I want to emphasise is this that there is no particular necessity for creating these two divisions particularly at a time when the resources of the Government are being taxed to the highest limit to meet the situation that has been created by the famine conditions all over the province. We know that this province is passing through a great ordeal. It is not the proper time to make big appointments. It is the time to feed the people ; it is the time to prevent people from starving. At a time like this to create two new departments and to make highly paid appointments is highly improper. I hope if Government has got spare money—as it appears the Government has got, otherwise the Government would not have created these two divisions—if Government has got so much money, instead of devoting that money to objects of this kind, that money should be devoted to the mitigation of the distress caused by the famine conditions. With these words I oppose this demand.

Parliamentary Secretary (Sheikh Faiz Muhammad): I must confess that I was staggered when I heard from my honourable friend that we should not extend the hydro-electric scheme. It is the only branch of the Public Works Department which is paying and unless and until we open new divisions it would be impossible for us to take as much advantage from our scheme as we should. In the circumstances, I think, my honourable friend's criticism is quite uninformed. I hope even honourable members sitting on those benches will not agree with him.

Mr. Speaker: The question is—

That a supplementary sum not exceeding Rs. 31,484 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 Public Works Department, Hydro-Electric Establishment—Working Expenses and Capital Expenditure.

The motion was carried.

CAPITAL OUTLAY ON CIVIL WORKS.

Minister for Finance: I beg to move—

That a supplementary sum not exceeding Rs. 86,800 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 Capital Outlay on Civil Works met out of the Extraordinary Receipts.

Mr. Speaker: The motion moved is—

That a supplementary sum not exceeding Rs. 86,800 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 Capital Outlay on Civil Works met out of the Extraordinary Receipts.

Electric Lifts in the Legislative Assembly Chamber.

Sardar Hari Singh: Sir, I beg to move—

That the item of Rs. 38,960 on account of provision of two electric lifts in the new Legislative Assembly Chamber, Lahore, be omitted.

While moving for the omission of this item in the demand, may I refer you to paragraph 2 of the note by the Finance Minister under this head. The Finance Minister wishes to convince the House by putting this paragraph re the necessity for the lifts. It says—

It is necessary to provide lifts for the Speaker and Members of the Legislative Assembly many of whom will not be so young and active as to be able to face the constant climbing of stairs without inconvenience.

There was a third lift for you, Mr. Speaker, but this was omitted perhaps at your bidding because even though old in age you can walk 10 or 15 miles and you can do away with an electric lift to come up to your office or to the Chamber. It further says—

It is proposed that two lifts which should be used only when the Assembly is in session should be built. As this structural improvement is of imperative necessity it is proposed to introduce it without delay. It is estimated that the work will cost Rs. 38,960 which, however, is possible to be met from the saving anticipated within the grant.

Let us see the imperative necessity of the lift as far as this side of the House is concerned. About fifty members belonging to the Opposition benches, I can vouch on their behalf without fear of contradiction, do not at all need an electric lift to carry them from the ground floor to the first floor: it is a flight of a few steps only.

Dr. Sir Gokul Chand Narang : Is there any lift ?

Sardar Hari Singh : No, two lifts will be erected to carry the members from the ground floor. I may also put a few pertinent questions to the Premier himself who is a lion and a tiger, belonging to the community of lions and tigers and is a representative of the martial classes and who prides on calling himself a hardy soldier, who belongs to the martial classes and who prides on calling himself as the representative of the tillers of the soil—while he in season and out calls people sitting on these benches only *banias*, a majority of them at least—may I ask whether he needs an electric lift to carry him up to this floor ? May I take it that he needs an electric lift ?

Premier : There are other members who want an electric lift.

Sardar Hari Singh : The Premier, I take it, does not need an electric lift. He is young in years comparatively. He is active, alert, energetic and he does not need a lift at all. May I take it that he is going to introduce the electric lift for the sake of the Revenue Minister ? I can vouch on behalf of the brave Khalsa that he does not need a lift. Though 75 years of age—

Dr. Sir Gokul Chand Narang : No.

Minister for Revenue : I am 67 years of age.

Sardar Hari Singh : Though three scores and seven, he is more energetic than his sons and grandsons. I suppose he does not need an electric lift : I hope he will say that he does not require an electric lift. Then, is this electric lift system going to be introduced for the back-benchers of the Ministerial party, many of whom are young men, active, energetic and hail from the countryside ? We, Mr. Speaker, as a matter of fact, do require some exercise. We, who meet till late in the evening, cannot have walks and our digestion will go wrong unless we have a little bit of exercise. We only go to the ground floor when we want to make water ; but then a lavatory can be provided upstairs for the old members. There is no lavatory upstairs. (*Voices : There is.*) This expenditure of a huge sum of Rs. 38,960 is quite unjustified, unwarranted and unnecessary. It is not at all needed and it should be entirely omitted.

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

That the item of Rs. 38,960 on account of provision of two electric lifts in the new Legislative Assembly Chamber, Lahore, be omitted.

Dr. Gopi Chand Bhargava (Lahore, General, Urban) (*Urdu*) : Mr. Speaker, I also gave notice of a similar cut motion. When my honourable friend, Sardar Hari Singh, was speaking the Honourable Premier interrupted him, I think, twice saying, "You need a lift ; people do wish for a lift." But Sardar Hari Singh does not appear to have caught his remarks. I should, therefore, like to reply to Honourable Premier's remarks. I am sure the workers do not stand in need of any outside energy to give them lift. The work put in by them is a sufficient lift for them. But there are others who as a matter of fact do not do anything but are eager to have a lift in life, and they of course badly need outside energy to keep themselves up and aching. It is for such men, therefore, that lifts are a necessity.

Recently your attention was drawn to various difficulties which are being experienced by us in this new building. Leaving the other rooms apart even this Chamber leaves much to be desired. In fact, we are put to great inconvenience due to the shortcomings and defects left in the construction of this Chamber. It will be in the fitness of things, therefore, if the money apportioned for the installation of electric lifts, is spent in effecting improvements in the Chamber itself. It will add to the convenience of all concerned.

It may be contended by the Treasury benches that after having spent an enormous sum of money amounting to 13 lakhs on the Chamber, it would not be advisable to proceed to build a new one just at present. They may further argue that no substantial changes can either be effected in this very Chamber. But I would urge that changes can still be effected to some extent. The Government may, by further developing this argument, contend that as places have already been provided for electric lifts at a considerable cost, there would be no harm in installing electric lifts now. Again, it may be said in favour of this project that certain members will need electric lifts and even most of them may want to use them when they are having their tea downstairs and all of a sudden the division bell calls them to the Chamber at once. It is at times like these, they would argue, that the proposed electric lifts will become necessary. But my plain reply to this would be that the honourable members who are keen about the division, would be well advised to send for their tea here in the lobbies and thus save public money from being spent on the electric lifts. After all the sum of Rs. 38,000 is not a paltry sum to be squandered away in providing the luxury of electric lifts when we can do without them. Need I enumerate the various difficulties that we are experiencing in this hall? They are so obvious even to the Treasury benches. First and foremost, there is the difficulty caused by the narrow passages provided in the Chamber so that honourable members cannot pass from one seat to another or from one quarter to another without causing serious inconvenience to each other. Then, there is the difficulty of there being practically no floor left in the centre of the hall, so that it is impossible, sometimes, to pass from one side of the House to the other without crossing the line between the Speaker and the member in possession of the House. Perhaps, it may be possible to remove some of the front benches to the hind portion of the hall, but it would decrease the number of the front benches which has already been reduced.

Premier : We have already provided one extra seat to your party.

Dr. Gopi Chand Bhargava : With these words, I beg to oppose the motion to spend Rs. 38,000 on installing electric lifts in this Chamber.

Lala Deshbandhu Gupta (South-Eastern Towns, General, Urban) (Urdu) : May I put forward a suggestion in this behalf which, if put into practice, is sure to solve the difficulty we are confronted with at the present moment? It is a very simple one indeed and that is this. If some of the Honourable Ministers and Parliamentary Secretaries find it hard to climb a few staircase steps, we would be well advised to introduce the carrier system, instead providing costly electric lifts. (Laughter.) It is in no jest that

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I say this. In Delhi, you will find that the Municipality spends about twenty thousand rupees annually on 'dolis' (palanquins) to convey girl students to schools. This system if introduced here will cost much smaller amount than Rs. 38,000 set apart for the installation of electric lifts in the Chamber. Besides, it will also offer employment to some poor persons. I do not deny the need of some sort of lift. There are some Honourable Ministers and Parliamentary Secretaries who need a lift very badly. Again there are some honourable lady members among them who may need a lift.

Begum Rashida Latif Baji: We, lady members, do not stand in need of any sort of lift to the Chamber.

Lala Deshbandhu Gupta: Here is our honourable sister who observes, on behalf of lady members in the House, that they do not stand in need of any sort of lift to the Chamber. But there are our Honourable Ministers who say that they cannot do without electric lifts. Some of them have my sympathy indeed. In particular I must sympathise with my honourable friend, Khan Bahadur Mian Mushtaq Ahmad Gurmani and a few others like him.

With these words, Sir, I propose, that 'doli system' may be introduced instead of the proposed electric lifts.

Minister for Public Works (The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana): A good deal of unnecessary criticism has been levelled against this item. When we have spent so much on this Chamber, I do not think any addition of Rs. 38,000 would matter if it is to provide for the convenience of the members of this House. It has been said that most of the members of the present House do not want it. I think this is wrong. I have been told by many members present in the House now that they require these lifts. There is no question of having this provision for Ministers or their Secretaries. They can very well walk up, and if need be, they can carry one of the Opposition members along with them. (Laughter.) We want to provide facilities for the general public also. It must be realised by the members of this House that all of us cannot be in the vigour of health always. Some of us may become infirm, some may get high blood pressure and some may have weak vision. All such gentlemen have to come to the Assembly Chamber. So this provision is an essential one and should not have been criticised. Suppose, if this sum of Rs. 38,000 is diverted to the improvement of the building as suggested, then I must confess that that sum would not make any material difference to this Chamber. If we want to enlarge this Chamber, it would cost far more. It is essential that lifts, for which provision has been made and room left out, should be put in. Having provided certain conveniences, we want to add to them and make this building worthy of the province. It has been said that if the provision had been made for lady visitors and others in the upper gallery, it would have been justified. I think the honourable member was forgetting that visitors will have to go up by using these very lifts. This is for their convenience also. So I think it is a necessary provision. The item is not very big. It must also be remembered that the Honourable Speaker has sometimes to come up in a hurry. There should be arrangements for him also. Thus it is a very necessary item which should not be objected to.

Mr. Speaker : The question is—

That the item of Rs. 38,960 on account of provision of two electric lifts in the new Legislative Assembly Chamber, Lahore, be omitted.

The motion was lost.

Mr. Speaker : The question is—

That a supplementary sum not exceeding Rs. 86,800 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 Capital Outlay on Civil Works met out of the Extraordinary Receipts.

The motion was carried.

FAMINE.

Minister for Finance : I move—

That a supplementary sum not exceeding Rs. 18,27,900 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 Famine.

Mr. Speaker : Motion moved—

That a supplementary sum not exceeding Rs. 18,27,900 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 Famine.

Relief measures for famine stricken areas.

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

That the demand be reduced by Rs. 100.

This is the most important subject that has offered itself for the discussion of the supplementary demands to-day. Though we have had a discussion of the subject on a previous occasion by means of an adjournment motion moved by me, still this matter is so important and of such a serious nature that further discussion and debate on this matter will not be out of place, as certain further factors bearing on the matter have been brought to our notice since then. Rs. 18,27,900 have been budgetted through the supplementary demand for the purpose of providing relief to the famine-stricken people of Hissar and the neighbouring areas of Southern Punjab. My first observation on reading this figure is that bearing in mind the magnitude of the problem and the magnitude of the drought and scarcity and famine conditions in the famine-stricken part, that unfortunate part of Hissar, this sum is not adequate enough to cope with the situation arising out of the hunger and starvation and the nakedness of the people there. We are told that a sum of Rs. 1,44,000 has already been voted upon by this House in the annual budget last March for the purposes of meeting scarcity situation and then on account of the failure of rain and the resulting acute distress and drought and scarcity in Southern Punjab the Government has been called upon to provide through the supplementary demand a large amount of money to meet the situation. We are told that the Government has already spent Rs. 48,058-6-0 for purposes of providing for concession rates by the Railway Department. As I said on the previous occasion, the Government should not only provide money for concession rates, but for the free transport of fodder to the people of that part of the

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country and on that account Government made no response to this constructive suggestion of mine. On this I laid particular emphasis and urged upon the Government to make a response to this suggestion of mine. In order to relieve the distress of the people the Government should provide money for the free transport of fodder from outside to the receiving stations in Hissar and other places which are famine-stricken.

Fodder Adviser and his establishment have been provided with Rs.8,600, that is, for the payment of the salaries of the Fodder Adviser and his establishment. In this connection I want to put in a suggestion which was made by my friend, the Leader of the Opposition on the occasion when the adjournment motion was considered by the House, that the Government should take care that the fodder which is being distributed to the distressed people there is distributed fairly and justly, that it is first given only to those who need help and in an adequate manner and there is no filching by the distributing agency, no corruption and no bribery. The Government should keep a strong watch over the subordinate staff which is working under the Fodder Adviser.

Test Works have cost Rs. 6,40,000 and though it is not mentioned in the note under the demand, what the scale of wages allowed to the labourers is, we know from the press *communiqués* issued by the Director of Information Bureau that only two annas per labourer are paid to a first class labourer. (*A voice* : And how much to women and children ?) Only five pice per head. That first class labourer may have some dependents, children, women and a family to support. He cannot support his family at all on those two annas. This relief is inadequate. This is not sufficient even to feed one mouth, and if a man has got two children and a wife to support, two annas is a paltry sum—it is a fun. As I suggested on the previous occasion, the Government should start major relief works which would provide work to lakhs of people of Hissar and the neighbouring districts. At the present time only 7,000 labourers are employed in the test works. That is not adequate. More liberal measures should be adopted. Major works should be started to give employment to the naked, starving, hungry and famine-stricken people of Hissar. Only twenty-one spinning centres have been opened so far. That was the figure given in the press *communiqué* and this figure is mentioned in the note too. More spinning centres might with advantage and benefit to the starving people be opened and it should be made compulsory for the Government departments to purchase all the khaddar from those centres, if Government is in earnest to help those people.

Gratuitous relief to the tune of Rs. 30,000 is going to be provided to the Deputy Commissioner of Hissar for the help of people. Mr. Speaker, I dare say this sum of Rs. 30,000 considering the calamity, the distress and the misery of the people of Hissar and the neighbouring districts is a very meagre and paltry sum. Rupees 30,000 should mount up to Rs. 30 lakhs, if the Honourable the Premier wants to feed the hungry mouths, gaping mouths wanting bread, wanting one meal a day.

Then I come to the establishment of concentration camps. That is what the Premier took pride on the other day, when he went on to say

that in order to save to the province the cattle wealth he was going to open concentration camps. We are told that —

Large number of cattle have been sold for very small sums, not a few have died for want of fodder.

We are not told how many have died for want of fodder. Government should have got the figures prepared and informed us as to how many cattle had died for want of fodder.

To check this very alarming drain of the cattle wealth of the district and to preserve this extremely useful breed Government has decided to open a concentration camp at Hissar, where it is proposed to keep and feed some 7,000 heads of cattle.

Now, what the Government will do is to buy these cattle at Rs. 10 per head from the distressed people. Government, if it has any sympathy for the poor kisans of Hissar should pay normal price for these cattle, that is Rs. 60 per head. But the Government will not do this, but will buy at Rs. 10 per head and sell the same when normal conditions are restored at Rs. 60 per head, thus making an enormous profit. There should be no bargaining spirit in this matter. Government should not exploit the distress of the people. The Honourable Premier the other day said on the floor of the House that the cattle in Hissar were selling at abnormally low prices on account of the distress and misery of the people. Is it the intention of the Government to make this concentration camp a profiteering business? If that is not the object of the concentration camp the Government should buy the cattle at normal prices and not at the paltry price of Rs. 10. I know that people will be willing to sell their cattle even at Re. 1 per head, because they cannot get fodder to feed these cattle. But, if the Government is generous and has got sympathy for the people it should buy cattle at normal prices.

The next point is the danger attendant on the concentration of thousands of cattle in one place. If thousands of cattle are concentrated in one place there is the danger of an epidemic breaking out. It would, therefore, be better not to concentrate all these 7,000 cattle in one place, but to distribute them in various places, in groups of say 500 each so that the danger of an epidemic breaking out and the consequent drain of cattle may be minimised. There should be no danger to the lives of the cattle. "Hissar Breed in danger of extinction" is what prompted the Government to open this concentration camp. If that is the real object of opening a concentration camp, then I hope that my helpful and constructive suggestion will evoke a ready response from the Treasury benches. With these few words I commend my amendment for the acceptance of the House.

Mr. Speaker : Demand under consideration, motion moved—

That the demand be reduced by Rs. 100.

Khan Sahib Chaudhri Sahib Dad Khan (Hissar, Muhammadan, Rural) (*Urdu*) : I feel it my duty to congratulate the Punjab Government on its efforts in affording relief to the famine-stricken people of the Hissar district. But I wish to make some observations with regard to the details of the relief work. In the Supplementary Estimates the Government has earmarked Rs. 70,000 for the purchase of 7,000 cows. But I must warn the Government that it cannot obtain the desired results through these concentration camps. I am told that usually the fodder or grain for all the

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cows is thrown in one manger and then they are left to themselves with the result that the stronger cows snatch away the lion's share while the weaker ones do not get anything at all. Thus the Government would have done better if it had distributed this amount among the owners of the cows instead of wasting it on the concentration camp. Then much has been said from both sides on the quality and price of the fodder. I am free to admit that the loose fodder supplied by the private contractors was not only cheaper but also superior in quality to that purchased for the Cattle Farm.

Now, a sum of Rs. 54,000 is demanded for building sheds and huts for the animals and their attendants. Even here, I submit that it would have been better if this money had been distributed among the owners of the cows. The arrangements made in this connection are also not very attractive. Most of the people have left these sheds and huts and even those who are still there are not in an enviable position.

As regards the construction of roads the Government and its officers know it fully well that these roads are not going to serve any useful purpose. Not only that, they are not going to last long. One shower of rain will be enough to undo all the efforts made in this direction.

Another point in this connection is that even the water for 150 labourers is going to cost the Government a huge sum. I remember that during the famine of 1929-30 water was supplied at Rs. 80 or Rs. 90 per mensem in my village. And now I hear that a contract has been given at Rs. 150. Then I draw your attention to the expenditure on the camps of the officers which are always on the move. To-day the camp is at mile No. 1, to-morrow it will be at No. 2, then at No. 3, and so on and so forth. The result would be that this item would devour a good deal of money. Why not confine these camps at one place?

As regards the lot of the labourers employed in connection with the relief work they have to walk some 10 or 12 miles and then to get their work for full time. No regard is paid to the fact that they have been engaged as a measure of relief. Then they have to wait till late in the night for the naib-tahsildars to distribute their wages. The wages too are not reasonable. Even private people pay 3 annas per head, but the wages paid by the Government are no more than 2 annas a day per head.

Then comes the item of spinning centres. With regard to this item I have so say this much that women working there do not get sufficient quantity of cotton to spin, with the result that the wages are very meagre. This question also deserves special attention of the Government. With these words I submit that the money may be sanctioned by the House, but at the same time I would request the Government to improve the relief operations.

Lala Deshbhandhu Gupta (South-Eastern Towns, General, Urban) (Urdu) : I have studied all the details of this demand very carefully. No doubt the Government has set apart Rs. 18,27,900 to help the unfortunate people of the famine-stricken area, but I would draw the attention of the Government to the fact that the money so far spent is not being well spent. If the Honourable Premier wants to provide the greatest possible relief with this money it is necessary to pay attention to the methods employed

by Government in organising and affording relief. For instance, the money spent on spinning centres will not yield the desired benefits unless arrangements are made for obtaining the best possible price for the yarn prepared at the centres. Let the Ministers take a vow that so long as the famished Punjabis of this area have to work in these centres on a few pice a day to keep their body and soul together the Ministers will wear nothing else except the khaddar prepared from the yarn spun by these people. This would give a fillip to the movement and we will get the best prices for the yarn spun by them. Similarly the Parliamentary Secretaries and Parliamentary Private Secretaries whose number goes up to 24 or 25 should visit the area personally and should make it a point to see that every single pie spent there goes to the deserving persons and is utilised in the best possible manner. They should purchase the khaddar prepared by these people even at a higher price. I would request the Premier to see that during the period of scarcity at least, all the Ministers and their Secretaries encourage the use of this khaddar by themselves setting an example. I know that those used to wearing fine silks will find khaddar a bit too coarse and inconvenient, but the mental satisfaction derived by them will be out of all proportion to the inconvenience so caused. I would submit that so long as you do not take such steps even an expenditure of 50 lakhs is not going to give you the desired results, what to speak of 18 lakhs.

Then comes the concentration camp. The Government has made arrangements for the purchase of only 7,000 animals in an area where the number of cattle is no less than 5 lakhs, and still the Government claims that it does not want to see the fine Hissar breed of cattle depleted by transportation. Moreover, these animals are going to be purchased by the Government at Rs. 10 per head while in many cases their actual price is not less than Rs. 60 each. May I ask whether the Government are of the opinion that this will be a relief to the poor zamindars? No, Sir, it is no relief. On the contrary the Government is, to use the words of my honourable friend, Sardar Hari Singh, exploiting the misery of these people. The Government may have no such object in view, but that is what it comes to. If the Government is really anxious to help the scarcity-stricken people it should let the people retain the ownership of their animals while they are being fed in the concentration camp. These animals should be marked with numbers and a register for all these numbered animals should be kept at the centre and the owners should have a guarantee that they will get back their animals when they are in a position to feed them. It is no help to a zamindar to purchase his bullock worth Rs. 60 at Rs. 10 and then sell it at a higher price when the famine is over. I would request the Ministers to acquire firsthand knowledge of the conditions obtaining in that area and pay personal attention to the various details of the relief work. It will not do to be guided by the reports of the subordinate officers.

Then there is a sum of Rs. 49,000 earmarked for building temporary sheds for 7,000 animals. The Honourable Premier must know that about 12,000 animals have been sent from this *ilaga* to the Dadri jungle near Delhi and the expenditure on providing shelter for these animals works out at much less than Rs. 7 per head. As I have already said the Ministers and their Secretaries should pay personal attention to these operations. If

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instead of relying on red-tape routine they take some personal interest an appreciable saving can be effected in this item.

There is another point to which reference has to be made. The information of the Honourable Premier that an owner of a dairy farm in the United Provinces had anything to do with the suggestion of transporting the animals to those provinces is absolutely wrong. He must have found out by this time that he was not justified in making the remarks which he made and it is but fair that he should admit his mistake and thus remove the wrong impression created by him.

So far as "gratuitous relief" is concerned, it is to be regretted that there is a complete lack of co-operation and co-ordination among the various relief agencies working in that area. When more than one agency work at the same place the cunning people manage to obtain relief from all of them while the simple-minded, poor, needy persons do not get anything from any agency. The Government should keep a regular register of the persons to whom relief is given and it should be checked with the help of other agencies from time to time. But if this be not feasible, let different parts of the famine-stricken area be assigned to different agencies so that there may be no duplication and triplication. I am told that some agencies made representations to the Government to this effect, but nothing has been done so far. I think it is high time that Government should take steps to enlist the co-operation of the various agencies for the sake of organising relief work on improved methods. So far as the Congress is concerned we are ready to co-operate with you. We do not make a fetish of prestige and there should be no question of party propaganda and political jealousies in a humanitarian work like this.

Furthermore, I am surprised to see the table according to which fodder is provided to cattle. For instance, seven seers of *bhusa* has been fixed as the daily provision for all sorts of cattle. Those people who have any knowledge about the daily diet necessary to properly feed Haryana cattle, will be able to tell you that this provision is very insufficient. I wonder why this inadequate famine diet has been fixed. The Government should have known as to what is the quantity of fodder required to feed the cattle properly. My honourable friends, Chaudhri Tikka Ran and the Minister for Development, claim to be agriculturists and they should be able to tell the daily diet of a cow or of a bullock. *(At this stage Honourable Premier interrupted.)* The Premier thinks that seven seers of *bhusa* are sufficient for a cow. But, my point is : have you provided differently for different animals, bullocks, cows and buffaloes, etc. ? Why do you insist on applying the same scale of diet for all sorts of cattle ? I am not making these observations for the sake of criticising what Government has done. I wish that every pie that is spent by the Government for relieving distress in the famine-stricken area, is well spent. Relief should be given in such a way that the people feel that relief is being given to the deserving ones. I hope my remarks will be taken in the spirit in which they have been made. I wish the Government to regulate its methods of giving relief in such a way that the greatest benefit is derived by the poor from the money which is being spent in the famine-stricken area.

2nd-Lieutenant Bhai Fatehjang Singh (South-East, Sikh, Rural): The main fact and the point of discussion at the moment seems to be whether the Government has failed or whether the Government has succeeded to provide adequate relief in the famine-stricken area. Giving full consideration to the fact that the Government is not a juggler and the Government is not in possession of a *Madari's Patara*.

Sardar Hari Singh: Sir Chhotu Ram has got it.

2nd-Lieutenant Bhai Fatehjang Singh: As the Government is not in possession of a *mahdari's patara* they cannot with a wave of the hand bring forward lakhs and lakhs of rupees or by shaking Sardar Hari Singh's *achkan* can it bring out hundreds of thousands of rupees. The point is that we want to see whether the Government with all its limitations and the trouble that has been caused by the people of the district is giving adequate relief and has succeeded or failed in giving relief. I can say without any fear of contradiction what I have seen with my own eyes. I happen to belong to the place. It is my constituency and it happens to be a place whence I derive a major portion of my income, so I am in close touch with it. What did I see there and what are the reports that people bring to me? The Government has provided a fodder camp, a fodder supply depôt in a place, but the villagers who possess no buffalo and who possess no cow go there and buy by all sorts of fraud more fodder than is their due and then go and sell it to their own brethren at a higher rate. Is then the Government responsible for it?

Diwan Chaman Lall: Is the honourable member casting aspersions on the local administration? Is the local administration really so incompetent?

2nd-Lieutenant Bhai Fatehjang Singh: My honourable friend, if he listens with patience, will find that if the local administration does not believe these people, my honourable friend over there would come forward and say that Government is adopting bureaucratic attitude and is not prepared to help. The local administration is quite right in relaxing the rules and providing adequate relief and facilities to the people even if they know that these people are not entitled to it. Another thing they say, as you all know and which has been their foremost cry before or after the famine, is water. Let us see what the Government had done in this respect. If you look at this side of the picture I can say without any fear of contradiction that the Western Jumna Canal has never fallen for the last 57 years to the level of 1,800 cusecs and it is to-day at 1,800 cusecs. Is that the fault of the Government or of the God Almighty? What has the Government to do with it? In spite of the fact that the canal has not enough water Government has at all times given water to the ponds and tanks of the villagers and is still giving water.

Diwan Chaman Lall: If there is no water, how are they giving water to the people?

2nd-Lieutenant Bhai Fatehjang Singh: That is what I am explaining, that in spite of the fact that there is not enough water in the canal, they are giving water to the people. The Government is building another distributary which is going to be called Chatala distributary. This is going to benefit over 20 villages. There is at present no water-supply in these

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villages and when that distributary is completed—which I hope and about which I have assurances from the Government, will be by the end of the next year or earlier—then 25 more villages will be able to get water in spite of the fact that we heard of a deputation of Jullundur district zamindars waiting on the Honourable Revenue Minister. Their grievances are that the Government has taken away water from the Sutlej river through the Sirhind Canal and given it to the district of Ferozepore, and the Sutlej is running dry with the result that the water level in Doaba has fallen. They say let the Government do anything it can, but they should put that water back into the river Sutlej. They do not see nor do they care that Hissar wants more water also. Do I understand that Government should ignore their demand and should not keep them in mind ?

Sardar Hari Singh : What are you talking ?

2nd-Lieutenant Bhai Fatehjang Singh : If you would only listen, you will know. The other thing that I want to bring to the notice of this House is that a few days ago we heard that it was said, why does not the Government bring in prohibition ? They do not know that this will mean losing revenues still further. Then it was said, why do they not give more money to Hissar ? There are people in Ambala who ask, why is there no remission of land revenue ? Then again, people ask, why are they not getting more wages ? Another trouble that I have seen with my own eyes is that people refuse to work in these camps when they are asked to build roads. They say they will rather die than carry a *tokri* on their heads. I appeal to the sense of the justice of the honourable members there to say, whose fault is that ? Why do they refuse to get work which the Government has provided for them ? All the might of the Government, all the resources of the Government should be centred on spinning centres, this is all that I hear from the opposite benches. But I ask where is the harm if roads are built and the countryside is improved ? If they refuse to work on roads, how is the Government to blame ? Another trouble is that in certain villages there is no water and if the Government wants to extend these distributaries the zamindars of that very village refuse to allow the Government to dig channels through their respective *khets*. What is the Government to do ? Do you mean that the Government should arrest these people or issue ordinances that no one shall prevent these channels from being dug. These are things which can be done only by mutual co-operation. I know the conditions of Hissar for the last ten years and if the famine conditions are being felt more keenly it is because the borrowing power of the zamindars has been snatched away by the non-agriculturists conferences. The non-agriculturists are united in these very pathetic times, they have resolved that on no account will they lend money to the zamindars. They expect the Government to come out with all the money and help the zamindars. They expect the Government to come forward with all the money

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and with all the necessities of life and give these to the zamindars when the sympathies of these people outside are being taken away. If these people could have found the money, the Government's own burden would have lessened to a great extent, and the famine conditions in Hissar would have improved. Coming to the fodder situation, I have seen with my own eyes that people go to the Fodder Camp

and say that they should be paid in cash and they will feed their own cattle. Government is not going to do that. Why should it do that? When the Government can provide fodder with all the concession rates at its disposal, there is no reason why they should want money instead of fodder. They want the fodder which they should have. Another complaint is that the Government is charging high rates for the fodder. I am really surprised at that statement. I have myself been to Kahlianwali. The rate at which the Government supplied fodder there earlier was two maunds per rupee and I challenge any member sitting on the Opposition benches that they can go and verify my statement. If the prices have gone up now, it is due to the fact that all those people who have dumped fodder are sitting tight over it and they are waiting for the calamity of the severest kind so that they may get more price for the stuff with them. It is for this reason that the prices of fodder has gone up. (*Voices from Unionist benches : Shame, shame.*) My friends over there can go and see for themselves that in the month of October the Government supplied fodder at two maunds per rupee.

Sardar Lal Singh : Do you mean to say that the relief provided is too much?

Premier : He means that some people have exploited the famine for their own ends.

2nd-Lieutenant Bhai Fatehjang Singh : When the adjournment motion came up before this House, the Honourable Premier gave an undertaking to this House and said that the commitments of the Punjab Government might go to more than a crore. If the conditions do not improve, if the circumstances do not change, then I have every reason to fear that the expenditure will go up to a crore in the matter of relief. I may just for the sake of information to my ignorant friends over there state that buffaloes are also included in the takavi. A zamindar can maintain a buffalo and he can produce ghee from the buffalo's milk and he and his children can live on that if on nothing else. With these few words I congratulate the Government on this measure and I oppose the motion under consideration.

Dr. Gopi Chand Bhargava (Lahore, General, Urban) (*Urdu*) : It was much to be hoped with regard to the motion under consideration that the honourable members of this House would urge upon the Government to provide still more funds for the famine-stricken areas of Hissar or at least appeal to the Treasury benches to utilise the funds already provided for the purpose in a more becoming and proper manner than the one that has been employed heretofore. But the speech of my honourable and learned friend who has just resumed his seat, leaves one aghast at the mysterious way in which the mind of the Unionists is working. After all, what is it that my learned friend over there has said in his speech? The people of Hissar are crying for bread and drinking water for themselves, fodder and water for their cattle but an honourable representative of the zamindars, whose heart was overflowing with sympathy for his fellows outside, asks these starving millions to wait till the Bhakra Dam scheme is carried out, the Chutala Canal is opened and water supply in the Western Jumna Canal is improved. One could subscribe to his views if an adjournment motion had been under consideration because it would have been open to him

[Dr. Gopi Chand Bhargava.]

in that case to support the Government with all sorts of arguments. But here we are concerned with a supplementary grant for a famine-stricken area. Surely it ill-becomes an honourable member at this stage to tell the Government that they have already gone too far in offering relief to the starving people of the Hissar district. Words such as these expose the lip-sympathy of the Unionist with the poor.

2nd-Lieutenant Bhai Fatehjang Singh : On a point of personal explanation, Sir ?

Mr. Speaker : No personal explanation is called for.

Dr. Gopi Chand Bhargava : I refuse to give way. Those, who have an insight into men and things, would easily see why these professed helpers of the poor do not sponsor the cause of the poor in this House. In fact some of the big landlords who go to compose the Unionist party, own large tracts of land in Hissar and they know it in their heart of hearts that if demands like these are supported by them now, they will have also to cut down their own purse to offer relief to their peasants. It is here where the shoe pinches, and that is why they cannot back even such moderate demands of the Congress party. May I inform the honourable member that we are not discussing any censure motion against the Government. We too realise that they have done something in this behalf. All we demand is a little more relief for the starving people of Hissar. Another request that we are making is that the existing defects in the management of the relief work should be removed. That is all. Now let us see what the Government have done and how they are carrying on the relief work at present. The Government have provided funds under four heads, that is, salaries and establishment of the Fodder Advisor, relief works, gratuitous relief and miscellaneous. Fodder takavi for milch animals, and establishment of spinning centres and concentration camps are some of the items under this head. A sum of Rs. 19 lakhs is demanded for takavi loans for the purchase of fodder for milch cows. More than 3 lakhs of rupees are required for concentration camps. In this connection it may be recalled that the Premier told us some time back that the cattle purchased for this purpose would be returned to the owners on payment of the same price if and when they so desire. It is clear, therefore, that this amount of 3 lakhs is not going to be spent up wholly. At least the sum of Rs. 84,000 being the estimated cost of 7,000 cows, etc., may be expected to return to the provincial exchequer next year. This is the budget estimate up to the end of the current financial year and as such the amount referred to above would be included in the next year's budget. The fodder takavi is a sort of loan which is being advanced to the famine-stricken people on the condition that it will be realised in case there are good crops and remitted in case the crops are bad. This is not a gratuitous relief. Besides the Government have appointed officers to report whether the crops are good or bad. Some of them are granted rewards for expediting the work of the realisation of the takavi loan. In Hissar there have been no crops for the last five years and this has resulted in acute distress. Do you think that a person who may have a good harvest this year will be able to pay back his takavi loan ? It would be almost impossible for him to do so. These Rs. 84,000 or for the matter of that, the whole sum of five lakhs of rupees is in fact a

lean. It is not at all a relief in the exact sense of the word. Let us now turn to the concentration camps where some 7,000 animals would be kept and fed. With regard to the purchase of *bhusa* one of my friends said that the Government have purchased it at the rate of twelve annas a maund while it could be had at the rate of eight annas a maund. In reply to this the Government stated that the market rate was fourteen annas a maund and that they purchased it at the concession rate of twelve annas a maund. When we objected why *bhusa* was purchased at the rate of one rupee a maund for Cattle Farm at Hissar when it could be got at the rate of twelve annas a maund we were told that the *bhusa* worth one rupee a maund was far better than the *bhusa* purchased at the rate of twelve annas a maund. Surely it is necessary to provide good *bhusa* for already half-starved animals, for if they are provided *bhusa* of inferior quality most of them would perish.

With regard to the establishment of the camp I would submit that without it nothing can be done and it is in fact necessary. But I would ask if a veterinary doctor is not needed for these 7,000 cattle. One sanitary inspector has been employed on Rs. 80 per mensem. A sanitary inspector is neither a veterinary surgeon nor veterinary assistant surgeon. Then again temporary sheds have been constructed at an expense which is in fact out of all proportions to their real value. These concentration camps are meant for animals and if in order to save them from destruction some people want to take them to some other forests, why do you not permit them to do so? If you would permit them to take their cattle to some other places you would have to spend a small amount on account of their carriage as against the huge expenditure to be incurred by you in keeping and feeding them. Besides, you would have to pay nothing for their return journey. You grant takavi loans to the people on the security of their land. But in case of those who own no land you afford no relief. Why do you not give some relief to such people and allow them to take their cattle to some other places? (*A Voice: To the United Provinces.*) If you object to their being taken to the United Provinces send them to some other forest in the Punjab. I know your Forest Department is a losing concern. But if you so please allow such people to take their cattle to some forests in this province.

I would also like to say a word or two about test works and spinning centres. The former includes the construction of roads. There is a great scarcity of water in Hissar. You can construct ponds in every village where rain water may collect and the people may make use of it for some time. I know you will object to it on the ground that these ponds will become the abode of mosquitoes and will consequently help the spread of malaria and other diseases like guinea worm. Anyhow I would suggest that ponds may be constructed for storing water fit for human consumption. Under the head "test works" we should do things which are really useful to the people. For instance, take up the construction of roads which is the concern of the Communication Board or the District Board. There is no road between Bhiwani and Hansi. Construct one between these two places. Similarly you can construct roads between various villages and mandis. Such works will be of permanent value and will also afford relief to the people for the time being. Now coming to the wage scale of labourers I would submit that previously an individual was given four or five pice a

(Dr. Gopi Chand Bhargava.)

day. The boys and girls of tender ages were also given two or three pice a day. The Government have recently raised the wage scale of labourers but have provided no wage for boys and girls under twelve years. In fact it is no relief at all. If you want to give relief to the famished people grant them gratuitous relief. A word about the spinning centres also. The money already spent on them is wasted and whatever you will spend on them in future will also be wasted. The yarn which is going to be prepared in the spinning centres should be spun under the supervision of an expert and this yarn should be specially purchased for weaving purposes in the jails. If the Government wants to give relief of any permanent nature it should make arrangements to consume all the yarn and cloth prepared by the famine-stricken people. We are also going to spend Rs. 50,000 in the same area. The cloth thus prepared will be sold by us with earnest efforts. If the Government so desires it can get a great quantity of yarn consumed in the jails for preparing khaki cloth which can be utilized for the uniforms of the police force. I submit that all the money at present being spent on the spinning centres is almost as good as wasted. There is no organisation and co-ordination. I would, therefore, request the Government to consult this side of the House before starting relief work. Unless there is co-operation and mutual consultation the money will be wasted and no humanitarian touch will be visible in the relief work.

Chaudhri Suraj Mal (Hansi, General, Rural) (*Urdu*): I think that nobody in this House knows as much about the present state of affairs in the famine-stricken area as I do. The reason is that I have returned from this area this very morning, and what is more, I have not returned after a few days' stay in a city but after visiting some twenty-five villages where the famine has wrought the greatest havoc. I submit that the conditions obtaining there are so bad that even the oldest villagers of the *ilaga* do not remember having had to face such a situation during their lifetime. The people of this part of the province have no food to eat, no water to drink and no clothes to wear. If they have anything it is the air to breathe. Under these circumstances it is the duty of every one of us to help those people. I am free to admit that the Government could take the lead in giving relief, but I would also request the critics of the Government that they cannot absolve themselves of all responsibility in this connection. Let me tell you that the people of the affected area are of the opinion that the Government has never given so much relief to them as it has done this time. My honourable friends opposite are free to accept or reject this statement but it is the bare truth and the people of the *ilaga* admit it.

Now let us see what the critics of the Government have done. Only yesterday I was talking to the elder brother of my honourable friend, Dr. Gopi Chand Bhargava. When I enquired about the activities of the Congress in connection with the relief work he was very despondent. He admitted that in spite of their best efforts they have not been able to collect more than Rs. 5,000 and that no more money was forthcoming. The Congress has not spent a single pie in this area up to this time but in spite of that my Congressite friends are carrying on a vigorous propaganda saying that the present Government has done nothing for the people of that area and that the best course for those people is to muster strong under the

Congress flag. I would request my honourable friends opposite to give some tangible proof of their sympathy for the famished people of the scarcity-stricken area. Let them first do something by way of giving relief and then there will be time enough to talk of joining the Congress or any other organisation. We requested the Honourable Premier and the Minister for Development to pay a visit to that area and they at once acceded to our request. They went there on the 7th September and heard our grievances. We told them that the cotton crop had failed and the Honourable Premier at once made an announcement remitting abiana. (*Hear, hear.*) The next day a Congress meeting was held and it is within the knowledge of my honourable friends that a resolution was passed to the effect—

Mr. Speaker : The honourable member should not discuss the Congress.

Chaudhri Suraj Mal : I was only drawing your attention to the resolution passed—

Mr. Speaker : Order, order! The honourable member cannot discuss the Congress.

Premier : On a point of order, Sir. My honourable friend is merely trying to point out how these gentlemen are co-operating? They have criticised the Government. Cannot we criticise them? My honourable friend is merely pointing out that we want co-operation.

Mr. Speaker : What is the motion before the House?

Premier : The motion before the House is with regard to famine in Hissar. But those gentlemen have said that Government has not done this or has not done that.

Mr. Speaker : Government wants money and that is what is now under discussion and consideration. A criticism of the Congress or any other body is not relevant or called for.

Premier : My honourable friend, the Leader of the Opposition, discussed jails, *soot*, *khaddar* and all such things during his speech. Was he relevant?

Mr. Speaker : Did he criticise the Government?

Premier : He said that Government has not done this or that—

Mr. Speaker : The Congress has no Government in this province.

Dr. Gopi Chand Bhargava : On a point of order, Sir. As you have pointed out that it is the demand that is under consideration, we are perfectly within our rights to criticise every action of the Government.

Mr. Speaker : I cannot allow a speech. What is the honourable member's point of order?

Dr. Gopi Chand Bhargava : My point of order is this that irrelevant speeches should not be allowed. Chaudhri Suraj Mal made some irrelevant remarks and the Honourable Premier stood up and supported that irrelevant speech.

Lala Bhim Sen Sachar : On a point of order, Sir. My point of order relates to regulating the proceedings of this House and is a very important one and it is this. Was the Honourable Premier in order in getting up and interrupting the proceedings of the House by making a speech, when he was not in possession of the House?

Mr. Speaker : Has he no right to raise a point of order ?

Lala Bhim Sen Sachar : He did not raise any point of order. He stood up and argued with the Chair.

Mr. Speaker : I do not think he was out of order.

Chaudhri Suraj Mal (Urdu) : I only wanted to point out the hollowness of the offer made by my honourable friend, Lala Deshbandhu Gupta. He said that he and his friends were prepared to co-operate with the Government in the matter of relief work, but I would submit that it is one thing to make such an offer in this House but quite another to go to the spot and give a practical shape to your offer.

Now, I wish to point out certain matters which require the attention of the Government. I admit, that a good deal of money is being spent by the Government on relief work in the famine-stricken area, but let the Government see that it is spent properly. If that is not done there is every likelihood of the huge sum of money sanctioned from the Government treasury not going to the deserving famished people for whom it is meant. I am told that half the money sanctioned by the Government is spent on the staff. And what happens to the other half ? Well, even that does not go to the pockets of the deserving people. On the other hand this is snatched away by the brethren of my honourable friends opposite, I mean the contractors. Anyway, my contention is that the staff is too big and a good deal of economy can be affected in this item.

Another point to which I wish to draw the attention of the Government is that the Famine Code is being followed too literally. This code is no longer suited to our requirements. It is as old as my honourable friend the Minister for Revenue (*laughter*). Some Englishman prepared it long ago according to the requirements of his own country. He makes a fetish of appointing a sanitary inspector and constructing latrines. What do we require these latrines for ? Nobody in the villages is going to make use of your latrines. The villagers can very well do without them. But the officials must construct the latrines because it is so laid down in the Famine Code.

Similar is the case with the roads that are being constructed. These roads cannot last long because the countryside is very sandy and one hurricane will be enough to wipe away these roads. If the Government wanted to do something useful and of permanent value they had better construct water tanks instead of these roads. Similarly, it would have been much better to distribute the money reserved for the concentration camp among the owners of cows and bullocks as has been suggested by my friend, Chaudhri Sahib Dad Khan. In the end I submit that although the Government is doing a good deal for us the methods adopted for affording relief require a good deal of modification.

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia) (Punjabi) : I have listened to the speeches of my honourable friends with rapt attention, and have carefully noted down all the suggestions offered by them. I assure the House that I will take fullest advantage of these suggestions and they will receive very careful consideration. A great deal of stress has been laid by the Opposition on the necessity of co-operation in such matters, and I assure them that the Government is at one

with them in this respect. We are of the opinion that no political differences should be allowed to stand in the way of co-operating with each other at this critical juncture. (*Interruption.*) Whenever I rise to speak my honourable friends opposite begin to raise frivolous objections in order to provoke me. But let them understand that their tactics are not going to succeed.

Now, it has been said that the relief work is not adequate, and that the distress of the people is growing out of all proportion and measures adopted for relief work are inadequate. Let me inform my friends that the expenditure and our commitments up to date are Rs. 78,91,000. A government which has made commitments to this extent and is prepared to spend much more next year, cannot be accused of not doing its duty. We have spent so much and God alone knows what more will be required in the future. But I would submit that my friends opposite are not playing the game. On the one hand they accuse us of spending too little on the relief work but on the other when we demand more money they at once come forward with cut motions merely to ridicule us. My friends complain that out of the money spent on fodder a considerable sum has been paid by the Government as railway freight, and the actual cost of the fodder was comparatively much less. Their complaint is that the Government did not approach the Central Government for concessions in the railway freight. I would inform my honourable friends that the railway budget comes in for a great deal of criticism in the Central Legislature and nobody can say with any amount of certainty what fate our request would have met. Moreover, we could not wait for concessions in the railway freight when the demand for fodder in the famine-stricken area was so acute.

It has been suggested that the Government ought to have sent bullocks to jungles in the United Provinces where there is enough water and fodder to feed them. Well, let me ask my honourable friend what arrangements there are for the transportation of these animals, and what arrangements they have in view for feeding the bullocks till they reach these jungles. I tell you, that some relatives of mine who are in a position to know the real conditions obtaining in those areas have told me that it is not an easy thing to transport animals to those jungles. I may also point out that this course is not free from other dangers as well. My honourable friends should know that by this suggestion they are asking the Government to expose the bullocks of the fine Hissar breed to the attacks of wild animals.

Then, again, it has been said that the daily wages of the labourers are merely $1\frac{1}{2}$ or 2 annas per head. But, my friends should know that at the rate of Rs. 2 per maund for wheat two annas mean $2\frac{1}{2}$ seers of wheat. I would very much like to increase the wages but we have to work according to rules. We are amending and modifying the Famine Code according to the needs of the situation but we cannot be expected to throw to the winds all the rules contained in the Famine Code.

Referring to the concentration camps, my honourable friend has expressed his doubt that after keeping the bullocks there, the Government will sell them on profit. But this is not at all the idea of Government. We, on the other hand, are going to keep these bullocks, nourish them during this troublous period and return them to their owners at the same

[Minister for Revenue.]

price at which they were purchased after the famine is over. So, the objection that Government is merely striking a profitable bargain by keeping these bullocks in the concentration camps is entirely unfounded. The Government is straining every nerve to save the precious Haryana breed from being wiped out of existence. We are making all efforts which we can possibly make for this purpose.

Then, some of my honourable friends have pointed out that there is no use of making the roads which are being made. My honourable friend, the Leader of the Opposition, has observed that we should make roads of a permanent nature. Government is considering the question of making roads of a permanent nature. My honourable friend, the Premier, has had the nasty experience of being caught up in a pit on one of such roads as exist at present. I assure my honourable friends that the question is receiving our considerate attention.

The question of tanks, too, is under our consideration. We shall certainly dig tanks wherever it is necessary to have them. But our difficulty is where to get water from to fill them with. We have either to get it from canals or to depend upon the mercy of the Almighty to send rain. Then, my honourable friend reminded me that water was needed for men. I am anxious to provide water both for men and cattle. (*Hear, hear.*)

Another objection that has been raised is : why no veterinary assistant has been engaged. I want to invite the attention of honourable members to the fact that there is the Hissar cattle farm in the neighbourhood, and there are several veterinary assistants in that farm. Their services are always available. Moreover, we have so many veterinary assistants in the department. As many as are necessary may be transferred to the famine-stricken area. In the end, I want to assure my honourable friends that Government has no idea whatever to sell the bullocks gathered in the concentration camps at profit. We, on the other hand, have to return all the animals we are keeping for breeding purposes to their original owners, if necessary, at the same price at which they were bought.

Mr. Speaker : The question is—

That the demand be reduced by Rs. 100.

The Assembly divided : Ayes 33 ; Noes 78.

AYES

Ajit Singh, Sardar.
Baldev 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 Lal, Munshi.
Hari Singh, Sardar.
Harjab Singh, Sardar.

Kabul Singh, Master.
Kapoor Singh, Sardar.
Kartar Singh, Chaudhri.
Kartar Singh, Sardar.
Kishan Singh, Sardar.
Krishna Gopal Dutt, Chaudhri.
Lal Singh, Sardar.
Mazhar Ali Azhar, Maulvi.
Muhammad Abdul Rahman Khan,
Chaudhri.
Muhammad Iftikhar-ud-Din, Mian.
Mula Singh, Sardar.
Prem Singh, Mahant.

Raghubir Kaur, Shrimati.
Rur Singh, Sardar.
Sampuram Singh, Sardar.
Santokh Singh, Sardar Sahib Sardar.

Sant Ram Seth, Dr.
Shri Ram Sharma, Pandit.
Sohan Singh Josh, Sardar.
Sudarshan, Seth.

NO. 90

Abdul Aziz, Mian.
Abdul Hamid Khan, Sufi.
Abdul Haye, The Honourable Mian.
Abdul Rahim, Chaudhri (Gurgaon).
Afzaalali Hasnie, Sayed.
Ahmad Yar Khan Daultana, Khan Bahadur Mian.
Ahmad Yar Khan, Chaudhri.
Akbar Ali, Pir.
Ali Akbar, Chaudhri.
Allah Bakhsh Khan, Khan Bahadur Nawab Malik.
Amjad Ali Shah, Sayed.
Anant Ram, Chaudhri.
Ashiq Hussain, Captain.
Badar Mohy-ud-Din Qadri, Mian.
Balwant Singh, Sardar.
Barkat Ali, Malik.
Bhagwant Singh, Rai.
Chhotu Ram, The Honourable Chaudhri Sir.
Dasaundha Singh, Sardar.
Faiz Muhammad, Shaikh.
Fateh Muhammad, Mian.
Fazl Ali, Khan Bahadur Nawab Chaudhri.
Fazal Karim Bakhsh, Mian.
Few, Mr. E.
Gauba, Mr. K. L.
Ghulam Mohy-ud-Din, Maulvi.
Ghulam Qadir Khan, Khan Bahadur.
Gopal Singh (American), Sardar.
Gurbachan Singh, Sardar Sahib Sardar.
Habib Ullah Khan, Malik.
Hans Raj, Bhagat.
Indar Singh, Sardar.
Jogindar Singh Man, Sardar.
Karamat Ali, Shaikh.
Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.
Kishan Das, Seth.
Manohar Lal, The Honourable Mr.
Mubarik Ali Shah, Sayed.

Muhammad Akram Khan, Khan Bahadur Raja.
Muhammad Amin, Khan Sahib Sheikh.
Muhammad Ashraf, Chaudhri.
Muhammad Azam Khan, Sardar.
Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar.
Muhammad Hayat Khan Noon, Nawab Malik Sir.
Muhammad Hussain, Chaudhri.
Muhammad Jamal Khan Leghari, Nawab Sir.
Muhammad Nawaz Khan, Major Sardar.
Muhammad Qasim, Chaudhri.
Muhammad Saadat Ali Khan, Khan Sahib Khan.
Muhammad Sadiq, Shaikh.
Muhammad Sarfraz Khan, Chaudhri.
Muhammad Sarfraz Khan, Raja.
Muhammad Yasin Khan, Chaudhri.
Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
Muzaffar Ali Khan Qizilbash, Sardar.
Muzaffar Khan, Khan Bahadur Captain Malik.
Muzaffar Khan, Khan Bahadur Nawab.
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.
Pritam Singh Siddhu, Sardar.
Ripudaman Singh, Thakur.
Roberts, Sir William.
Sahib Dad Khan, Khan Sahib Chaudhri.
Shah Nawaz Khan, Nawab Khan.

Sham Lal, Rai Bahadur Chaudhri.
 Sikander Hyat-Khan, The Honour-
 able Major Sir.
 Singha, Mr. S. P.
 Sumer Singh, Chaudhri.
 Sundar Singh Majithia, The
 Honourable Dr. Sir.

Suraj Mal, Chaudhri.
 Talib Hussain Khan, Khan.
 Tara Singh, Sardar.
 Tikka Ram, Chaudhri.
 Ujjal Singh, Sardar Bahadur Sardar.

The following motions were put from the Chair and adopted :

That a supplementary sum not exceeding Rs. 18,27,900 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 Famine.

MISCELLANEOUS.

That a supplementary sum not exceeding Rs. 4,12,590 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.

LOANS TO MUNICIPALITIES AND ADVANCES TO CULTIVATORS.

That a supplementary sum not exceeding Rs. 39,93,800 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 to Municipalities and Advances to Cultivators.

IRRIGATION, NAVIGATION, ETC.—WORKING EXPENSES.

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, 1939, in respect of Irrigation, Navigation, etc.—Working Expenses.

CIVIL WORKS.

That a token sum not exceeding Rs. 10 be granted to the Governor to defray the charges that will come in course of payment for the year ending 31st March, 1939, in respect of Civil Works.

CAPITAL OUTLAY ON HYDRO-ELECTRIC SCHEMES (OTHER THAN ESTABLISHMENT).

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, 1939, in respect of Capital Outlay on Hydro-Electric Schemes (other than Establishment).

COMMITTEE FOR FIXING LIMIT OF ELECTION EXPENSES.

Premier (The Honourable Major Sir Sikander Hyat-Khan): Sir,

5 P.M. I have to inform the House that it is necessary under the law for us to fix a limit of election expenses, I mean the maxima of election expenses and in that connection I should be grateful if the House would informally give me the benefit of their advice. For this purpose I consulted my honourable friend, the Leader of the Opposition and I propose setting up a small committee to advise me and the Government in this matter. The committee will consist of Dr. Gopi Chand Bhargava, Nawab Allah Baksh Tiwana, Pir Akbar Ali, Mian Abdul Rab, Chaudhri Suraj Mal, Sardar Balwant Singh, Chaudhri Jugal Kishore, Mr. Few and Pandit Shri Ram Sharma. These would be the members of the advisory committee from amongst the non-officials. There would of course be official members to help us. This is a committee to advise us with regard to the fixation of maxima for election expenses.

The Assembly then adjourned till 12-30 p.m. on Tuesday, 22nd November, 1938.

PUNJAB LEGISLATIVE ASSEMBLY.

4TH SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Tuesday, 22nd November, 1938.

The Assembly met at the Assembly Chamber at 12-30 P. M. of the clock.
Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS.

WATER RATES ON AGRA CANAL IN GURGAON DISTRICT.

*3558. **Sardar Kishan Singh** : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that some villages in the Gurgaon district are irrigated by a canal belonging to the United Provinces Government ;
- (b) whether it is a fact that the rate of *abiana* and revenue charged from the aforesaid villages is higher than the rate of *abiana* and revenue levied in the villages in the United Provinces and irrigated by the said canal ; if so, the reasons therefor and whether there is any proposal to bring down these rates to the level of the rates charged by the United Provinces Government ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) Yes.

(b) It is not known. The *abiana* rates charged in the Gurgaon district from the Agra Canal include owners' rate and differ from those charged in the United Provinces villages irrigated from the same canal, because in the United Provinces the owners' rate is absorbed in the land revenue rate. The land revenue rate depends upon various factors and cannot be compared for different districts. All water rates levied on the Agra Canal are fixed by the United Provinces Government. All *abiana* rates levied in the Gurgaon district of the Punjab and other districts in the United Provinces on the areas watered by the Agra Canal are fixed by the United Provinces Government. As regards the proposals made by the Punjab Government, the honourable Member is referred to the reply given to question *3558 (*hear, hear*).

MEASURES OF RELIEF GIVEN TO THE ZAMINDARS OF HISSAR DISTRICT ON ACCOUNT OF FAMINE.

*3559. **Sardar Kishan Singh** : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether he is aware of the fact that due to failure of rains in the Hissar district for the last three years there has been no crop in the *barani ilaga* of the district and consequently many cattle are dying due to lack of drinking water and fodder ;

[S. Kishan Singh.]

- (b) the total yearly land revenue of the famine-stricken *ilaga*, the remission granted in it on account of famine, the amount of revenue recovered, and the amount which is still to be recovered, respectively ;
- (c) the steps taken by the Government to help human beings and animals in the famine-stricken area ;
- (d) whether it is intended to remit the entire land revenue due from the above-named area ; if not, the reasons therefor ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, but Government is doing all that is possible to save cattle life by importing fodder into the district at cheap rates.

(b) The yearly land revenue is Rs. 11,22,000 (*Rabi* Rs. 3,34,000 + *kharif* Rs. 7,88,000). Out of the demand for *rabi* 1938, Rs. 80,000 were suspended, Rs. 2,53,000 were collected and Rs. 1,000 are outstanding. *Kharif* collections have not yet started.

(c) The attention of the honourable member is invited to the press notes¹ which issued on the 29th September, 1938, 5th October, 1938 and the 2nd November, 1938, a copy of each is placed on the table.

(d) The question of granting suspensions and remissions out of the demand for *kharif* 1938 is under consideration.

MUKADDAMS.

***3563. Khan Bahadur Chaudhri Riasat Ali :** Will the Honourable Minister of Development be pleased to state—

- (a) if Mukaddams are liable to be transferred from one district to another ;
- (b) if so, the list of those who have been so transferred during the year 1938 ;
- (c) the grades of their pay ;
- (d) if they draw any travelling allowance, during the course of their transfers ;
- (e) if it is permissible to transfer them to localities with the language of which they are not conversant ;
- (f) if so, the action which the Government propose to take in the matter ?

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

(b) The required list is laid on the table.

(c) The grades of their pay are Rs. 20—1—302—50 and Rs. 20—1—30/11—45 for those appointed before and after 1st January, 1931, respectively ;

(d) Yes, at transfer rates ;

(e) They are liable to transfer to any part of the province. No cases have come to notice so far in which the Mukaddams are not conversant with the language of the localities to which they are posted ;

(f) Does not arise.

¹Placed in the Library.

List of Mukaddams transferred from one district to another during the year 1938.

Serial No.	Name.	From	To
1	2	3	4

Montgomery Circle.

1	M. Mohd. Hussain Dev	Fatna Farm, District Montgomery.	Chunian, District Lahore.
2	M. Sadiq Ali	Chunian, District Lahore.	Yusafwala, District Montgomery.
3	M. Hari Kishan	Multan	Montgomery.
4	M. Mohd. Sharif Lyallpuri.	Montgomery	Multan.

Jullundur Circle.

1	M. Sultan Mohd. Khan Pathan.	Jullundur	Ferozepore.
2	Bh. Uttam Singh	Jullundur	Hoshiarpur.
3	M. Sultan Mahmud	Hoshiarpur	Ludhiana.
4	M. Shahab Din	Jullundur	Hoshiarpur.
5	M. Mukhtar Hussain Shah.	Do.	Ferozepore.
6	Bh. Sanmukh Singh	Do.	Simla.
7	M. Wali-Ullah Khan	Do.	Ludhiana.
8	M. Puran Singh	Ludhiana	Ferozepore.
9	M. Chhotu Ram	Jullundur	Hansi.
10	M. Unis Khan	Do.	Do.
11	M. Hashmat Ali	Do.	Lyallpur.
12	M. Umar Din	Hansi	Jullundur.
13	L. Kishori Lal	Gurdaspur	Do.
14	M. Khurshid Ahmed	Multan	Do.

Hansi Circle.

1	M. Surjan Singh	Hissar	Gurgaon.
2	M. Umar Din	Gurgaon	Hissar.
3	M. Sis Ram	Ambala	Gurgaon.
4	M. Sulakhan Singh	Hissar	Ambala.
5	M. Inder Singh	Do.	Karnal.

[Minister for Development.]

Serial No.	Name.	From	To
1	2	3	4

Hansi Circle—contd.

6	M. Abdul Ghani Khan	Karnal	..	..	Gurgaon.	
7	M. Nand Lal	..	Gurgaon	..	..	Karnal.
8	M. Shah Mohd.	..	Hissar	..	..	Ambala.
9	M. Risal Singh	..	Ambala	..	..	Hissar.
10	M. Makhan Singh	..	Hissar	..	..	Karnal.
11	M. Kartar Singh, I.	..	Do.	..	..	Do.
12	M. Aflatoon Singh	..	Gurgaon	..	..	Karnal.
13	M. Umrao Singh	..	Karnal	..	..	Gurgaon.
14	M. Mahbub Hussain	..	Gurgaon	..	..	Delhi.
15	M. Kartar Singh, II	..	Karnal	..	..	Delhi.
16	M. Dost Mohd. Khan	..	Ambala	..	..	Hissar.
17	M. Bakhtawar Singh	..	Rohtak	..	..	Hissar.
18	M. Baldev Singh	..	Hissar	..	..	Rohtak.
19	M. Sher Singh	..	Do.	..	..	Ambala.
20	M. Abdul Majid Bhatti	..	Karnal	..	..	Hissar.
21	M. Multani Singh	..	Delhi	..	..	Do.
22	M. Gokal Chand	..	Hissar	..	..	Delhi.
23	M. Abdul Latif	..	Do.	..	..	Ambala.
24	M. Narindar Singh	..	Do.	..	..	Gurgaon.
25	M. Ratan Singh	..	Do.	..	..	Do.
26	M. Lakhi Ram	..	Do.	..	..	Do.
27	M. Ram Kala	..	Do.	..	..	Rohtak.
28	M. Abdul Majid	..	Do.	..	..	Do.
29	M. Dip Chand	..	Do.	..	..	Ambala.
30	M. Tej Ram	..	Do.	..	..	Do.
31	M. Ram Sarup	..	Do.	..	..	Gurgaon.
32	M. Dharam Singh	..	Do.	..	..	Rohtak.

Serial No.	Name.	From	To
1	2	3	4

Lyallpur Circle.

1	M. Roshan Din ..	Sheikhupura ..	Jhang.
2	M. Ahmad Ali ..	Jhang ..	Sheikhupura.
3	M. Sher Mohd. Arain ..	Lyallpur ..	Jhang.
4	M. Bashir Ahmad Afzal	Do. ..	Gurdaspur.
5	M. Riaz Hussain ..	Do. ..	Multan.

Rawalpindi Circle.

1	M. Mehdi Khan ..	Campbellpur ..	Mianwali.
2	M. Habib-Ullah ..	Mianwali ..	Campbellpur.
3	M. Allah Dad Muralvi	Rawalpindi ..	Gujrat.
4	M. Ghulam Mohd. Mahi	Gujrat ..	Rawalpindi.
5	Hafiz Ghulam Mohd. ..	Rawalpindi ..	Shahpur.
6	M. Mohd. Anwar ..	Rawalpindi ..	Campbellpur.
7	M. Abdul Aziz Qureshi	Campbellpur ..	Rawalpindi.
8	Bh. Banta Singh ..	Sargodha ..	Mianwali.
9	M. Fazal Karim ..	Mianwali ..	Sargodha.
10	M. Jahandad Khan ..	Sargodha ..	Gujrat.
11	M. Bostan Khan ..	Gujrat ..	Rawalpindi.
12	M. Islam Din ..	Rawalpindi ..	Attock.
13	M. Mohd. Amin ..	Do. ..	Attock.
14	M. Mohd. Zubair ..	Sargodha ..	Gujrat.
15	M. Ghulam Mohd. Khan	Gujrat ..	Sargodha.

Multan Circle.

1	M. Ghulam Farid ..	Multan ..	Dera Ghazi Khan.
2	M. Abdul Karim Niazi..	Do. ..	Ditto.
3	M. Abdul Ghafoor ..	Do. ..	Ditto.
4	M. Abdul Hakim ..	Do. ..	Ditto.
5	M. Mohd. Said ..	Muzaffargarh ..	Ditto.
6	M. Mohd. Saddiq ..	Dera Ghazi Khan	Muzaffargarh.
7	M. Barkat Ali ..	Multan	Do.

[Minister for Development.]

Serial No.	Name.	From	To
1	2	3	4

Multan Circle—consolid.

8	M. Imam Din Minto ..	Multan ..	Muzaffargarh.
9	M. Mohd. Hussain ..	Dera Ghazi Khan ..	Multan District.
10	M. Ata Mohd. ..	Ditto ..	Ditto.
11	M. Ghulam Rasul ..	Ditto ..	Ditto.

Gurdaspur Circle.

1	M. Sher Mohd. Nut ..	Amritsar ..	Gurdaspur.
2	M. Mohd. Hanif ..	Gurdaspur ..	Amritsar.
3	Bh. Bachan Singh ..	Amritsar ..	Gurdaspur.
4	M. Imam Din ..	Gujranwala ..	Do.
5	M. Ghulam Mohd., son of Sandhi.	Gurdaspur ..	Gujranwala.
6	M. Hamid-ud-Din ..	Sialkot ..	Amritsar.
7	Bh. Inder Singh ..	Gurdaspur ..	Do.
8	M. Jinda Ram ..	Amritsar ..	Gurdaspur.
9	L. Amar Nath ..	Do. ..	Sialkot.
10	M. Yaqub Khan ..	Gurdaspur ..	Multan.

**DELEGATION OF POWERS TO ASSISTANT COLLECTORS UNDER THE
DEBTORS' PROTECTION ACT.**

***3564. Khan Bahadur Chaudhri Riasat Ali :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the names of the districts in the Lahore division in which powers under chapter 2 of the Debtors' Protection Act have so far been delegated to the Assistant Collectors of the 1st grade ;
- (b) the number of cases sent by the civil courts to the Collectors under this chapter in each such district ;
- (c) the number of such cases in which the land of the debtor was given on *Mustajri* ;
- (d) the average amount of land fixed by the Collector for the maintenance of the debtor's family in each district in such cases ?

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

STATEMENT.

(a)	(b)	(c)	(d)
1	2	3	4
Lahore	80	7	Land allowed for maintenance of a judgment-debtor's family varies according to the amount and kind of land possessed by him, and the size of his family.
Amritsar	347	106	
Gurdaspur	517	154	
Sialkot	108	36	
Gujranwala	206	44	
Sheikhupura	43	12	

PATWARIS IN LUDHIANA DISTRICT.

*3565. **Sardar Lal Singh** : Will the Honourable Minister of Revenue be pleased to state—

(a) what is the number of patwaris in Ludhiana district who are posted to the villages within a 3-mile distance of their native places ;

(b) whether it has been decided to transfer such patwaris to other places ; if so, how many of such have been transferred and when the rest may be expected to be transferred ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) 29.

(b) 11 have already been transferred, and the transfers of the rest are under consideration.

DISTRIBUTION OF LANDS BY GOVERNMENT.

*3566. **Lala Harnam Das** : Will the Honourable Minister of Revenue be pleased to state whether it is a fact that there is at present no scheme of distribution of lands under consideration of the Government, as the Honourable Minister in charge, in answer to question No. 3217¹ asked on 8th July, 1938, said ; if so, there ason why Government does not issue a notice to the public not to send any applications for grant of lands and why it is that hundreds of applications received by the Financial Commissioner for such grants are returned to the applicants with the remarks that these be sent duly stamped and through the Deputy Commissioner concerned ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : It is correct that no scheme of distribution of land is at present under the consideration of Government. The suggestion that Government should issue a notice to this effect is receiving consideration. Under the Court Fees Act applications must be properly stamped and whenever lands are to be granted, local officers are in the best position to judge the fitness of applicants for such grants. Therefore it has for some years been the custom to return unstamped applications for submission to local officers after being properly stamped.

Lala Harnam Das : Is the Government aware of the fact that the money of the poor people is being wasted in this way and that these people make applications in the hope that they will get some land ?

Parliamentary Secretary : But the Government never asked them to submit their applications. On the other hand, whenever any such application is required the public at large is notified of the fact.

Lala Harnam Das : Why does not the Government make this fact known to the public by issuing a press *communiqué* ?

Parliamentary Secretary : Now, the question put by the honourable member as well as the answer given to it will be published in the newspapers, and so the fact will sufficiently be notified to the public. Moreover, the honourable member would be well-advised to inform his constituents about it.

Mian Abdul Rab : Will the Government consider the advisability of issuing any press *communiqué* ?

Parliamentary Secretary : I have clearly stated that the Government has so far no idea of distributing lands. If the people still make representations and applications in spite of the position explained by me, the Government is helpless in the matter.

REPRESENTATION BY MEMBERS OF SCHEDULED CASTES OF KANGRA DISTRICT.

***3567. Lala Harnam Das :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that members of the scheduled castes of the Kangra district made a representation regarding their grievances to the Honourable Premier during the last session of the Assembly ;
- (b) if so, the steps taken by the Government to redress their grievances ; and if not, why not ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes.

(b) The honourable member is referred to the reply given to question No. *2832¹ put by him on 29th March, 1938.

NOMINATION OF A MEMBER OF SCHEDULED CASTES FOR DISTRICT BOARD, KANGRA.

***3568. Lala Harnam Das :** Will the Honourable Minister for Public Works be pleased to state whether any member has been nominated for the Kangra District Board to represent the scheduled castes of the district on that Board ; if not, whether Government intends to do so when the Board is again constituted ; and if not, why not ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : Yes ; one Sobha Ram, son of Bhajnun.

COMPLAINT AGAINST B. VIDYA PARKASH, MOTOR LICENCE CLERK, IN
DEPUTY COMMISSIONER'S OFFICE, AMBALA.

***3572. Lala Deshbandhu Gupta :** Will the Honourable Minister of Revenue be pleased to state—

(a) the result of the departmental inquiry held by the Treasury Officer, Ambala, into the complaint made against B. Vidya Parkash, Motor Licence Clerk, Ambala, as indicated in reply to starred question No. 3280¹;

(b) action taken by Government on the same?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) The result of the departmental enquiry has not yet been reported by the district authorities.

(b) Does not arise.

Lala Deshbandhu Gupta : May I know from the Honourable Parliamentary Secretary whether he is aware that this inquiry was instituted about four or five months ago and it was a simple inquiry? Will the Government, therefore, make efforts to get the report of the inquiry?

Minister for Revenue : Quite right. Every endeavour is being made to ask the local officers to submit their report.

Lala Deshbandhu Gupta : Has the inquiry been finished or is it still pending?

Minister : The report has not yet come.

Lala Deshbandhu Gupta : May I know if the Government is in a position to say whether the inquiry has at all been conducted? If so, has it finished?

Minister : We have not heard anything from the local officers yet.

Lala Deshbandhu Gupta : In view of the fact that the local officers have been shielding this person, will the Government make special efforts to get the report of the inquiry as soon as possible?

Minister : I am not prepared to do anything more than what has been done already.

Lala Deshbandhu Gupta : Is the Honourable Minister for Revenue not prepared to get the report?

Minister : Not the action that you propose.

Dr. Gopi Chand Bhargava : By what time is it expected?

Minister : I am trying to get it as early as possible.

Dr. Gopi Chand Bhargava : Can we expect it in one month's time?

Minister : I cannot add anything more to what I have already said.

Dr. Gopi Chand Bhargava : May I enquire whether he is prepared to take action against those people who have not sent the report so far and who have taken three months to send the report?

Mr. Speaker : The next question.

3573.—Cancelled.

INCREASE IN TAX MADE BY THE SMALL TOWN COMMITTEE,
RADAUR.

***3574. Lala Deshbandhu Gupta :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that the Small Town Committee of Radaur (Karnal) has increased the personal tax from Rs. 2,200 to Rs. 3,200 ;
- (b) if so, reasons for the same ;
- (c) whether it is a fact that the taxable unit of income has been reduced from Rs. 150 to Rs. 75 ;
- (d) whether it is a fact that nowhere in the district the taxable unit of income is less than Rs. 100 ;
- (e) whether Government is aware of the resolutions passed in public meetings held in Radaur against the increase in the tax ;
- (f) what action do Government propose to take in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : I regret the reply to this question is not yet ready.

PROSECUTIONS LAUNCHED AGAINST PERSONS INTERFERING WITH THE
RIGHT OF SCHEDULED CASTES TO USE PUBLIC WELLS.

***3578. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state—

- (a) the number of prosecutions launched by the police on their own initiative or on complaints received against persons interfering with the right of scheduled castes to use public wells sunk by the Government or local bodies in the various parts of the province ;
- (b) if the number of such prosecutions is very small, reasons for the same and the action the Government propose to take in the matter ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Such cases are never reported to the police and the police cannot take action on their own initiative unless the interference in the right to use a public well is accompanied by an offence cognizable by the police.

- (b) Does not arise.

APPLICATIONS FOR GUN LICENCES IN HISSAR DISTRICT.

***3341. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state the number of applications for gun licences received by the Deputy Commissioner, Hissar, during the years 1986-87 and 1987-88 and the number of those among them which were rejected with the reasons for rejecting each such application ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) :

	<i>Applications received</i>	<i>Applications rejected.</i>
1986-87	108	34
1987-88	141	70

Under the rules the district magistrate has full discretion to grant or refuse a licence, and is not required to state his reasons. The main considerations which govern the grant of licences are social status, character and whether the applicant has a real need for the weapon.

Dr. Gopi Chand Bhargava : In view of the fact that a large number of applications were rejected, will he enquire into the causes why so many applications were rejected ?

Parliamentary Secretary : The inquiry is not necessary. It is entirely within the discretion of the district magistrate to grant or refuse any licence.

Lala Deshbandhu Gupta : Are Government satisfied that no other extraneous considerations such as the political views of the applicants, weigh with the district magistrates in rejecting the applications ?

Parliamentary Secretary : The Government has no reason to doubt the decision of the district magistrates.

Pandit Shri Ram Sharma : On what considerations are these licences for revolvers and guns granted ?

Parliamentary Secretary : The answer is already given by me, i.e., the considerations which govern the grant of licences are the social status, character and whether the applicant has a real need for the weapon.

Dr. Gopi Chand Bhargava : Are any political activities of the applicant taken into consideration before a licence is rejected or accepted ?

Premier : If by 'political activities' my honourable friend means constitutional activities, they are not taken into consideration, but if a terrorist applies for a revolver, naturally the authorities would be justified in refusing his request for the weapon.

Sardar Sohan Singh Josh : Has any terrorist so far applied for any revolver ?

Premier : My honourable friend can answer that question better than myself.

Dr. Gopi Chand Bhargava : Was there any Congressman in Hissar who applied for a licence ? If so, was his application rejected or accepted ?

Premier : If his application was rejected, it must have been rejected on merits and not because he happened to be a Congressman.

Mian Sultan Mahmood Hotiana : What is the remedy if the man fulfils all these conditions and still his application is rejected ?

Premier : Remedy for what ?

Mian Sultan Mahmood Hotiana : What is the remedy if a man fulfils all the conditions and still his application is rejected ?

Premier : Remedy for him is to appeal to the Commissioner.

Sardar Sohan Singh Josh : May I know if there are any marked terrorists in the area of Hissar district ?

Premier : There again I think my honourable friend would be in a better position to answer that question than myself. (*Laughter*).

Lala Deshbandhu Gupta : Are Government aware of the fact that when applications are received from the Congressmen, they are summarily rejected without going into the applicant's social status or character or such other considerations as are suggested by the Parliamentary Secretary ? Are they not rejected downright ?

Premier : I have no reason to believe in the insinuation which my honourable friend is trying to make against the local officers.

Lala Bhim Sen Sachar : In view of the general belief amongst Congressmen that because they are Congressmen they are not issued licences, has the Government considered the advisability of sending a circular letter to the district magistrates saying that the members of the Congress committees who take active interest in the Congress affairs will not as such be disqualified from getting licences ?

Premier : That is rather a long-winded supplementary question, and I do not think that I have been able to catch my honourable friend completely. If he means that special instructions should be issued to the deputy commissioners, I do not think that it is necessary because the deputy commissioners know definitely what criteria should be fulfilled before a licence can be granted. I am certain that the deputy commissioners do not refuse licences merely because a person happens to be a Congressman, but it is possible, and of course this is borne out by experience of my honourable friend also and I have heard it so said by several prominent and eminent Congress leaders, that unfortunately a large number of undesirable persons may have entered into the Congress and if they apply naturally they won't get the licence.

Sardar Hari Singh : Is the Honourable Premier aware of the fact that one of the particulars required from the applicant for a licence is whether he is a Congressman or not ?

Premier : No.

Sardar Sohan Singh Josh : May I know what the Premier means when he says that I am in a better position to know about the terrorists ? What is the meaning of this insinuation ? He should lay his cards on the table.

Premier : My honourable friend asked a question with regard to which he could answer himself better than I can. How do I know where the terrorists are ?

Sardar Hari Singh : May I ask the Premier whether he intends to insinuate that Sardar Sohan Singh Josh is in league with the terrorists ?

Premier : I have already said that I did not insinuate anything.

Dr. Gopi Chand Bhargava : May I know whether the Premier gets the reports of the C. I. D. about the political activities that are going on in Hissar and has he received any report that any terrorists are working in Hissar district ?

Premier : How does it arise out of this question ?

Mr. Speaker : The next question.

Dr. Gopi Chand Bhargava : It arises out of the question. I appeal to you that the question does arise out of the reply given. He said that he did not know. My question is whether he gets the report of the C. I. D. or Sardar Sohan Singh Josh ? This does arise out of the question.

Premier : I have already stated that Sardar Sohan Singh Josh is perhaps in a better position than myself to answer that question. I have no information as to wherefrom the terrorists get their weapons.

NOTICE SERVED ON PROFESSOR RANGA.

***3361. Sardar Hari Singh :** Will the Honourable Premier be pleased to state whether a fresh notice was served on Professor Ranga, Member Central Assembly, at Simla, asking him not to make any public speeches there ; if so, why ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : No fresh notice was served at Simla on Professor N. G. Ranga, M.L.A., but as he made a public speech at a meeting at Simla on the 15th August, 1938, he was reminded that in this province he was forbidden under section 3 of the Punjab Criminal Law Amendment Act, 1935, to make speeches in public without obtaining previous permission and that failure to comply with the order in future might lead to his prosecution under section 5 of the Act.

Sardar Hari Singh : May I ask the Premier what was the occasion for issuing a reminder to Professor Ranga when an order had already been served on him and he was acting in compliance with that order ?

Parliamentary Secretary : He made a speech in public. The honourable member did not understand what I said.

Sardar Hari Singh : Because there was noise on the Unionist benches.

Parliamentary Secretary : No fresh notice was served at Simla on Professor N. G. Ranga, M.L.A., but as he made a public speech at a meeting at Simla on the 15th August, 1938, he was reminded that in this province he was forbidden under section 3 of the Punjab Criminal Law Amendment Act, 1935, to make speeches in public without obtaining previous permission and that failure to comply with the order in future might lead to his prosecution under section 5 of the Act.

Sardar Hari Singh : May I know where the public meeting was held and whether it was at all a public meeting or a private meeting ?

Premier : It was a public meeting. My honourable friend must have read in the papers : that was a meeting held in Simla.

Sardar Hari Singh : May I know whether it was held in a private place ?

Premier : No, it was not a private meeting. The honourable member can take from me that it was a public meeting and that is why it was necessary to remind him otherwise there was no necessity for it.

Sardar Hari Singh : May I ask the Premier to state the place where the meeting was held ?

Premier : I do not remember in what building it was held, but it was a public meeting, otherwise it was not necessary for the Government to issue a reminder to him because it was in his interest.

Lala Duni Chand : What was the nature of the speech ?

Premier : That is not a supplementary question .

Sardar Hari Singh : Was this speech of a political nature ?

Premier : I could not tell you.

Sardar Hari Singh : Did it contain any criticism of the Punjab Government ?

Premier : I do not think he would be so indiscreet as to criticise the Punjab Government.

Sardar Hari Singh : Is it not a fact that he spoke on social subjects ?

Premier : On social subjects and I think that he supported the Punjab Government in several other things in which my honourable friends do not support me.

Sardar Hari Singh : Then where is the harm if he is allowed to make speeches ?

Premier : It is a different matter. It was breach of the order under section 3 and it was the duty of the Government to remind him that he had committed the breach.

Lala Bhim Sen Sachar : Is it because he supported some measures of the Punjab Government that the Punjab Government did not take any action in spite of the fact that he had violated the order of the Punjab Government ?

Premier : No, because his speech, I think from the point of view of law and order, was harmless.

Lala Bhim Sen Sachar : Was not the Government convinced of the unwisdom of passing the order against a man who does not make speeches which create disturbances or disorders ?

Premier : People can make harmless speeches and can also make most poisonous and dangerous speeches.

Lala Deshbandhu Gupta : How long do Government propose to continue to impose these restrictions on Professor Ranga ?

Premier : It depends on circumstances when the order expires and I believe it must have been for 12 months.

Sardar Hari Singh : May I know if he has considered the question of cancelling this order ?

COMRADE IQBAL SINGH.

***3362. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) the grounds on which Comrade Iqbal Singh of district Jullundur was recently externed from the Punjab ;
- (b) words of the externment order ;
- (c) whether the said Comrade Iqbal Singh has applied to the Punjab Government for grant of maintenance allowance to him ; if so, grounds on which the claim for allowance is based ;
- (d) the action taken or proposed to be taken by the Government in the matter ?

Parliamentary Secretary. (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : (a) For having acted or being about to act in a manner prejudicial to the public safety or peace.

(b) It is not in the public interest to disclose the contents of the order.

(c) Yes, on the ground that he had no means of livelihood.

(d) Government rejected the application as the claim was based on inadequate grounds and was untenable.

Sardar Hari Singh : May I ask the Premier whether any report of the speeches made by Iqbal Singh were received by Government which were considered dangerous to public peace ?

Premier : I am afraid I cannot answer this question off-hand. If my honourable friend gives notice I will go into the matter.

Sardar Hari Singh : What was the nature of the activities considered dangerous to public peace ?

Premier : I think it would not be in the public interest to divulge the nature of his activities.

Sardar Hari Singh : May I ask whether it is a fact that this action was taken against Iqbal Singh merely on police and C. I. D. reports ?

Premier : That again is not in the public interest to divulge the source of information on which action has been taken.

Sardar Hari Singh : May I ask the Premier whether it is a fact that Iqbal Singh has got property in Jullundur and is a resident of that district ?

Premier : I am very glad to hear that.

Sardar Hari Singh : May I ask why a Punjabi who was born in the Punjab and who has no means of livelihood outside the Punjab has been externed by orders of the Punjab Government ?

Premier : He has been living outside the Punjab till very recently and and if he had no means of livelihood how was he living outside the Punjab ?

Sardar Hari Singh : May I ask the Premier whether he is aware of the fact that he was living in Canada and not outside anywhere in India ?

Premier : Canada is outside the Punjab surely.

Sardar Hari Singh : May I ask whether he is prepared to provide him with facilities for a passport to return to Canada ?

Premier : It is not for me to do so : it is for the Government of India to do.

Sardar Hari Singh : May I ask whether it is not a fact that recently in the Central Legislature in reply to a certain question regarding the question of passport, the Government said that it was for the provincial government to make recommendations and that in cent. per cent. cases the recommendations of the provincial governments were sanctioned ? Therefore the Central Government had no say in the matter.

Premier : My honourable friend is suggesting certain action. I do not know whether it is allowed or not.

Sardar Hari Singh : May I ask the Premier whether he is aware of the fact that this young man, Iqbal Singh, a well-educated and respectable young man, a victim of the fiat of the executive government, is roaming about hungry, starving in the streets of some town in the United Provinces ?

Premier : I do not think my honourable friend's information is correct.

Sardar Hari Singh : May I ask the Premier, as a Punjabi Premier, as head of the Punjab Cabinet, as the chosen representative, as he calls himself, of the people, whether he will make some arrangements to provide some livelihood to a man who has been externed from the Punjab by the orders of the Punjab Government ?

Mr. Speaker : That is a request for action.

Premier : That is a request for action ; but he was working in Chingari for some time and earning his livelihood in Saharanpur.

Sardar Hari Singh : May I know whether the Honourable Premier is aware of the fact that he is not being paid by Chingari and that it is itself starving ? May I also ask him whether he made any contribution to Chingari ?

1 P.M.

Premier : An educated man like him will get employment. You need not worry about it.

Lala Deshbandhu Gupta : Will the Honourable Premier be pleased to state whether this externment order was passed by him or by the C. I. D. ?

Premier : The actual order was not signed by me. It was signed by the Secretary, but the order was passed after my orders had been secured.

Lala Deshbandhu Gupta : Did he go into the case himself before that order was passed ?

Premier : Yes. I can assure my honourable friend that I go through every case myself before orders are passed.

Sardar Hari Singh : Will the Honourable Premier be pleased to state whether before according his final sanction to the externment of this young man, Iqbal Singh, he was satisfied that nothing short of externment would satisfy the needs of the situation ?

Premier : Yes.

Lala Deshbandhu Gupta : Will the Honourable Premier please let us know whether he has ever differed with his Secretary in passing such orders ?

Mr. Speaker : That question does not arise.

Premier : It is not only the Congress ministers who can differ.

GRANT OF LOCAL AUTONOMY TO MUNICIPAL COMMITTEE, SIMLA.

***3363. Sardar Hari Singh :** Will the Honourable Minister of Public Works be pleased to state whether the Government has recently received from the Municipal Committee, Simla, a proposal for grant of 'local autonomy' for election of all members ; if so, action taken or proposed to be taken by the Government in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : No.

FEEES CHARGED FROM PATIENTS IN FAMILY WARDS IN MAYO HOSPITAL, LAHORE AND CIVIL HOSPITAL, AMRITSAR.

***3384. Lala Duni Chand :** Will the Honourable Minister of Education be pleased to state—

- (a) the rates of fees that are charged from the patients in special family wards of Mayo Hospital, Lahore, and Civil Hospital, Amritsar, by members of the Indian Medical Service and of the Provincial Medical Service attached to these hospitals, respectively ;
- (b) whether the general complaint of the public has come to his knowledge that the prohibitive scale of fees prevents a large number of middle-class patients from availing themselves of the treatment in special family wards ; if so, what action Government intends to take in the matter ?

The Honourable Mian Abdul Haye : (a) The attention of the honourable member is invited to appendix LIII of the Punjab Medical Manual, a copy of which is available in the library of the Punjab Legislative Assembly.

(b) No. The question of revising the charges is, however, under the consideration of Government.

SCALES OF SALARIES OF P. C. M. S. AND L. S. M. F.

***3385. Lala Duni Chand :** Will the Honourable Minister of Education be pleased to state—

- (a) the present scale of salaries of the members of Provincial Medical Service and that of Provincial Subordinate Medical Service ;
- (b) the reasons for disparity between the two scales of salaries ;
- (c) whether it is a fact that the scales of salaries of the members of the Provincial Medical Service in the Punjab are the lowest as compared with that of medical service men of the same status in other provinces ;

[L. Duni Chand.]

- d) the difference between the medical qualifications of M.B.B.S.'s and L.S.M.F.'s ;
- (e) why is it that L.S.M.F.'s are not allowed either to qualify themselves for M.B.B.S. or English Medical degrees ;
- (f) whether L.S.M.F.'s are qualified to be registered under the Indian Medical Council Act and if not, the reasons for the same ;
- (g) whether the Government has considered the question of abolishing L.S.M.F. classes as has been done in Madras Presidency ?

The Honourable Mian Abdul Haye : (a) A statement is laid on the table.

(b) Officers of the Provincial Medical Service are medical graduates. Their professional qualifications and education are higher than those of sub-assistant surgeons for whom the minimum qualification is the L. S. M. F.

(c) Government have no information regarding the scales of salary in other provinces but are making enquiries.

(d) The M.B. B.S. is a medical degree conferred by the Punjab University and recognized by the Medical Council of India. The L.S.M.F. is a licence to practise medicine, surgery and midwifery granted by an examining body, the Punjab State Medical Faculty, and it is not recognized by the Medical Council of India.

(e) An L.S.M.F. cannot in that capacity qualify for M.B.B.S. or an English medical degree for the reason that his standard of medical training and preliminary education is lower than the corresponding standards prescribed for these qualifications. There is, of course, nothing to prevent an L.S.M.F. obtaining the M.B.B.S. or an English degree if he cares to acquire the preliminary qualifications which are necessary.

(f) No, the reason being that they do not possess the minimum qualifications prescribed for the purpose by the Medical Council of India.

(g) No.

Statement.

There are two classes of the P. C. M. S. Class I at present consists of civil surgeons only whose scale of pay is Rs. 600—40—800—50—900 per mensem with a selection grade limited to 25 per cent. of the number of civil surgeoncies reserved for civil assistant surgeons, the pay of which is fixed at Rs. 1,000 per mensem.

The time scale of the P. C. M. S. Class II (Men's Branch) is Rs. 225—15—285/15—360/15—450 per mensem.

The time scale of the P.C.M.S. Class II (Women's Branch) for those who entered the service after the 31st December, 1930, is Rs. 225—15—285/15—360/15—450 per mensem. For those who entered the service on or before the 31st December, 1930, the rate of pay is Rs. 240—20—500 per mensem with a selection grade at Rs. 550—15—700 per mensem. The present scales of pay of sub-assistant surgeons in the Punjab Subordinate Medical Service are as follows :—

Sub-Assistant Surgeons (Men's Branch).—For those who entered the service on or before the 31st December, 1930. Time scale of pay Rs. 70—4—130 per mensem with selection grades at Rs. 150 per mensem and Rs. 175 per mensem.

For those who entered the service after the 31st December, 1930. Time scale of pay Rs. 55—3—100 per mensem with selection grades at Rs. 115 per mensem and Rs. 130 per mensem.

Sub-Assistant Surgeons (Women's Branch).—Time scale of pay Rs. 75—5—175 per mensem with a selection grade at Rs. 200 per mensem.

**HOUSE SURGEONS OR HOUSE PHYSICIANS FOR CIVIL HOSPITAL,
AMRITSAR.**

***3386. Lala Duni Chand :** Will the Honourable Minister of Education be pleased to state—

- (a) whether it has been the practice in the Civil Hospital, Amritsar, not to appoint as a house surgeon or a house physician one who has failed at any time during his school career ; if so, whether lately there has been any departure from this practice, and, if so, the reasons for the same ;
- (b) whether it has been an established practice that a house surgeon or a house physician is appointed only for a year and whether recently any extension has been granted to any house physician or house surgeon at Amritsar, and if so, the reasons for the same ;
- (c) whether, as a rule, only those students who come to occupy topmost position in examinations are appointed as house physicians or house surgeons and whether recently there has been a departure from this practice ?

The Honourable Mian Abdul Haye : (a) No.

(b) Yes. An extension beyond this term has however been granted in the last two years to Dr. Ghulam Rabbani, Dr. Mukhtar Ahmad and Dr. Mul Chand.

(c) No. There are 8 house appointments in all of which 4 have been ordered to be filled by Muslims while at least 2 Sikhs are to be appointed within every three years. Ordinarily any licentiate who has stood not lower than 10th on the pass list may be appointed. The practice has, however, been departed from when it has not been possible to obtain within the first ten the requisite number of male and female candidates belonging to the different communities. During the last two years the under mentioned four licentiates have been taken from below the 10th place on the list :—

Dr. Ghulam Rabbani,

Dr. (Miss) Lila Vati.

Dr. Abdur Rashid, and

Dr. (Miss) Harjit Kaur.

Lala Duni Chand : May I know the reasons for the departure from the well-established practice, namely, that the failed students will not be taken as house surgeons or house physicians, and secondly, that only those will be taken who occupied a fairly high position ? What are the reasons of departure from this well-established practice which has been in existence since the Medical College was started ?

Minister : I have already indicated in my reply that the practice has been departed from when it has not been possible to obtain within the first ten the requisite number of male and female candidates belonging to the different communities.

Lala Duni Chand : May I know if this departure from the well-established practice is likely to affect the medical profession injuriously ?

Minister : No, Sir.

Lala Duni Chand : Does the Honourable Minister admit that if men of inferior calibre are appointed as house surgeons or house physicians, that will affect the medical profession adversely ?

Minister : After all, it does not matter much whether a student stands 10th or 11th on the list. We lay great stress upon the proportion that we have fixed for various communities.

Lala Duni Chand : Is it a fact that in view of a large number of passes from the Medical College and other medical institutions, you can secure sufficient number of efficient men from among all the communities ?

Minister : I must assure my honourable friend that only proper persons are selected, bearing in mind the communal proportion, the candidate who stands the highest is surely taken.

Lala Duni Chand : Is the Honourable Minister perfectly sure that the object is not to give effect to the policy of favouritism and nepotism that is being pursued.

Minister : I repudiate this charge.

Syed Amjad Ali Shah : On a point of order, Sir. Are all these supplementary questions not communal ?

DEATH OF KALA SINGH OF DISTRICT LYALLPUR.

***3405. Dr. Gopi Chand Bhargava :** Will the Honourable Premier be pleased to state whether his attention has been invited to the report of inquiry into the death of Kala Singh of district Lyallpur ; if so what action he proposes to take in the matter ?

The Honourable Major Sir Sikander Hyat-Khan : This has been answered in the reply to question *3471¹ put by the honourable member for the Lyallpur and Jhang, General, Rural Constituency.

CUT IN THE SALARY OF TEACHERS OF PRIMARY SCHOOLS OF LAHORE MUNICIPALITY.

***3406. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Education be pleased to state—

- (a) whether any cut has been made in the pay of teachers in the primary schools of Lahore Municipality by the Administrator ; if so, how much ;
- (b) whether persons drawing less than Rs. 100 per mensem have been affected by this cut ; if so, what the Government propose to do in the matter ?

The Honourable Mian Abdul Haye : In the course of reorganisation of municipal staff, the Administrator, Municipality Lahore, has proposed a modification of the scales of salaries of the municipal teachers and these proposals are at the present moment under the consideration of the Education Department.

Dr. Gopi Chand Bhargava : May I know whether any cut has been proposed in salaries less than Rs. 100 ?

Minister : Some reductions have been suggested and the matter is being gone into very carefully.

Begum Rashida Latif Baji : Is it a fact that the salaries of teachers are being reduced with a view to increase the salary of the Administrator ?

Minister : No.

Begum Rashida Latif Baji : The Administrator is already getting a salary of Rs. 4,250 a month. Do you intend to increase it ?

Begum Rashida Latif Baji : The teachers have to keep their position. They require neat clothes and neat houses to live in. If they appear before their pupils in dirty clothes, what will be its effect on the latter ?

Minister : I assure the honorable lady member that these matters will be carefully considered.

An honourable member : How long will it be before this matter is decided ?

Minister : The decision will be taken without delay. The honorable member may rest assured.

Dr. Gopi Chand Bhargava : May I know whether any cut has been proposed in salaries above Rs. 100 ?

Minister : I would not be able to give any details to the honorable member. If he puts his question on paper, I shall be delighted to answer.

Lala Bhim Sen Sachar : May I know if the matter will be decided by the Education Department without reference and without consultation with the Honourable Minister for Education ?

Minister : It is the practice of the Director of Public Instruction to discuss these matters with the Minister on all important occasions, and I presume that this is an important question.

Lala Bhim Sen Sachar : Do I take it that so far the Honourable Minister has given no instructions to the Director in this matter ?

Minister : The Minister has not yet seen these papers. They are being noted upon and the needful will be done as soon as the relative file is received.

Lala Bhim Sen Sachar : Is he sure that the matter will not be decided without reference to him ?

Minister : I have no doubt that the matter will be referred to me.

Lala Bhim Sen Sachar : Has the Honourable Minister written or spoken to him personally to refer the matter to him before taking final action ?

Minister : No.

Lala Bhim Sen Sachar : How is he sure that the matter will be referred to him when he has neither written to him nor spoken to him to refer the matter to him ?

Minister : I have already stated that on all important questions, specially questions of policy, the Director does make a reference to me or does discuss it with me informally.

Lala Duni Chand : Is it not a fact that the grades of low paid teachers have been reduced?

Minister : In what part of the country and by whom? We are dealing with the Lahore Municipality?

Lala Duni Chand : I am talking about the Education Department.

Mr. Speaker : That is irrelevant.

Lala Bhim Sen Sachar : Is the Honourable Minister in a position to say definitely that the matter has not already been decided by the Director of Public Instruction?

Minister : The matter has not yet been decided and the honourable member must have as much confidence in the other officers of Government as in the Ministry.

Lala Bhim Sen Sachar : Then it means no confidence.

MEHNDIPUR JAMNA GHAT CRIMINAL CASE.

***3412. Pandit Shri Ram Sharma :** With reference to the answer to my question No. *3215,¹ will the Honourable Premier be pleased to state the names, caste and office of those two Congressmen convicted in Mehndipur Jamna Ghat case;

(b) whether the question as to how far the false complicity of 25 Congressmen in the said riot case by the police was justified has been considered by Government;

(c) if so, to what result, if not why not?

The Honourable Major Sir Sikander Hyat-Khan : (a) The names of the two Congressmen are Bhullan, son of Ram Nath and Tek Chand, son of Turti, both are chamars and were ordinary members of the Congress.

(b) and (c) Government have seen the judgments of the lower and sessions courts in the case. The case depended solely on the identification evidence and both the courts acknowledged the care and fairness with which the identification parades had been held. The courts, however, gave the benefit of doubt to the accused persons who were acquitted. Government have no reason to think that the acquitted persons were falsely implicated in the case.

Pandit Shri Ram Sharma : May I ask as to how the Government arrived at the conclusion that both these persons belonged to the Congress? Did the Government make enquiries from the Congress Office?

Premier : Does the honourable member deny that they are Congress members?

Pandit Shri Ram Sharma : I do deny.

Premier : My honourable friends always deny when a Congressman is punished.

Pandit Shri Ram Sharma: Is the answer given to this question based on some Criminal Investigation Department report, or was some enquiry made in this case by a responsible Government officer? It is with a view to giving a bad name to the Congress that both these persons have been described as Congressites. I challenge the Honourable Premier to show that they were in fact Congressmen.

Premier: I require notice. How can we know who is a member of the Congress and why he is so?

Pandit Shri Ram Sharma: May I take it that whoever is punished by Government is regarded by them as a member of the Congress?

Premier: Do you mean to say that all the Congress members are offenders? Please, talk sense. (*Voices from the Opposition:* That is your view.)

Pandit Shri Ram Sharma: Is it not a fact that 25 persons were arrested and acquitted by the court and the Government in order to justify their *himayat* and mistake called these two men to be Congressmen, who were found guilty by the court.

Premier: The word '*himayat*' is unparliamentary, and it should not be used in respect of Government.

Pandit Shri Ram Sharma: If it is unparliamentary, I withdraw.

Sardar Hari Singh: The expression "folly of Government" is quite parliamentary. The honourable member was not talking of the folly of Sir Sikander Hyat-Khan, he was talking of the folly of Sir Sikander's Government.

Mr. Speaker: To call a member of this House a fool is unparliamentary, but the "folly of Government" is not unparliamentary.

Pandit Shri Ram Sharma: Is it not a fact that 25 persons were arrested and acquitted afterwards and the Government in order to justify their action called these two men to be Congressmen, who were found guilty by the court?

Mr. Speaker: Disallowed.

WATER RATES CHARGED FROM THE MUNICIPAL COMMITTEE, HANSI.

***3413. Pandit Shri Ram Sharma:** With reference to the answer to my starred question No. 3058¹, will the Honourable Minister of Revenue be pleased to state—

- (a) whether there is any distinction between the rates of canal water charged from the local bodies and the public in general and the respective rates;
- (b) if the answer to (a) is in the affirmative, whether Government intend to allow the water for the Imti tank on local bodies rates?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): (a) Yes. The tanks of municipalities and public bodies used for public purposes are charged at Re. 1 per 6,000 c.ft., and private tanks at Re. 1 per 2,500 c.ft. Tanks belonging to religious institutions are charged as in the past years, before the concession rate was permanently sanctioned in January, 1938.

[Pt. Shri Ram Sharma.]

(b) Water for filling the tank in question will be charged for at the rates for the class under which it comes.

Pandit Shri Ram Sharma : Is it a public tank or a private tank ? When was an application made ?

Parliamentary Secretary : No application has been received, as I have already said. Government does not know whether it is a public or a private tank. If an application is made, the matter will be enquired into.

Pandit Shri Ram Sharma : May I know on what date the enquiry was made ?

Mr. Speaker : I cannot allow that question.

EXEMPTION OF AHERIS OF ROHTAK DISTRICT FROM THE OPERATION OF CRIMINAL TRIBES ACT.

***3414. Pandit Shri Ram Sharma :** Will the Honourable Minister of Finance be pleased to state whether the exemption of *Aheris* of district Rohtak from the operation of Criminal Tribes Act, which was under consideration of Government, has been effected ; if so, with what result ; if not, how much time approximately it will take to dispose of the matter ?

The Honourable Mr. Manohar Lal : The case is still under inquiry but it is hoped to reach a decision within two months.

ADDITIONAL POLICE POST IN LAHORE.

***3503. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

(a) whether the answer to my unstarred question No. 340,¹ put by me on 16th March, 1938, is ready ;

(b) if the answer to (a) above be in the negative, when it is expected to be ready ?

The Honourable Major Sir Sikander Hyat-Khan : In reply to this question and the honourable member's earlier question 340¹, I would ask him to see the figures given in the answer to unstarred question 30², put by the honourable member for the Lahore City (General) Urban Constituency in the summer session of 1937. I regret that it is not possible to give more detailed figures in regard to these old posts.

REFUND OF THE SALE PROCEEDS OF HORSES PURCHASED FOR THE ADDITIONAL POLICE POST, VILLAGE MAKHI KHURD.

***3504. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

(a) whether the sum of Rs. 448-14-0 due to the inhabitants of village Makhi Khurd, district Lahore, on account of sale proceeds of

¹Vol. III, page 305.

²Vol. I, page 283.

the horses purchased for the Additional Police Post, referred to in question No. *2107,¹ put by me on the 16th March, 1938, has not so far been refunded ;

(b) if the answer to (a) be in the affirmative, the grounds for the delay ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) : The disbursement has probably by now been effected, but I am making inquiries to make sure. The reason for the delay was given in the reply to the honourable member's earlier question *2107¹.

Dr. Sant Ram Seth : Is the Parliamentary Secretary aware whether the amount has been refunded to the people ?

Parliamentary Secretary : I have already stated that the refund must have been made by now. If the honourable member has got any definite information on that point, he need not put the question.

Dr. Sant Ram Seth : May I know the month and date when the refund was made ?

Premier : What is the object in putting that question ?

REFUND OF ADDITIONAL POLICE POST COSTS TO THE RESIDENTS
OF VILLAGE BHIKHIWIND, BAINKA AND BLER.

***3505. Dr. Sant Ram Seth** : Will the Honourable Premier be pleased to state—

(a) whether Rs. 5,052-8-1 sanctioned for being refunded to the inhabitants of villages Bhikhiwind, Bainka and Bler, district Lahore, on account of Additional Police Post costs, realized in excess and referred to in unstarred question No. 232,² put by me on 14th January, 1938, have not been refunded so far ;

(b) if the answer to (a) be in the affirmative, the grounds for the delay ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) : I have not heard whether the money has yet been paid over, but special instructions were issued that it should be distributed as quickly as possible. The delay was due to the fact that the inhabitants of two of the villages could not agree as to the most suitable method of distribution.

MONEY SANCTIONED BY DISTRICT BOARD, LYALLPUR, FOR LYALLPUR ZAMINDARA CONFERENCE.

***3512. Sardar Sohan Singh Josh** : Will the Honourable Minister of Public Works be pleased to state—

(a) whether any money was sanctioned by the District Board Lyallpur, for the purposes of making the Lyallpur Zamindara Conference a success ;

(b) amount of money sanctioned ?

¹Vol. III, page 788.

²Vol. II, page 330.

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) and (b) No money was sanctioned.

Sardar Sohan Singh Josh : Is the Honourable Minister quite sure ?

Minister : I am as sure as the honourable member is sure that he collected subscriptions from the Mandi people. (*Hear, hear.*)

MONEY SANCTIONED BY MUNICIPAL COMMITTEE, LYALLPUR, FOR
LYALLPUR ZAMINDARA CONFERENCE.

***3513. Sardar Sohan Singh Josh :** Will the Honourable Minister of Public Works be pleased to state whether any money was sanctioned by the Municipal Committee, Lyallpur, for the Zamindara Conference, Lyallpur ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : No money was sanctioned.

IRRIGATION FACILITIES FOR VILLAGE BHANI, DISTRICT FEROZEPORE.

***3518. Sardar Tara Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the area of village Bhani, thana Nathana, district Ferozepore, extends over thousands of acres but there is no arrangement for the irrigation of that area ;
- (b) whether it is a fact that for the irrigation of the above-named area the Government had under consideration the construction of a *rajbah* ; if so, why it has not been constructed ;
- (c) if the answer to (a) above be in the affirmative, the action the Government propose to take to provide irrigation facilities for the said area ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) 1,374 acres of Bhaini village have no means of canal irrigation.

(b) The irrigation of this area has been under consideration but has been held in abeyance as any surplus supply has to be given first to those barani areas of the Hissar district which have not even drinking water, the sub-soil water being deep and brackish.

(c) The case of this and similarly situated other villages will be taken up after the area of Hissar District mentioned in (b) *supra* have been arranged for.

DEBTS OWED BY ZAMINDARS OF FEROZEPORE DISTRICT TO CO-
OPERATIVE SOCIETIES.

***3519. Sardar Tara Singh :** Will the Honourable Minister of Development be pleased to state—

- (a) tahsil-wise the total amount of debts according to Government's estimate which the zamindars of the Ferozepore district owe to the co-operative societies of the district ;

(b) the amount of debt which the zamindars of tahsils Moga and Muktsar and sub-tahsil Nathana owe, respectively, to the co-operative societies ;

(c) the remission that the Government propose to give in the takavi loans in the aforesaid district ?

The Honourable Chaudhri Sir Chhotu Ram :—

(a)

			Rs.
1.	Ferozepore tahsil	.. ..	6,05,038
2.	Fazilka tahsil	.. ..	5,88,222
3.	Zira tahsil	.. ..	6,68,887
4.	Moga tahsil	.. ..	4,18,998
5.	Muktsar tahsil	.. ..	4,39,003
(b)	Nathana sub-tahsil	.. ..	70,970

Figures regarding Moga and Muktsar tahsils are given in (a) above.

(c) No takavi loans are proposed to be remitted at present.

REMISSION IN LAND REVENUE TO VILLAGES IN FEROZEPURE DISTRICT.

***3520. Sardar Tara Singh :** Will the Honourable Minister of Revenue be pleased to state the names of the villages in *thana* Bagapurana, tahsil Moga, district Ferozepore, which were granted remission in the land revenue, on account of the damage done to the crops by the hailstorms which visited this *ilaga* in February last ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : No remission was granted, as the damage was very slight.

INTRODUCTION OF PROHIBITION IN BATALA.

***3528. Mian Badar Mohy-ud-Din Qadri :** Will the Honourable Minister of Revenue be pleased to state whether the Government has ever considered the question of including Batala tahsil in the list of places where prohibition is to be introduced and if not, why ?

The Honourable Dr. Sir Sundar Singh Majithia : Yes, but the matter is still under consideration.

GRANT OF MORE LAND TO GRADUATES.

***3529. Mian Badar Mohy-ud-Din Qadri :** Will the Honourable Minister of Revenue be pleased to state whether there is any proposal before the Government to grant some more land to graduates who have already been granted land in Lyallpur district ?

The Honourable Dr. Sir Sundar Singh Majithia : No, Sir.

GRANT OF LANDS TO ZAMINDARS OF GURDASPUR DISTRICT.

***3530. Mian Badar Mohy-ud-Din Qadri :** Will the Honourable Minister of Revenue be pleased to state whether there is any proposal before the Government to grant land to those zamindars of Gurdaspur district whose lands had been greatly damaged due to the action of Beas and Ravi rivers, at places to be irrigated by the Haveli Project ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : The answer is in the negative.

GRANT FOR REPAIRS OF GURDWARA SMADH MAHARAJA
RANJIT SINGH.

***3542. Sardar Kartar Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that in the past an annual grant of three hundred rupees used to be paid by the Government to the Gurdawara Smadh Maharaja Ranjit Singh at Lahore for repairs of the Gurdawara building ;
- (b) if answer to (a) is in the affirmative, whether the said amount continues to be paid to the Gurdawara ;
- (c) if answer to (b) is in the negative, the reasons why the payment has been stopped ;
- (d) whether any amount out of the said grant is still due to the Gurdawara ; if so, does the Government intend to pay off all the arrears of the said grant to the Gurdawara, and, if so, when ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) No separate *jagir* of Rs. 300 for the maintenance of the Smadh as indicated in the question is given.

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

GRANT FOR CELEBRATING DEATH ANNIVERSARY OF MAHARAJA
RANJIT SINGH.

***3543. Sardar Kartar Singh :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether it is a fact that an annual grant of one hundred and twenty rupees used to be paid by the Government to the mahant of the Gurdawara Smadh Maharaja Ranjit Singh at Lahore for celebrating the death anniversary of Maharaja Ranjit Singh before its management was taken over by the Gurdawara Committee ;
- (b) if answer to (a) is in the affirmative, whether the grant continues to be paid to the Gurdawara Committee, if not, why not ?

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

(b) Does not arise.

**REPRESENTATION FROM SHRI AMAR SINGH JAIN KUMAR SABHA,
PUNJAB, FOR PUBLIC HOLIDAY ON THE BIRTHDAY
OF SHRI MAHABEER SWAMI.**

***3575. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state—

(a) whether Government have received any representation from Shri Amar Singh Jain Kumar Sabha, Punjab, requesting that the birthday of Shri Mahabeer Swami, founder of Jainism be declared as a public holiday ;

(b) if so, what action do Government propose to take on the same ?

Premier : (a) Yes.

(b) Government regret that they cannot agree to increase the number of public holidays which is already large.

Lala Deshbandhu Gupta : Is the Government aware that there is a strong feeling among the Jains on this point and that this request for a holiday is very widely supported ? Is the Government prepared to consider their request sympathetically ?

Premier : I cannot add usefully to the answer already given. But if they are so keen about a holiday they may make a request for the grant of a sectional holiday for them on that day, in which case their request will be sympathetically considered.

Nagar Kirtan PROCESSION.

***3576. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state—

(a) whether it is a fact that the Arya Samaj, Faridabad (Gurgaon) was granted licence to take out their *Nagar Kirtan* procession in the evening in the year 1980 ;

(b) whether Government refused to grant similar licences in the subsequent years with the result that Arya Samajists had to abandon their *Nagar Kirtans* as a protest ;

(c) reasons for this change in the attitude of the Government ;

(d) the objection Government have in granting licence for taking out *Nagar Kirtan* in the evening ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : The attention of the honourable member is invited to the answer given to Pandit Shri Ram Sharma's starred question 76¹ of 1987.

Lala Deshbandhu Gupta : Has the Government since revised its decision in the matter ? If so, is it prepared to give the licence now ?

Parliamentary Secretary : Had that been the case the answer would have been different.

Lala Deshbandhu Gupta : May I know whether any representation has been received from the Arya Samaj concerned ? If so, what action has been taken thereon ?

Parliamentary Secretary : I require notice of the question.

Nagar Kirtan.

***3577. Lala Deshbandhu Gupta :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that the Arya Samaj, Gurgaon, used to take out their *Nagar Kirtan* every year from the house of Babu Roshan Lal, Advocate, President of the local Samaj ;
- (b) whether Arya Samaj had no temple of their own at Gurgaon at that time ;
- (c) whether they have recently built a temple of their own at Gurgaon ;
- (d) whether they applied to take out their *Nagar Kirtan* from this temple last year but were refused permission ;
- (e) whether the proposed route of the procession was the usual one ;
- (f) if so, why the Government refused to grant them a licence to take out *Nagar Kirtan* ;
- (g) the action Government propose to take in the matter ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : (a) Yes, up to the year 1932.

(b) and (c) A temple of the Arya Samaj has been in existence in Gurgaon for several years.

(d) Yes.

(e) and (f) No. The Arya Samaj wanted to change the route and to start their procession from the temple, instead of the place from which it used to be taken out prior to 1932. As this was an innovation, permission was not granted by the district authorities.

(g) Government do not propose to take any action in the matter, but if the Arya Samajists apply for a licence on the old conditions, the district officers will certainly permit the *Nagar Kirtan* procession.

Lala Deshbandhu Gupta : Is the honourable Parliamentary Secretary aware that the route which they wish to follow now and which leads from the Arya Samaj temple is the same which was followed in the earlier years ? What objection can the Government then have to grant the licence ?

Parliamentary Secretary : I have replied to that in answer to part (g) of the question.

Lala Deshbandhu Gupta : Has the Honourable Premier realised the absurdity of the answer given by the Parliamentary Secretary in forcing the Arya Samajists to take out the procession from the house of a person and not permitting them to take it out from the temple ?

Premier : I am afraid my honourable friend has forgotten the declaration which I made in this House several months ago that where there was a danger of dispute or clash between two communities, *status quo* would be adhered to unless there was an agreement between the communities. With regard to processions also Government instructions are that unless there is

no danger whatever to peace or no likelihood of trouble arising they should adhere to *status quo*. That is why I say that the local officers are not to blame. If the honourable member is satisfied that there will be no such danger a representation may be made for the sanction of Government.

Lala Deshbandhu Gupta : There is no question of danger. I want to know from the Honourable Premier whether he treats even this as an innovation if the private house from which procession used to be taken earlier and the temple fall in the same street? The temple being in the street how can the Government object to the taking out of a procession from the temple?

Premier : I cannot argue with the honourable member here. But he might ask the local authorities and explain to them, *Kissa-i-zamin bar sar-i-zamin*.

SHORT NOTICE QUESTIONS AND ANSWERS.

EMBEZZLEMENT IN ACCOUNTS OF CATTLE FAIRS.

Sardar Kishan Singh : Will the Honourable Minister for Public Works be pleased to state—

(a) whether it is a fact that cases of embezzlement have been taking place in the accounts of the cattle fairs of Lyallpur, during the years 1930—34;

(b) if the answer to (a) be in the affirmative, on whom has the responsibility for embezzlement been thrown by auditors?

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

(b) The embezzlements were committed by the Superintendent of Fairs under the District Board and his clerk, both of whom were placed on trial and sentenced, the Superintendent to 4½ years' rigorous imprisonment and a fine of Rs. 1,500, and the clerk to 8½ years' rigorous imprisonment and a similar fine. The enquiry suggested however that the embezzlements were facilitated by laxity in the office of the Board, and the local officers have been requested to consider this point further.

Lala Deshbandhu Gupta : May I know if the Superintendent of Fairs who was sentenced to 4½ years' imprisonment has been prematurely released by the Government?

Minister : If you give notice, you can get a reply.

Sardar Hari Singh : May I know whether any embezzled money has been recovered?

Minister : I want notice for that question.

Lala Deshbandhu Gupta : Is the Honourable Finance Minister not in a position to answer this question, whether this gentleman has been prematurely released or not, because it is only under the orders of the Government that such persons are released?

Minister : I have already stated that if you give notice, you will get a reply.

Lala Deshbandhu Gupta : I want to know from the Honourable Finance Minister whether he is in a position to reply to my question straightaway.

Minister : If you address a proper enquiry with due notice you will get a reply.

Diwan Chaman Lall : May I ask whether he should not have been aware of all these facts when the original question was brought to his notice? Surely in replying to it he should have been aware whether the man has been released or not under the orders of the Government. It is a question of embezzlement of Government money.

Minister : The matter was sent to the court and the accused were convicted. That is all I know. I am not supposed to know which of the prisoners has been released. It is not my department. If you give notice you will get a reply.

Lala Deshbandhu Gupta : What objection my honourable friend, the Minister of Public Works, has to the Honourable Finance Minister's replying to my question if he is in a position to do so?

Minister for Finance : The prisoner to whom reference has been made has been released by the Punjab Government, and if the honourable member wishes to know the reason, that is easily done. The reason is, he is an old man, about 60. He was suffering from low blood pressure, such extremely low pressure that he was anæmic, had poor blood circulation, he was constantly in a state of agitation and tremor. I met and saw the prisoner myself in jail along with other old and infirm prisoners who were likely to be released and the medical authorities were of the opinion that the next slightest shock would sweep him into the grave and it was in these circumstances of extreme physical infirmity and the grave and imminent fear of death, this prisoner was released as a matter of policy of compassionate releases which the Punjab Government is now pursuing (*hear, hear*).

Diwan Chaman Lall : May I know whether such compassion shown by my honourable friend is confined only to criminals and does not extend to political prisoners?

Minister for Finance : I take notice of every fact, of a prisoner being old and infirm who is reported as debilitated, emaciated and likely to suffer in a manner that the fear of death be real and I may state for the information of my honourable friend that not so very long ago, Mr. Tiwari, a political prisoner, was released, because he was suffering from serious disease and infirmity, and only the other day, as the honourable the Leader of the Opposition might know—I think within the last 3 weeks—Mr. Sinha, a political prisoner, convicted of grave offence of violence and transported for life was also released by the Punjab Government for similar reasons. It is a mere matter of memory and if I were to tax my memory I could present a longer list. We released Mangal Sen, a Kinari Bazar prisoner over six months ago.

Diwan Chaman Lall : How many other political prisoners similarly situated have not been released by the Government?

Minister for Finance : I am not aware of any and I have answered many questions on the floor of the House.

Diwan Chaman Lall : Is it because the honourable member does not wish to be aware of the fact ?

Minister for Finance : So far as I am concerned I go and visit every one of these prisoners myself.

INDIAN STATES PROTECTION ACT.

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

(a) the reasons why Indian States Protection Act has been enforced in some districts of the Punjab ;

(b) the names of such districts ;

(c) the reasons why those districts have been selected for the enforcement of the Act ?

The Honourable Major Sir Sikander Hyat-Khan : (a) The Act was applied to protect a state administration from activities that intend to obstruct the administration.

(b) Ambala, Ludhiana, Hoshiarpur, Jullundur, Ferozepore and Amritsar.

(c) Because these are the districts where the activities mentioned in part (a) are going on.

Sardar Hari Singh : May I ask the Honourable Premier to state the name of the particular State for whose protection this Act has been applied to certain districts of the Punjab ?

Premier : Kalsia.

Sardar Hari Singh : May I know whether he has issued this notification and applied the provisions of the States Protection Act to certain districts of the Punjab at the request of that State and at the request of the Agent to the Governor-General for the Punjab States ?

Premier : I am afraid I cannot divulge all the information on which we based our conclusions and decisions. But I can inform my honourable friend that it is not only the Kalsia State which will be affected by this legislation but all the neighbouring States in the Punjab.

Sardar Hari Singh : May I know whether he is aware of the fact that the Congress Governments, in particular the Bombay Government, have refused to apply the provisions of the States Protection Act under similar conditions ?

Premier : I am very glad to have that piece of information, but it does not mean that they have done the right thing.

Diwan Chaman Lall : May I ask why my honourable friend has taken upon himself the responsibility of protecting these States against their own citizens ?

Premier : Not against their own citizens, but other citizens of the Punjab going there and interfering.

Diwan Chaman Lall : Why has my honourable friend taken upon himself the responsibility of lengthening the period of the life of these Indian States?

Premier : On the basis of that very old adage which my honourable friend knows and which runs :

آنچه بر خود میسندی بر دیگران میسند

"Do as you would be done by."

If Indian States subjects were to come and interfere in my province and make mischief, I will turn them out. I want reciprocity.

Lala Deshbandhu Gupta : Will the Honourable Premier kindly name the States which have approached the Punjab Government for such action?

Premier : I have already declined to answer that question.

Dr. Gopi Chand Bhargava : May I know whether the Punjab Government has protected the Punjabis from the attacks of any of these States?

Premier : I have not quite followed my honourable friend. What kind of attacks is he visualizing?

Dr. Gopi Chand Bhargava : Attacks on their liberty and on their civic rights of buying or selling goods in those States.

Premier : How can any civic liberties of any Punjabi be affected by any action of the States?

Dr. Gopi Chand Bhargava : I wonder if the Chair would allow it, but I want to know whether he received reports from the Punjabis against the action of officers of a state and whether he protected those people?

Mr. Speaker : I disallow that question.

Premier : I have answered that question already. If my honourable friend is referring to that question where our people were stopped from taking their produce away, I have already answered that question.

Lala Deshbandhu Gupta : Will the Honourable Premier be pleased to state whether the Punjab Government are aware of the fact that several Punjabis have been convicted for long terms of imprisonment in the States for constitutional agitation undertaken by them and interned without any prosecution in the States? What action has the Punjab Government taken in regard to them?

Premier : Does my honourable friend wish that I should send them back to the States, I mean the people who have come out of them?

Lala Deshbandhu Gupta : Is it not a fact that there are a number of Punjabis who have been interned in the States on very flimsy grounds?

Premier : It is not for me to say whether they were flimsy grounds.

Lala Deshbandhu Gupta : But it is for you to protect the interests of the States and not of the Punjabis!

Premier : I want reciprocity in these matters. That is why I want to protect the interests of the States, as I desire that they should protect the interests of the Punjab.

Diwan Chaman Lall : Is it a fact that there is a large number of Punjabis who are actually interned in the Indian States on very flimsy pretexts? Is he aware of that? What steps has he taken to obtain their release?

Premier : I am not aware of this.

Diwan Chaman Lall : Is he not aware of this fact that there are Indian States roundabout the Punjab where Punjabis are actually interned to-day for alleged political offences without trial and without any charge?

Premier : My honourable friend would be good enough to furnish me concrete instances; if he does so I will consider the matter.

Lala Duni Chand : May I know if this Act has not been extended to certain States in anticipation of a big conference of the people that is going to be held in Ludhiana and which is going to be presided over by Pandit Jawahar Lal Nehru?

Mr. Speaker : Disallowed.

Sardar Hari Singh : Will the Honourable Premier state categorically whether it is or it is not a fact that the Act has been extended because of this Conference?

Premier : No. I am hearing of this big conference only now in this House. No such consideration came to my mind at the time of applying this Act.

PRIMARY EDUCATION BILL.

Minister for Education (The Honourable Mian Abdul Haye): Sir, I beg to present the report of the select committee on the Punjab Primary Education Bill.

MOTION FOR ADJOURNMENT.

SEIZURE OF LALA SANT RAM BY THE NABHA POLICE.

Lala Duni Chand : I have given notice of an adjournment motion. I want to know whether I am allowed to make that motion.

Mr. Speaker : Has not the Secretary already communicated to the honourable member that His Excellency the Governor has declined to give his assent to the moving of that motion?

Lala Duni Chand : Does that deprive me of the right of putting it before the House?

Mr. Speaker : Yes.

Lala Duni Chand : The question is whether I am entitled to bring that adjournment motion to the notice of the House and get all the information.

Mr. Speaker : No.

ALIENATION OF LAND (FOURTH AMENDMENT) BILL.

Minister for Revenue (The Honourable Dr. Sir Sundar Singh Majithia): I beg to move—

That the Punjab Alienation of Land (Fourth Amendment) Bill as reported by the Select Committee be taken into consideration.

The motion was carried.

Mr. Speaker: The question is—

That the Preamble be the Preamble of the Bill.

The motion was carried.

Clause 1 (1).

Mr. Speaker: The question is—

That sub-clause (1) of clause 1 stand part of the Bill.

The motion was carried.

Clause 1 (2).

Mr. Speaker: The question is—

That sub-clause (2) of clause 1 stand part of the Bill.

The motion was carried.

Clause 2.

Mr. Speaker: The question is—

That clause 2 stand part of the Bill.

The motion was carried.

Clause 3.

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

That in "3-C", line 5, for the word "Commissioner" the words "District and Sessions Judge" be substituted.

Mr. Speaker: The honourable member while discussing this amendment may speak on his next amendment¹ also.

Dr. Gopi Chand Bhargava (Urdu): I have given notice of two amendments in this behalf. The object of both is practically the same. In the first place, I would like to observe that this is an executive Act giving so much power to the deputy commissioners while important and intricate questions of rights in property are to be decided. The proper way would have been to entrust this job to the civil courts. It is their function to decide such issues. But here we find that the Government have already empowered deputy commissioners to settle these cases and now another step in the same wrong direction is being taken by empowering commissioners to hear appeals arising out of the orders passed by the Deputy commissioners. Neither the Deputy Commissioner nor the Commissioner

¹That in "3-C", line 5, for the word "Commissioner" the words "High Court" be substituted.

will sit as a civil court. They will be acting as executive officers as they are wont to do. Who does not know the ways in which commissioners behave while deciding cases like these? I hope every one is familiar with the fact that they summarily try cases and dispose them of without caring for the intricacies involved in or the consequences arising out of their orders. The appellants, therefore, can expect little from the commissioners when they appeal against the orders of a deputy commissioner. In this connection, it would be important to note that while the people look upon the post of a Commissioner as superfluous, the Unionist Ministry is enhancing its powers as if their aim is to multiply useless posts in the province. Far from abolishing this post, our Government is adding to the dignity and power of the Commissioner. He will not sit as a judicial court to hear such appeals as are preferred under this Bill. The nature of his orders will be executive, not judicial. I, therefore, appeal to the good sense of the House to accept my amendment which seeks to give the power of hearing appeals under this measure to the Sessions Judge or at least to the High Court. If this is not done, the right of appeal offered to the aggrieved persons would be nothing more than an eye-wash. But why is the Government so much afraid of delegating this power to the civil courts? Have the Treasury benches lost all confidence in these civil courts? If so, why not abolish them with one stroke of the pen? I would, therefore, urge upon the Government to accept this amendment so that the aggrieved persons may have a right of appeal before the Sessions Judge or the High Court.

With these words, I commend my amendment to the House for unanimous acceptance.

Mr. Speaker : Motion moved is—

That in "3-C", line 5, for the word "Commissioner" the words "District and Sessions Judge" be substituted.

Both the amendments are to be discussed together.

Minister for Revenue (The Honourable Dr. Sir Sandar Singh Majithia) : My friend has been kind enough to introduce a new element into this Bill and he has said that there have been a good number of complaints that the Commissioner should not be the person to decide these questions. Does my friend know that in the original Act it is the Commissioner who has to decide these questions on appeal and by endeavouring to substitute the District Judge or the High Court my friend has tried to import into the discussion that we have no confidence in these courts? That is not the question but the question is that first of all the matter is to be decided by the Deputy Commissioner and from the Deputy Commissioner the appeal is to go to the Commissioner. In many cases, e.g., in cases of appointments of lambardars and zaildars, and in all such cases the appeal goes to the Commissioner and finally to the Financial Commissioner. Has any of my friends said that those appeals have not been properly heard by the Commissioner or the Financial Commissioner? Am I to understand from my friend that the appeal to the Commissioner is of no use at all? I may be pardoned if I say that I am not going to accept the proposition of my friend that the appeals to the Commissioner are no good at all. The Act provides that the appeals should be heard by the Commissioner. Therefore, no change can be introduced. We are reproposing what is provided in the Act itself. (*Hear, hear*).

Rai Bahadur Mr. Mukand Lal Puri : Sir, the Honourable Minister for Revenue has entirely misunderstood the position which has been taken by the Leader of the Opposition. The Punjab Alienation of Land (Fourth Amendment) Bill to which this is an amendment added a certain kind of civil work to the jurisdiction exercised by the Collector and with respect to that work, the amendment provides that the appeals shall lie to the district judges and not to the commissioners. The analogy given by the Minister for Revenue hardly holds good. He says that since the commissioners perform their duties admirably in disposing of the appeals from such executive orders as orders of collectors appointing lamboardars and zaildars, therefore, it is to be inferred that the work on complicated questions of law and fact which would be involved in the decision of matters which have now been relegated to the Collectors, would be equally well done. I respectfully submit that the commissioners are not at all supposed to be conversant with the technicalities of civil law and it is neither in the interests of good administration nor in the interests of the people whom the Government or the Honourable Minister for Revenue wishes to help, that the complicated questions of rights in property should be determined by people who *ex-hypothesi* have had not much judicial training and experience. The greatest sufferers under the Land Alienation (Amendment) Bill would be some people who belong to the agricultural tribes. Alienations in their favour will be set aside on the ground that the alienations are *benami*. Supposing a person has genuinely bought a piece of land worth Rs. 10,000, or has taken mortgage of land worth Rs. 15,000 and a fictitious or let us say an absolutely scandalous claim is made by another person that it is *benami*,

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that it does not belong to the person who bought the land but that it is being held for the benefit of some third party. It may be that by a collusion with the patwari or on account of influence with the subordinate revenue officials a party has been able to snatch an order from the Collector depriving another member of an agricultural tribe whose father or it may be his grandfather had bought the land by payment of a substantial amount of money. In the interests of such vendees and mortgagees, it is necessary that this legislature should guarantee that the merits of the case will be looked into not by a mere executive officer but will be carefully scrutinised by a person who has had the necessary training for it and who is usually engaged in discharging the duties. Therefore, the amendment which is being discussed is not a mere party amendment: it is an amendment which is necessary in the interest of the people whose rights are likely to be adversely affected and mostly those whom the Government wishes to protect and is also in the interest of good administration and good government.

Mr. Speaker : The question is—

That in "B.C", line 5, for the word "Commissioner" the words "District and Sessions Judge" be substituted.

The motion was lost.

Mr. Speaker : The question is—

That clause 3 stand part of the Bill.

The motion was carried.

Minister for Revenue : I beg to move—

That the Punjab Alienation of Land (Fourth Amendment) Bill be passed.

The motion was carried.

AGRICULTURAL PRODUCE MARKETS BILL.

Mr. Speaker : The House will now discuss the Punjab Agricultural Produce Markets Bill.

Sardar Sohan Singh Josh (Amritsar North, Sikh, Rural) (*Punjabi*) : The question now before the House is as to who is a grower. In clause 2 (c) "grower" has been defined to be a person who grows agricultural produce personally, through tenants or otherwise. So far as the Unionist party is concerned they want simply this much and no further. In other words they want to exclude a dealer or a broker or a person otherwise engaged in the business of disposal or storage of agricultural produce. In that we are at one with the Unionists. But we object to the words "through tenants or otherwise." We want only those persons included in the definition who grow agricultural produce personally. It is on this point that I would like to speak to-day. My friend, Mir Maqbool Mahmood, has stated the other day that there are 5,320,303 actual growers in the Punjab and there are 330,673 growers who grow agricultural produce through tenants. We have absolutely no objection to the former but we do object to the latter being included in the definition, because most of them are big zamindars. The Government feel never tired of proclaiming themselves to be the best friend of the poor kisans but when certain constructive proposals are put forward for the benefit of the latter the former never care for them but rather turn them down as if they have no sympathy with the latter. In fact they do not care for 5,320,303 actual growers but they are very anxious about 330,673 persons who do not grow agricultural produce personally. This is what appears to us most objectionable. Sir, my respectful submission is that the representation on the market committee may be confined only to those kisans who personally grow agricultural produce and this privilege should in no case be extended to those parasites who get their lands cultivated by their tenants or servants.

Furthermore, Sir, my honourable friend, Mir Maqbool Mahmood was pleased to remark in the course of his speech that if the elective principle be accepted the number of the kisan electors in the Punjab will be no less than 56 lakhs and supposing on every voter the Government were to spend Rs. 2, the total amount of this expenditure would increase out of all proportions. On this analogy my honourable friend developed an argument against the introduction of the electoral system into the Bill now before the House. He has remarked : "if instead of nomination the members to the proposed market committees were returned through popular elections the already poor zamindar would be deprived even of his last penny, and instead of reaping any advantage from the measure he would be absolutely ruined." I ask the Government in all sincerity whether my honourable friend has voiced the real feelings of the Treasury benches? Is the Government prepared to endorse every word of his? My honourable friends opposite should please note that this sort of argument on the part of the Government is not going to yield the desired results. The introduction of the odious system of nomination instead of the popular electoral system would do a great harm to the principles of the democratic system of government. If the Government intends to give preference to nominations over elections, it would certainly deprive hundreds of poor kisans of the representation on these committees. If the Government is really in favour of

[S. Sohan Singh Josh:] nomination system why were the honourable members of the House made to spend huge sums of money sometimes as big as one or two lakhs for getting a seat in the Assembly? Why were they not nominated? I submit that such logic would not find favour with any man who has a grain of sense and I hope democracy will not be let down. With these words, I whole-heartedly support the amendment moved by my honourable friend, Lala Duni Chand.

Maulvi Ghulam Mohy-ud-Din (Sheikhupura, Muhammadan, Rural) (Urdu): Sir, I will confine my remarks only to the speech of my honourable friend, Sardar Sohan Singh Josh. He has laid great stress on this particular point that the members of the proposed market committees should only be selected from amongst those who personally cultivate their lands and this privilege should not be granted to those who get their lands cultivated through their tenants or servants. Moreover, he has remarked that the Unionist Government intends to appoint members from amongst the latter class of zamindars whose number is nearly 3 lakhs and thus it is going to deprive the former section of their rights of representation notwithstanding the fact that it forms the bulk of the agriculturist community in the Punjab, their number being no less than 53 lakhs. Throughout his speech I expected my honourable friend to refer the House to any rule, clause or to a document in proof of his fears. It was incumbent on him to provide proof to the effect that the Government is in fact going to trample over the rights of the major portion of the agricultural population of the province. But he knew it full well that there was no such provision in the Bill or elsewhere which he could safely place before the House in favour of his argument. Thus it is wrong to say that those 53 lakhs tillers of the land are going to get no representation. It is, therefore, obvious that his fears are quite unfounded. Let me assure the House that the intention of the Government is to give proper representation to both classes of agriculturists on the committees. If the selection of a petty zamindar would be considered comparatively more useful and beneficial to the cause of the growers than the appointment of a big zamindar, I do not find any reason why the Government should not select him for the purpose. My honourable friend has laid a good deal of stress on the point that the Government is not prepared to introduce the electoral system in connection with mandi committees. But let them understand that at present the question of election or selection is not under discussion. It would be discussed later. We are here only to see whether the definition of a grower is comprehensive or not. Personally I am in favour of nomination. I think that the electoral system would prove injurious and harmful to the cause and interests of the growers, and the reason for it is not far to seek. I can advance several arguments in favour of my contention. We are now going to introduce a new constitution and a new controlling system into the mandis through this measure with the result that the interests of growers and mandiwallas would come into conflict. The clash of the interests of these classes would surely take place. Now, therefore if electoral system is introduced the mandiwallas will use all the machinery at their disposal to get representation according to their desire and thus to exploit the simple-minded growers. I submit, Sir, that the definition of a grower given in the Bill is the best. If we

accept the amendment moved by my learned friend, Lala Duni Chand, it will cause great complications. Suppose a man owns 20 *ghumaons* of land, naturally he will not be able to cultivate all of it himself and shall have to get a part of it cultivated through a tenant. The result will be that my honourable friend's amendment will stand in the way of his being treated as a grower. The same will be the case with a tiller of the soil who is no longer able to cultivate his lands because of his old age. The definition of the word grower as proposed in the Bill reads as follows :—

“Grower means a person who grows agricultural produce personally, through tenants or otherwise.”

The significance of the word “otherwise.” is that a person to be included in this definition is not bound to get his land cultivated only by tenants or servants but even those who grow agricultural produce with the help of machinery will be covered by this definition. The only exception is that any person who becomes a dealer will lose his right to be called a grower and that is as it ought to be. I, therefore, submit that the proposed amendment is absolutely unnecessary.

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General, Urban) (*Urdu*): Mr. Speaker, with your permission, I will express my views on this motion in Hindustani so that every one of my honourable friends may understand what I have to say. The question before us is as to what should be the definition of a grower. One section of the House insists that this definition should include the tiller of the soil as well as those landlords who get their lands cultivated through tenants or servants. Much stress has been laid on the fact that there are 53 lakhs tillers of the land while the number of those whose land is cultivated by their tenants and servants is no more than 3 lakhs. It is also stated that these two kinds of agriculturists are included in the definition on the ground that as growers their interests do not clash with each other. We should not forget that they have created a class of people by law which can never hope to be included in the definition of a grower. Have you ever cared to ascertain the number of people belonging to that class? For instance, if I wish to become a grower the law stands in my way. Now the reason usually advanced by my friends over there is that if that law did not exist all the land would have fallen in the hands of *baniyas*. But are my friends quite sure that by depriving the *baniyas* of their right to purchase landed property they have not created another and more dangerous class of *baniyas*? Are they quite sure that this new brand of *baniyas* have not managed to relieve thousands of petty landholders of all or a greater part of their landed property? I understand that the Director of Information Bureau is collecting information as to whether the land belonging to small holders is really being sold to the big landlords. If an independent enquiry is held, the result will give a rude shaking to the Government and its supporters. The fact that the larger fishes are devouring smaller ones is a clear proof of there being a clash of interest between the small holder and the big landlord. Now that being the case, I put a straight question to the Government. My honourable friends are never tired of boasting that they are going to purge the markets of all malpractices and dirty tricks, but here is this much more dirty trick being played on petty landholders under the very nose, or shall I say under the patronage of the Government.

[Ch. Krishna Gopal Dutt.]

Let my honourable friends try to check it. I would request my honourable friends opposite to pause and try to find out what will be the result of adopting this definition of the word 'grower.' It is a very delicate and important question and the present recklessness and indecent haste on the part of the Government may have very serious results. You say you are not going to include in the definition of a grower any grower who is also a dealer. But let me tell you one thing. There are two kinds of *ahrtias* in markets, *pucca* and *kacha ahortia*. The *pucca ahortia* is a dealer through and through and represents the interests of the buyer, but a *kacha ahortia* is more of a grower than a dealer, because he represents the interests of growers in the market. He knows what are the interests of growers in the area covered by the market concerned and how to protect them. But the Government has by the provisions of this Bill made it absolutely impossible for this expert adviser of the growers to represent them on the market committee. The members of these committees will be selected and not elected and there can be no doubt as to the manner in which selection will be made and the treatment which will be meted out to *kacha ahortias* in the matter of the representation of growers.

According to the definition of the word grower in the Bill a person who tills the land with his own hands and is a grower in the real sense of the word will not be considered a grower if he tries to add to his meagre income by working as a broker in his spare time. Then why not exclude from this definition the parasite who lives in luxury on the labours of his tenants or servants? If the tiller of the soil is deprived of his rights as a grower simply because he happens to be a *kacha broker* also, then what right has the landlord, who never so much as touches the plough, to be included in the definition of a grower? My honourable friend, Sir Chhotu Ram, is very fond of calling himself a revolutionary, but if he really wants a revolution in this province let him try to open his eyes and see what the revolutionary people have done in their countries. Let him find out what is the definition of the word 'grower' in Russia. Similarly I would also request the Honourable Premier who is never tired of describing himself as a socialist and communist to find out whether those who do not cultivate the land with their own hands are allowed to call themselves growers in communist countries. Whenever my Honourable friend, Sir Chhotu Ram, addresses a meeting of ignorant villagers he moves heaven and earth to impress upon them that he is a great socialist but as soon as you ask him to face actual facts he is non-plussed and loses all control of himself.

Mr. Speaker : I suggest that no personal references should be made to members.

Chaudhri Krishna Gopal Dutt : I welcome this suggestion, Sir. I hope other honourable members who criticise Diwan Chaman Lall and Dr. Sir Gokul Chand by name will follow it. In Russia, the example of which country this Government claim to be following, though not in practice at least it is giving out in the press that it is so doing—

Mr. Speaker : I request the honourable member to speak to the motion.

Chaudhri Krishna Gopal Dutt : I am speaking to the point. I am only developing this point that the Government profess to bring about a revolution here just as it was done in Russia. All the critics of this Government are being dubbed as Mahasabhaites and reactionaries. There was a time when people like us raising revolutionary slogans were lodged behind the bars. But now times have changed and our Government is proclaiming from house-tops that it is out to bring about a revolution in the country. Our case is different. Our ideals were the same in the past as they are now. We have not changed. A change may have come over the gentlemen occupying those benches. But here is an occasion to test the sincerity of my honourable friends sitting on the opposite benches. If they really wish to bring about a revolution, they should support the amendment moved from this side of the House. I appeal to their conscience. They should not make this a party question. They should rise above party considerations in order to support the principle underlying this amendment. I want to submit for their consideration that in Russia the definition of a grower is the same which we want to incorporate in this Bill. In Russia only that amount of land is given to a family which can be tilled by members of that family. For instance, if there are two tillers in a family, land sufficient to be cultivated by two hands is given to that family. On the other hand, if there are ten tillers in a family, land sufficient to be tilled by ten men is given. It is not like this province that a man is allowed to possess land sufficient to be tilled by a hundred men although neither he himself nor any other member of his family actually tills it with his own hands. What he does is simply this : he employs a hundred labourers to work on the land and sucks their blood. The Government want him to be considered as a grower. We do not want it. With these words, I hope that the House will accept this amendment.

Rai Bahadur Mr. Mukand Lal Puri (Rawalpindi Division, General, Rural) : This amendment is the acid test as to the intention of Government.

Mr. Speaker : I may state, before the honourable member proceeds further, that this very issue may arise when other clauses or sub-clauses come up for discussion. So, I will not allow a discussion on this point when those clauses or sub-clauses come up, as it will now be discussed at length.

Rai Bahadur Mr. Mukand Lal Puri : I was pointing out that the attitude of Government towards this amendment would show as to what the intention and policy of Government are towards those who are not absentee landlords but are the tillers of the soil. You will remember, Sir, that useful figures were supplied by the Parliamentary Secretary the other day, that the growers of this province who were actual tillers of the soil were 19 times as many as those who did not cultivate themselves. Now, under those who do not cultivate with their own hands you must include also a large number of persons who own land, but who are engaged in trade or industry, who would fall within the exception of brokers and others engaged in such avocations. Therefore, the number of those who are not actual tillers of the soil, but who are absentee landlords and whom the present Government wishes to include in this definition would be very much below 5 per cent. Even according to the figures supplied by the Parliamentary Secretary their number will be only about five or six per cent. If you take out of that

[R. B. Mr. Mukand Lal Puri.]

number the tillers who are mostly Hindu and Sikh absentee landlords, that number would be very much reduced. What does this amendment propose? Everyone is talking of the rights and privileges of kisans. Everybody is shouting from house-tops that they should do their best for these people. Would the heavens fall if out of 100 persons who are growers you exclude that small class of four or five persons? If this amendment is accepted, you will notice that full and effective representation is given to the class for whom this representation is provided. Why is the Government so anxious to protect the rights of these four or five per cent of people? Our unfortunate experience is, and that is the complaint of our Congress friends also, that all the rights and privileges which belong to this unrepresented class of humanity are usurped in their entirety by this small fraction of absentee landlords. What is the result? I make bold to say that 90 per cent of the representation would go to those persons who are only entitled to four or five per cent. Is the Government prepared to lay down with respect to representation which is provided for growers that the representation of growers *inter se*, i.e., the proportion of absentee landlords and the actual tillers of the soil appointed to these market committees will be proportionate to the representation which they deserve on the score of their numbers and on the score of the weight of the agricultural produce which they supply? In the name of the zamindars of the province every conceivable right is claimed and claim put forward, but the benefit is derived by this insignificant minority of 5 per cent. to the entire exclusion of the 95 per cent. Our object in bringing forward this amendment is this: You have got a monopoly of district boards; you have got a monopoly of municipal committees; you have a monopoly of the Legislative Assembly; you have a monopoly of ministerial benches and you have a monopoly of government services. Why then do you grudge this small attempt at justice to these people and stand in the way of the adequate representation of the actual growers on the marketing committee? Why does not the Government accept this amendment? Again, if the amendment is not to be accepted, and if the Government means to be just to this class of agriculturist, why does not the Government lay down a substantial proportion of representation for this class? The Government whenever it suits it, is anxious to secure by legislation a certain amount of minimum representation for a particular class or classes. There is, for instance, a clause in this Bill which lays down that in the constitution of market committee no less than two-thirds shall be growers from which they have taken jolly good care to exclude the commercial classes. Why not also provide that out of the representation for growers, not less than 80 or 90 per cent shall be actual tillers of the soil and not absentee landlords? Their proportion according to statistics is 95 per cent. Why are they afraid of giving this class its due? The Government is loud in proclaiming its solicitude for this class of actual growers, but when it comes to a question of giving them adequate representation, its attitude changes. When I support this amendment, I am not doing so in any selfish spirit. I am myself a landlord and so are many of the honourable members sitting on these benches. We are landlords owning extensive areas of land, but unfortunately we are not tillers of the soil. Therefore, when I rise to give my support to this amendment, I do so against my own interest. But the interest of justice and fair play should be supreme and selfish interests should be

disregarded. The Government of the zamindars should not thus ignore the rights of 95 per cent of zamindars. With these words I support the amendment.

Lala Bhagat Ram Choda (Jullundur, General, Rural) (Urdu): Sir, I may be allowed to begin my speech by quoting a Punjabi proverb that so aptly applies to the Unionists. It runs as follows:—

روندی دھیکے یاران نوں فان لے لے بہراوان دے

The treasury benches never feel tired of their tall talk to the effect they are out to ameliorate the condition of the poor in this province. But the fact of the matter is that they are here to serve the big-bellied landlords of the Punjab. The market committees will be only agencies of the Unionist Government.

Mr. Speaker : Please speak to the motion.

Lala Bhagat Ram Choda : Sir, I am speaking to the motion. I was going to point out only this much that now the reign of peacocks and crows is over and the rule of the members has ushered in.

Mr. Speaker : The honourable member is requested to speak to the motion.

Lala Bhagat Ram Choda : I bow to your ruling, Sir. The present Government claim to be a zamindar government, but when the question of defining a zamindar or a grower comes up, the definition given by them belies their claims to help the tillers of soil. All we demand is that the word "grower" should apply to those persons only who actually till the land with their own hands. But the Government propose to extend this definition so as to include those rich landlords who do not know what the profession of agriculture means in actual practice. It would not be fair to include under this category such persons as do not know even this much as to whether water-melons grow on trees or in the field of a kisan. If this Government had the good of the poor kisans at heart they would have produced a Bill more useful to the cultivators of the province. But instead of it we find that even those persons are being brought into the pale of zamindars who do not know that wheat is sown in winter and harvested in summer. Surely such persons are not fit to be called zamindars. Growers are those who own small pieces of land and cultivate them with their own hands.

Pir Akbar Ali : Surely, they are not the ones that deal with weights and measures. (Laughter).

Lala Bhagat Ram Choda : We cannot by any stretch of imagination, include among growers persons who are ignorant of the season in which different crops are sown and harvested. You want that brokers should be excluded from the definition of a grower but you do not realise that there are a good many zamindars who have sometimes to play the part of a broker on behalf of their tenants. It will be a grave injustice to include big zamindars in the definition of a grower. I will therefore say that in case you include such landlords in the definition of a grower you would defeat the very object underlying the Bill under consideration.

Chaudhri Ali Akbar (Gurdaspur East, Muhammadan, Rural), (Urdu): It passes my comprehension as to how the honourable members of the Opposition have brought in the question of big and small landholders when we are only concerned with the definition of the word "growers." There is no use making this invidious distinction between zamindars as they go to make one class only. It is just possible that a landlord of to-day may become a humble peasant of to-morrow through the vicissitudes of times, and similarly a poor tiller of the soil may turn out to be a big landlord to-morrow by a stroke of good luck. Thus, the landlord whom the Opposition want to exclude from the definition of "growers" may become poor in future and may have to till the land with his own hands. It does not, therefore, become my honourable friends to create any invidious distinction and cause split between the zamindars by raising this unnecessary issue in the House. The big landlords and small landholders continue changing places through the revolution of times, but, all the same they remain within the definition of "growers." In the same way, a big "bania" may become poor so as to be compelled to sell "pakauris", but he will not take to tilling the soil. He will remain a "bania" after all. If the criterion in this connection is whether a man tills the soil with his own hands or not, I may be allowed to prove its futility by giving my own example. While young I used to plough land with my own hands, but now that I have advanced in years, I make others to work on my fields. Does this fact, therefore, show that at first I was a grower and now I have ceased to be one? Again, even a grower may put on his best attire after finishing his work in the field and may appear before His Excellency the Governor for an interview. Would you exclude this man from the definition of growers simply because he does not look like them? I am prepared to concede that if a money-lender gets his land cultivated by peasants, he may also be termed a grower. What, then, is the difficulty? The discussion of this issue is being prolonged uselessly. In this way the Opposition is wasting the time of the House and the allowances of members are being multiplied. This means an additional burden to the poor cultivators of the province. Is this the way to ameliorate the condition of the poor? If so, you will turn them bankrupt very soon. (*Laughter*). This will deteriorate and not ameliorate their condition. Here I would like to strike a note of warning to the Opposition. If they cherish this false hope that, by their bluffs, they will be able to intimidate the present Government even as they used to frighten the British Government by their propaganda, they should take it from me that they are absolutely mistaken and the Unionist Government is not going to be intimidated. It is aware of the true state of affairs. The previous Government was not a very staunch supporter of its poor subjects, and used to abandon, after being intimidated by clever people, whatever little it undertook to do for the betterment of the poor. But now we are enjoying home rule. The present Government is fully acquainted with the conditions of the province. The British Government is no more in this province whom you used to frighten sometimes by launching movement of non-co-operation and sometimes by resorting to "*satyagraha*." If you will now take to such tactics, the present Government will say, "Well, if you choose to put an end to your life you may gladly do so. But we want to make it clear that injustice will no longer be brooked and the rights of the zamindars will be given to them."

Again, may I mention here that I have been a member of this House ever since the Council came into existence in 1921? I have had sufficient experience, therefore, to assert that the previous government was not pledged to any definite programme and policy, but now the Unionist Government is here to carry a definite programme and policy and will remain loyal to its creed in the future as well. This Government should not be interrupted and prevented from doing its duty. Rulers have to take upon themselves the task of maintaining equality among people. Let the Opposition realise that we are united and strong like a rock. One of our aims is to decrease the expenditure relating to the administration of the various districts. But the honourable members of the Opposition are increasing the expenditure by prolonging these discussions. The teeming millions outside will themselves realise as to who is multiplying the expenditure and who is trying to reduce it. With these few words, I strongly oppose the amendment now before the House.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram), (Urdu): The question now before the House relates to the discussion of a small word, "grower." While discussing it there have been displayed great flights of imagination. There has been talk of radicalism, retrogression, tours of the ministers and a reference has even been made to Russia. These things had absolutely no connection with the word or with the motion under consideration. These things I would ignore as irrelevant. But I should like to reply to some of the main observations.

According to the honourable members over there, the greatest flaw in the definition of "grower" is that it includes even those who do not grow agricultural produce personally, but grow it through tenants or otherwise. For the last fifteen years I have been noticing, observing and seeing that a section of the people has from time to time attempted to drive a wedge into the ranks of the zamindar community. Sometimes efforts were made to create a division between Hindu-Sikh zamindars and Muhammadan zamindars, sometimes between big zamindars and small holders and sometimes between zamindars and cultivators. To-day an attempt is being made to create a new division. It has been suggested that only those should be included in the definition of "grower" who grow agricultural produce personally, and not those who grow it through tenants or otherwise. If this had been pressed by those who bear deliberate ill-will towards the zamindars, I would not have minded. But to my utter surprise I find that some of the Jat members of this House also join in making this suggestion. Well, I ask my friends over there if they would like that even a widow who observes purdah should be excluded from the definition of a "grower." Again, would they like that minors who cannot grow agricultural produce personally should be excluded from the said definition? (*An honourable member:* What is their percentage?)

Mr. Speaker: No interruptions, please.

Minister: Whenever I begin to speak, honourable members over there feel greatly perturbed and uneasy as if fire is burning under their seats. Well, Sir, I was asking my learned friends if they really desire that poor children who cannot grow agricultural produce personally and women

[Minister for Development.]

who observe purdah or the old, infirm and sick persons who have no other source of income except agricultural produce should be excluded from the definition of a "grower."

An honourable member : Is Sir Sikander a widow ?

Minister : I wonder if the interrupter is. Should not those persons be included in the definition of "grower" who by reason of age or ill-health cannot grow agricultural produce personally ? Another important point to which I wish to draw your attention is that so far as this Bill is concerned

no distinction can be made between large landholders and small landholders or between the tiller of the soil and a man who gets his land cultivated by tenants or servants. The question of such a distinction could arise only if there was any conflict of interests. But there can be no such conflict so far as the object of this Bill is concerned. The Bill aims at saving the growers from the malpractices prevalent in the markets. We desire that the prices of agricultural produce actually paid to growers in the markets should not fluctuate at the sweet will of the *arhtis* and that the grower may not be compelled to sell a part of his commodity at a lower price on the pretext that it is inferior to the portion already weighed. It is also sought to set up a machinery to settle any dispute that may arise and to see that the object of the Bill is not defeated by interested people. Now may I ask any learned friends opposite whether there is or can be any clash between the interests of small holders and large landholders so far as these objects are concerned ? I submit there is none. Whatever will benefit the large landowners will also benefit the small landowners and anything which is contrary to the interests of the former is sure to prove injurious to the latter. Why, then, do my friends try to create unnecessary distinctions ? Of course, there may be certain motives into which I need not probe at this stage, but I must submit that it is not desirable to try to divide the zamindars into two camps without any rhyme or reason. (*Interruption*).

Mr. Speaker : I request the honourable members not to interrupt.

Minister : As regards the insinuations about our sympathy for the petty landholders—

Mr. Speaker : Please, let the honourable member proceed with his speech.

Minister : Am I not to be allowed even to make a reply to the insinuation ?

Mr. Speaker : The honourable member is requested not to take any notice of that.

Minister : The trouble is that we on this side are accustomed to bow to the decision of the Chair, but that is not the case with my honourable friends opposite.

Then it has been said that if we are not going to include in the definition of 'grower' a grower who is, also a dealer then why not exclude those big landholders who do not cultivate their lands themselves ? My submission is that if a man possesses two acres of land and is also a dealer in a market it is but natural that his sympathies should be with dealers. Moreover,

if a dealer-grower is included in the definition of a grower every dealer will purchase a few *bighas* of land and become a grower. Now how can you expect such persons to fight for the rights of growers in the market committees? This shows that the objection raised by my friends is absolutely hollow and that it is necessary to exclude such persons from the definition of a grower.

Another honourable friend was responsible for a very ingenious remark. He said that the Government was free to accept or reject this amendment, but its attitude in this respect will be an index of its intentions and the acceptance or rejection of the amendment will be taken as the criterion of Government's sympathy with the small landholders. I have already stated that so far as the object of this Bill is concerned there is no clash of interests between large owners and small owners. It is, therefore, not correct to say that this amendment will serve as a touchstone of our sympathy for small landholders. One of the honourable members opposite went so far as to declare that although this amendment went against his own interests yet he will support it in the interest of the small landholders who are the backbone of our province. I welcome this expression of regard and sympathy for poor kisans. But I must submit that all the speeches on this Bill from the Opposition are a clear proof of the fact that all these professions of sympathy and regard do not indicate anything better than mere lip sympathy. I know that such offers on the part of my friends opposite are not due to any feelings of sympathy, but they have a special object in view. These offers are made to divide the zamindar community into two classes so that my friends may exploit the poor kisans. With these remarks I oppose the amendment under consideration. (*Voices: Question be now put.*)

Mr. Speaker : The question is—

That the question be now put.

The motion was carried.

(*Diwan Chaman Lall rose to reply but he was not allowed by Mr. Speaker to do so.*)

Diwan Chaman Lall : But the amendment is in my name.

Mr. Speaker : I asked the honourable member to move it, but he did not.

Diwan Chaman Lall : Perfectly true, but you will remember the circumstances under which that was done.

Mr. Speaker : The honourable member got up, said a few words and then resumed his seat.

Diwan Chaman Lall : I was in the midst of my speech. The amendment stands in my name. I uttered a few words in moving the amendment which may be considered as my opening speech.

Mr. Speaker : The honourable member refused to speak.

Diwan Chaman Lall : No, Mr. Speaker. I uttered two or three sentences, but even then I have the right of reply.

The Honourable Chaudhri Sir Chhotu Ram : It was moved by Lala Duni Chand.

Diwan Chaman Lall : Lala Duni Chand pursued the same amendment.

Mr. Speaker : I say subject to correction that the honourable member refused to make any speech.

Diwan Chaman Lall : When I was speaking on this amendment there was some particular matter raised whereupon after I had uttered a few words, Lala Duni Chand got up and wished to speak. The Speaker wanted me to continue my speech, but I gave way in favour of Lala Duni Chand. The amendment stands in the names of both of us. I am not clear whether I said 'I move the amendment.'

Mr. Speaker : The amendment moved by Lala Duni Chand was proposed from the Chair. I will just consult the record.

(At this stage Mr. Speaker asked the Deputy Secretary to consult the record of the proceedings.)

Diwan Chaman Lall : I do not know whether I actually moved the amendment. It makes our position rather difficult in view of the fact that it is impossible to offer any criticism unless one hears the Honourable Minister. As soon as I stood up the honourable member over there moved the closure: it was an attempt on the part of my honourable friend to gag this House.

Chaudhri Krishna Gopal Dutt : The honourable mover is not here: you can give a ruling that the mover should waive his right. You should therefore allow Diwan Chaman Lall to speak.

Mr. Speaker : The question is whether when one honourable member moves a motion, another honourable member can have the right of reply.

Diwan Chaman Lall : The second point is this that when originally I did make the motion by delivering an unfinished speech and gave way to my honourable friend, did I use the words 'I move the amendment'?

Mr. Speaker : The question is whether the motion was moved by Lala Duni Chand or by the honourable member?

Dr. Sir Gokul Chand Narang : If that be so then it means that neither Lala Duni Chand moved it nor Diwan Chaman Lall moved it, but that you moved it. It was Diwan Chaman Lall who initiated the debate.

Diwan Chaman Lall : I will be willing on this occasion, in view of the difficulties, to forego my right of reply; but may I through you request the Treasury Benches to adopt a better attitude as regards procedure in this House.

Mr. Speaker : I may take this opportunity to state an important and wholesome practice which is followed in the House of Commons. There the honourable members do not refer to each other by name. If any member wishes to speak of one of his colleagues, he must describe him in some illusive way, as by reference to his constituency which he represents and by a polite reference to his profession. A member is always called "the honourable member for.....". Lawyers are called "honourable and learned"; soldiers are called "honourable and gallant" and so on. The difficulty in our Assembly is that the names of constituencies are so lengthy that it is difficult for honourable members to remember and use them. But it is hoped that if they try to follow this wholesome practice they shall overcome the difficulty gradually.

Lala Duni Chand (Ambala and Simla, General, Rural) (Urdu) : Sir, I understand that the Government has objected to the amendment under discussion on the ground that if it is accepted all the widows, old persons as well as children will be automatically excluded from the definition of a grower. I submit that the acceptance of this amendment will mean nothing of the sort. It is obvious that my amendment does not deprive the dependents of the tiller of the soil of the status of a grower. If a certain person who cultivates his land himself has an old father, one or two minor brothers or there is a widow in the family surely all of them will be included in the definition of a grower. This objection, therefore, has absolutely no weight and no heed need be paid to it.

The second complaint of my honourable friends opposite is that this amendment seeks to create unnecessary distinction among the zamindars and thus divide them into two classes. We are often accused of trying to set one class of zamindars against the other. Well, Sir, if these allegations mean that we are trying to save the poor kisans from those who are exploiting these unsuspecting people under the garb of "Zamindara Government" then we plead guilty to the charge. We want to show to the kisans that the Government has no sympathy with them and is only exploiting them for the benefit of big landlords.

Pir Akbar Ali : Is that the amendment before the House ?

Lala Duni Chand : It is a misnomer to call it a Zamindara Government.

Mr. Speaker : May I request the honourable member not to make such remarks.

Lala Duni Chand : Before you declare anything to be inadmissible I would request you to be patient enough to hear what appears to be relevant.

Mr. Speaker : I have more than once stated that an able lawyer can make an irrelevant thing relevant, but I must make a distinction between direct and indirect or remote and immediate relevancy.

Lala Duni Chand : There is another way of meeting your objection. If you want that the poor kisans should get their full measure of representation in the committees and thus have a hand in the working of the proposed Act, you can just fix their share of seats in the committees. Take it from me, you may give petty zamindars eighty per cent, ninety per cent or even ninety-five per cent representation, we shall raise no objection. This will rather prove your magnanimity and the extent to which you are solicitous for the welfare of the petty zamindar. You should fix, once for all, the respective share of big zamindars, middle class zamindars, petty landholders, hereditary and other tenants in the personnel of the market committees. I am sure, if you do it, although I doubt that you will agree to it, big zamindars will practically get no representation in these committees. In short we want to test the sincerity of the honourable gentlemen occupying those benches at every stage of the discussion on this Bill. Government is on its trial in the matter of its sympathy with the poor and petty landholder. Let us see whether it emerges successfully out of its trial or not.

Mr. Speaker : Question is—

That in sub-clause (c), line 3, the words "through tenants or otherwise" be omitted.

The Assembly divided : Ayes 37 ; Noes 95.

AYES.

Baldev Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhagat Ram Sharma, Pandit.
Chaman Lall, Diwan.
Deshbandhu Gupta, Lala.
Dev Raj Sethi, Mr.
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.
Krishna Gopal Dutt, Chaudhri.
Lal Singh, Sardar.

Mazhar Ali Azhar, Maulvi.
Muhammad Hassan, Chaudhri.
Mukand Lal Puri, Rai Bahadur Mr.
Mula Singh, Sardar.
Muni Lal Kalia, Pandit.
Partab Singh, Sardar.
Prem Singh, Mahant.
Raghubir Kaur, Shrimati.
Rur Singh, Sardar.
Sahib Ram, Chaudhri.
Sampuran Singh, Sardar.
Santokh Singh, Sardar Sahib Sar-
dar.
Sant Ram Seth, Dr.
Satya Pal, Dr.
Shri Ram Sharma, Pandit.
Sita Ram, Lala.
Sohan Singh Josh, Sardar.
Sudarshan, Seth.

NOES.

Abdul Aziz, Mian.
Abdul Hamid Khan, Sa.
Abdul Haye, The Honourable Mian.
Abdul Rahim, Chaudhri (Gurdas-
pur).
Abdul Rahim, Chaudhri (Gurgaon).
Afzaalali Hasnie, Sayed.
Ahmad Yar Khan Daultana, Khan
Bahadur Mian.
Ahmad Yar Khan, Chaudhri.
Akbar Ali, Pir.
Allah Bakhsh Khan, Khan
Bahadur, Nawab Malik.
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
Chaudhri Sir.
Dasaundha Singh, Sardar.
Dina Nath, Captain.
aiz Muhammad Khan, Rai.
aiz Muhammad, Shaikh.
aqir Chand, Chaudhri.

Farman Ali Khan, Subedar Major
Raja.
Fateh Jang Singh, 2nd-Lieut. Bhai.
Fateh Khan, Khan Sahib Raja.
Fateh Muhammad, Mian.
Fateh Sher Khan, Malik.
Fazl Ali, Khan Bahadur Nawab
Chaudhri.
Fazal Karim Bakhsh, Mian.
Gauba, Mr. K. L.
Ghazanfar Ali Khan, Raja.
Ghulam Mohy-ud-Din, Maulvi.
Ghulam Qadir Khan, Khan Baha-
dur.
Ghulam Rasul, Chaudhri.
Girdhari Das, Mahant.
Gopal Das, Rai Bahadur, Lala.
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.
Indar Singh, Sardar.

Jafar Ali Khan, M.
 Jalal-ud-Din Amber, Chaudhri.
 Karamat Ali, Shaikh.
 Khizar Hayat Khan Tiwana, The
 Honourable Nawabzada Major.
 Kishan Das, Seth.
 Manohar Lal, The Honourable Mr.
 Muhammad Abdul Rahman Khan,
 Chaudhri.
 Muhammad Akram Khan, Khan
 Bahadur, Raja.
 Muhammad Amin, Khan Sahib
 Sheikh.
 Muhammad Hassan, Khan Bahadur
 Makhdum Sayed.
 Muhammad Hayat Khan Noon,
 Nawab Malik Sir.
 Muhammad Hussain, Chaudhri.
 Muhammad Jamal Khan Leghari,
 Nawab Sir.
 Muhammad Nawaz Khan, Major
 Sardar.
 Muhammad Nurullah, Mian.
 Muhammad Raza Shah Jeelani,
 Makhdumzada Haji Sayed.
 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.
 Muhammad Yusuf Khan, Khan.
 Mushtaq Ahmad Gurmani, Khan
 Bahadur Mian.

Muzaffar Ali Khan Qizilbash, Sar-
 dar.
 Muzaffar Khan, Khan Bahadur
 Captain Malik.
 Muzaffar Khan, Khan Bahadur
 Nawab.
 Nasir-ud-Din, Shah, Pir.
 Naunihal Singh Mann, Lieutenant
 Sardar.
 Nawazish Ali Shah, Sayed.
 Nur Ahmad Khan, Khan Sahib Mian.
 Pir Muhammad, Khan Sahib Chau-
 dhri.
 Prem Singh, Chaudhri.
 Pritam Singh, Siddhu, Sardar.
 Ranpat Singh, Chaudhri.
 Rashida Latif Baji, Begum.
 Riasat Ali, Khan Bahadur Chau-
 dhri.
 Ripudaman Singh, Thakur.
 Roberts, Sir William.
 Sahib Dad Khan, Khan Sahib Chau-
 dhri.
 Shahadat Khan, Khan Sahib Rai.
 Shah Nawaz, Mrs. J. A.
 Shah Nawaz Khan, Nawab Khan.
 Sham Lal, Rai Bahadur Chaudhri.
 Sikander Hyat-Khan, The Honour-
 able Major Sir.
 Sultan Mahmood 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 Bahadur
 Sardar.

ahant Girdhari Dass (South-East Multan Division, General,
 Rural) (*Urdu*): Sir, before I move my amendment, I beg leave to make a
 little change in its wording.

Mr. Speaker : I do not follow the honourable member.

Mahant Girdhari Dass : Sir, I have, by an oversight, not been able
 to include the feminine gender along with the masculine gender in the
 proposed amendment. I now seek your permission to rectify this mistake
 by adding the words "or her" in this amendment after the word, "his"
 occurring in it.

Mr. Speaker : Very well. The honourable member may make the
 necessary correction and move his amendment.

Mahant Girdhari Dass (Urdu): Sir, I beg to move—

“That in sub-clause (c), lines 3-4, between the words “otherwise” and “but” the words “or stores or sells the agricultural produce of his or her tenants on their behalf” be inserted.

Sir, my object in moving this amendment is quite simple. The tenants who cultivate the lands of their landlords, do not individually carry their cotton produce to the market but deposit it with the landlord and obtain a regular receipt for that. When prices are fairly high these lots are sold to the dealers. If you will accept this amendment, the zamindars who store or sell on behalf of their tenants will not be considered as dealers or brokers. This Amendment if accepted will not make any material difference in the definition of a grower as it exists in the Bill but on the other hand it will benefit the poor tenants.

Mr. Speaker: Clause under consideration, amendment moved—

That in sub-clause (c), lines 3-4, between the words ‘otherwise’ and ‘but’ the words ‘or stores or sells the agricultural produce of his or her tenants on their behalf’ be inserted.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram): I think that what my honourable friend, the mover of this amendment apprehends, is that a man who is actually a grower may not be taken as a grower for the simple reason that he stores or sells the agricultural produce of his tenants on their behalf. If that is the object which he has in view, I think this amendment will fit better in the proviso. It does not fit in well here. Therefore if he reserves this amendment for the proviso to clause 4, he will find me inclined to accept it. It does not fit in well here and is liable to misinterpretation; for, in the present clause the amendment may be taken to convey the meaning that a person who sells the produce of his tenants is a grower although he is also a dealer. I understand the honourable member to mean that a grower shall not cease to be a grower by the simple fact that he also stores or sells the produce of his tenants. That point can be achieved by moving this amendment to the proviso to clause 4.

Mahant Girdhari Dass: I accept the suggestion of the Honourable Minister and beg leave to withdraw my amendment.

The motion was by leave withdrawn.

Mr. Speaker: Amendments 3 to 6 overlap one another. Therefore they will be discussed together.

Sardar Sahib Sardar Santokh Singh (Eastern Towns, Sikh, Urban): I beg to move—

That in sub-clause (c), lines 4 to 8, the words ‘but... produce’ be deleted.

My object in bringing forward this amendment is to remove from the definition of grower the disqualification that the Bill intends to impose. As we all know, the functions of the market committees will be of a very complicated character. Therefore people well versed in business and who understand business should be the persons who must be given preference in these committees. Although the object of the Bill is to improve the lot of the grower, I submit that this clause will only make confusion worse confounded. The sponsor of the Bill should have welcomed the idea of

including in the committee people who besides being conversant with the work of growing had also entered some trade, say, as a broker or as a dealer. The presence of such people on the committees will be greatly useful because they will be conversant with both sides of the picture. The functions of the market committees have nothing to do with the growing of crops. What crops to grow, what not, and whether they should be of superior or inferior variety, all these matters are outside the scope of these committees. The committees will be mostly concerned in bringing about a higher price for food stuffs grown by the farmers. For this purpose it is all the more necessary to have on the committees people who are well versed in trade. If people with business experience and the growers co-operate on those committees, they would be in a better position to bring about the desired results. As it is, the committees will be over-crowded by growers who have absolutely no knowledge of even the ABC of business and marketing conditions. Therefore these committees will not succeed in achieving the object of this Bill. Government should have welcomed the presence of men with business experience on the committees, if they were in earnest to do something for the farmer. I have not been able to understand why a man who besides growing crops is doing some other trade, should be excluded from the term 'grower' for the purposes of this Bill. Experience should not be at a discount. A grower does not, so to say, become an outcaste merely because besides growing crops, he also takes to another profession.

The Minister for Development has given vent to his misgivings that if he widened the definition of a grower in the direction which the amendment seeks, the big traders and arhtiyas will manage to buy one or two acres of land in order to have advantage of the position of a grower. The Honourable Minister has conveniently forgotten that this class of people whom he wants to oust are not in a position, have not the authority, or legal sanctions to buy an inch of land. Then why these misgivings? How does he know that the mere fact that the grower who is also an Arhti will make him forget all his obligations as a grower? As I have said the poor trader cannot buy an inch of land. You need therefore have no misgivings at all? Your object as you say is to find for the farmer a higher price for his produce. If this is what you really aim at, you must direct all your efforts in securing the advice of all those who know something of the trade, have experience behind them and who alone can be of any use in bringing about the necessary improvements. My amendment is a very simple one and in moving it I am in the very happy company of my honourable friend, Sardar Bahadur Sardar Ujjal Singh who has given notice of an exactly similar amendment as mine. My honourable friend is both a grower and a merchant and I have no doubt, that it is as a result of his mature experience in both these lines that he has deemed fit to give notice of this amendment. I feel sure that with his vast experience as a grower and trader he should have been able to persuade his chief to accept the amendment which will further the real interests of the farmer and which alone the sponsor of the Bill should have at heart. With these words I move my amendment.

Mr. Speaker : Clause under consideration, amendment moved is—

That in sub-clause (c), lines 4—8, the words "but.....produce" be deleted.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural) : Sir, I strongly support the amendment moved by the honourable member from Amritsar. I really fail to see the object of the insertion of these words in this sub-clause. Does the mover of the Bill mean that a person who is a grower so far as the literal sense of the word is concerned or the sense in which the word 'grower' has been used in this clause, should not have the protection of this Bill simply because he happens to be a merchant? If the object of this Bill is to prevent the loot as it has been urged from time to time, does the honourable mover of this Bill mean that those growers might be looted who happen to be working in a market themselves? I hope he does not mean anything of the kind, because it would be a most invidious and unjustified distinction. Then probably the honourable mover of this Bill has overlooked one thing. I may be a landholder and I am getting my land cultivated by my tenants. I come within the definition of the word grower as has already been passed. But I happen also to be having some buildings in a mandi where I store agricultural produce. I do nothing else in the market. I simply store agricultural produce. Any Arhti when I bring my produce to the market is at liberty to loot me. Has it occurred to the honourable mover that this will be one of the inevitable results of the inclusion of these words? Then again I may belong to one district, let us say Mianwali. I have some land there and I am working in a market say in Panipat or Karnal or some other place. My produce goes to the Mianwali market. I may be looted there because I happen to be doing some business in a market in Karnal. I am deprived of the protection which this Bill would give to other growers. Probably what the sponsors of this Bill had in mind was that there might be some statutory non-agriculturists who might possess some lands and some non-agriculturists do possess lands which they do not till with their own hands and have those lands cultivated through tenants or servants and they themselves are working in the markets, therefore they should not have any benefit. I would ask them, is this fair, is this reasonable? Why should this distinction be made in favour of one class of people and why should another class of people be deprived of that protection? I hope I have made myself quite clear. I do not want to make a lengthy speech over it. But I hope the Honourable Minister would consider this point and give us some justification for the exclusion of a certain class of people.

Rai Bahadur Mr. Mukand Lal Puri (Rawalpindi Division, General, Rural) : Sir, as one who has given notice of a similar amendment, my submission before the House is that the House having defeated the previous amendment by which every person who grows agricultural produce either through tenants or otherwise has been termed a grower, there is no justification for excluding one kind of grower from the definition of the grower which is given in this Bill. If you include an absentee landlord in the definition of the grower there is no reason why you should not include within the definition of the grower persons who are engaged in dealing with agricultural produce either by way of storage or by way of sale or by dealings in another manner. The honourable member from Amritsar who has moved the amendment has rightly pointed out that the market committees would be depriving themselves of the experience of these people if such an important class is excluded. The only apprehension which the Government

and those who are sponsoring this exclusion seem to be labouring under is that it is possible that a person who may be really one of the 'dealers' in the agricultural produce may come into these market committees under the guise of 'a grower'. That is the only possible ground why this exclusion has been made. But that is amply safeguarded by the fact that the nomination of members

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on the select committees rests with the Government. The Government would not nominate under the head 'growers' a person who is entitled to come into the market committee of that market under the head of 'tiller'. If you create an exception like that, you are creating an invidious distinction. While on the one hand you are very careful to include in the definition of grower the capitalist landlord, who constitute the Government at present, you at the same time take jolly good care to exclude another important class of capitalist landlord which in the present case, permit me to suggest a communal consideration, would be a Hindu or a Sikh inasmuch as the trade of dealing in agricultural produce is carried on by these communities only. Therefore you exclude the Hindu and Sikh capitalist agriculturist while taking jolly good care to include the Muslim capitalist agriculturist. It has been rightly pointed out that this definition does not merely exclude the merchant who is working in a particular market from nomination to the market committee, but it excludes every grower who may be dealing in agricultural produce in any form and in any part of the Punjab or outside. This is hardly fair because some large growers, owners of large areas of land have got commission agents' shops at Karachi or Bombay. I know of such people who do not deal in agricultural produce in the district of Lyallpur or Sargodha, but they deal in the storage or sale of agricultural produce in Karachi or Bombay. These exceptions have a very nasty look and taste about them and my reasons for objecting to them is that these savour of a kind of class measure and if the Government are prepared to rid themselves of this accusation without leaving any substance of the power it is well worth doing. With that hope I suggest to the Government that they will accept this amendment. This amendment stood in the name of one of the Parliamentary Secretaries and I thought that this amendment had been very likely accepted by the Government because this is of such an innocuous and useful nature inasmuch as it saves the Government unnecessary stigma of being guilty of a class measure. I therefore request the Government to accept this amendment which stands in the name of one of the Parliamentary Secretaries although he happens to be a non-agriculturist parliamentary secretary. I do not know whether having given notice of this amendment he has changed his mind because he has not chosen to enlighten the House about his own opinion or he has been ordered to keep quiet by the orders of the majority or of the Honourable Minister for Development or those people who control his destiny. I commend this amendment to the House for acceptance.

Lala Sita Ram (Trade Union, Labour) (Urdu): Sir, I rise just to offer a few remarks in support of the amendment under discussion. It is said by the Government and its supporters that the object of this Bill is to safeguard the interests of the grower against the malpractices prevalent in the markets. May one ask, why, if the Government wants to safeguard the interests of growers, it seeks to deprive a certain class of growers of the

[L. Sita Ram.]

benefits and protection of this Bill? A grower, if he works as a dealer also, does not cease to be a grower. So long as he grows agricultural produce personally, through tenants or otherwise he is a grower under the definition, and, as has been pointed out by my honourable friend Sardar Santokh Singh, there is no justification for excluding a section of growers from the definition for no better reason than that these people work as brokers and dealers also.

Moreover, the grower who is also a broker or a dealer can prove much more useful on the market committee than an ordinary grower not conversant with the trade secrets of markets. He is not only a dealer but a grower also and as such knows all about the interests of both the dealer and the grower. Thus it will be seen that he is best suited to represent the growers on the committee. I would, therefore, submit that instead of excluding such growers from the definition of a grower and thus placing a ban on them in the matter of representing the growers on the committee we should allow the market committees to take advantage of their knowledge and experience. With these words I support the amendment.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram): Sir, I will not take very long in answering the criticism that has been levelled against the effect of the clause as it stands or in favour of the amendment that has been moved by Sardar Santokh Singh. Curiously enough one argument which was advanced by Sardar Santokh Singh was also supported by Rai Bahadur Mr. Mukand Lal who not very long ago was growing so eloquent in the defence of the rights of the small growers who cultivate land with their own hands. Sardar Santokh Singh made it quite clear that he wanted his amendment to be accepted for the reason that it will give an opportunity to men who possess knowledge and experience of marketing to come on to the committee, while if his amendment is not accepted the market committee will be loaded with people who are ignorant and who have no knowledge of market methods or market effects. Well, so far as Sardar Santokh Singh is concerned I can very well understand the argument advanced by him, but the argument came with ill-grace from Rai Bahadur Mr. Mukand Lal Puri....

Dr. Sir Gokul Chand Narang : No names, please.

Mr. Speaker : May I read one sentence from May's Parliamentary Practice :—

"In the House of Commons each member must be distinguished by the office he holds, by the place he represents or with designation as The Noble Lord the Secretary of State for Foreign Affairs, the Honourable or the Right Honourable the Member for York or the Honourable and Learned Member who has just sat down."

Minister : I will try to avoid names in future.

Mr. Speaker : I am not going to allow any member to call another by name, as this encourages personal remarks and personal condemnation and produces heat in the House.

Minister : I was submitting that I could very well understand the argument that was put forward by the honourable member who represents Amritsar in this House but that I failed to understand the same argument when it was advanced by the honourable member representing Rawalpindi

because only a few months before he was, by his argument, putting a sort of premium on ignorance and lack of experience. My answer to the argument used by the honourable member from Amritsar is that intelligent men can certainly be drawn even from the agricultural classes. He may rest assured that there is now a fair proportion of educated gentlemen even amongst agriculturists and so far as he is concerned he need not be anxious on their behalf. Another argument that was put forward by the honourable member from Amritsar was that it was most unjust that people who, on the one hand could purchase land should, on the other, be prevented from coming on to market committees on account of this disability. What he said was that they had no authority to purchase land. His argument is entirely wrong. There is no prohibition against even non-agriculturists purchasing land from non-agriculturists and I may inform him that as much as 17 per cent. of agricultural land in the province still belongs to non-agriculturists. (*Voices : What a shame!*) Then there is no prohibition in Colony areas. They can purchase land in Colony areas if he thinks that non-agriculturists will not sell their lands to other non-agriculturists, I may draw his attention to the fact that when it comes to a defence of the rights or interests of non-agriculturists, they are intelligent enough to combine together and devise means to safeguard those interests. I will give him a very striking instance of this from the Rohtak district. There is a custom in Rohtak district that non-proprietors have to pay certain village dues known as *Koodi* or *Hag Bua*. This cess can be realised only from non-proprietors. There were as many as forty non-proprietors in a particular village who were liable to pay this cess. One of them, who owned only two kacha bighas of land, made a gift of one biswa to each of the forty people and all those people escaped from the liability of paying the cess. Therefore, when it comes to a question of defending their rights and interests, non-agriculturists can find ways and means to defend themselves. He may rest assured that non-agriculturists who are dealers and brokers will not suffer in this direction. Another argument which I may put forward against the proposed amendment is that a broker or a dealer suffers no particular harm. What does he suffer? He has only to take out a licence, the object being that he may be subject to the restrictions which can be imposed only by giving a licence to a broker or a dealer. He has to make only a small payment. But if dealers were allowed to become growers simply because they also happen to grow some agricultural produce, the result would be a serious loophole in this Bill and the object of the Bill would be virtually defeated.

Dr. Sir Gokul Chand Narang : What about the grower himself?

Minister : With these few words I oppose the amendment.

Sardar Sahib Sardar Santokh Singh : The Honourable Minister for Development has not tried to meet my point that the market committees were being created to regulate trade and to advise on forms of agriculture. Traders should therefore be in majority on these committees. Growers and landlords are welcome. Let them come in in due proportion and by gradual stages. If you insist on bringing in all these people by one stroke of the pen, people who do not understand anything about business, you will be making the situation much more worse than it is now. The following quotation from page 45 of the Board of Economic Enquiry, Punjab, Publication No. 39,

[S. S. S. Santokh Singh.]

Market Practices in the Punjab, Enquiry conducted under the supervision of Mr. Calvert, C.S.I., C.I.E., will bear out my assertion :—

To make any genuine improvement in methods one must always bear in mind the character of those taking part in the transaction and not push any reform beyond the support it finds in the bulk of public opinion concerned.

Now, who are the people most concerned? They are artiyas and traders. According to the Honourable Minister for Development, these people were carrying on this trade for generations. You have in your wisdom ignored these people altogether. You want to play the second fiddle. It is yet to be seen how this Bill if enacted into law will work. It may in its working prove more harmful to the very classes whom you profess to protect. Trade and commerce are as much the mainstay of the province as agriculture. You should not dislocate the whole trade by proceeding with this discriminatory legislation at a break-neck speed. Proceed slowly and seek the advice of those who are in the best position to give it. Instead you want to shut their mouths. My honourable friend, Mr. Mukand Lal Puri put a very pertinent question to the Minister for Development asking whether he was prepared to give an undertaking that in the matter of representation of the growers and landlords on the market committees, the Government will fix it strictly *pro rata* according to their numbers, viz., growers 53 lakhs and landlords 3 lakhs. There has been absolutely no reply to this although the Honourable Minister for Development has replied to his other criticisms in detail. The Honourable Minister has simply jumped over this without saying a word, evidently because it is not the real interests of the growers which matter anything to the Government. In the name of the farmer they wish to lavish all favours on the big landlords who are the backbone of the present Government. You are shy, you are afraid and you do not want to annoy and make angry those big landlords who adorn the treasury benches. You are not looking after the real interests of the kisans. If you are, then come forward and make bold to say that you will give 80 to 85 per cent. representation to the growers on the market committees and only the remaining 10 to 15 per cent. to the landlords. The Honourable Minister has tried to answer every other criticism but on this important question he was absolutely mum. Perhaps silence was golden for him in this matter. He knew that he was not addressing this small audience alone, but through it the mass of humanity outside this House. That is why he did not say a word on that point. So, the Honourable Minister for Development said, 'these non-agriculturists are by far too clever.' A poor trader is to him a nightmare. He considers him too clever in the art of evasions and of finding loopholes. Traders are, however, not so clever as he thinks them to be. Otherwise the composition of this House would be very different from what we find it to be. Here agriculturists and non-agriculturists have not found representation in the proportion of their respective populations. The fact that non-agriculturists still own 17 per cent. of the land in the colony areas is perhaps an eye sore to the Government. I have no doubt that the present ministry if it continues in office another one or two years will not be slow to devise means to dislodge the non-agriculturists even from this.

What I said was that in the first place a trader will not buy land merely to come under the definition of a grower, and even if he wanted to, he will not be allowed to buy land because there are statutory restrictions. My point was that it was in the interest of the Government, in the interest of the farmer himself, if people who knew both sides of the picture were brought to serve on the market committee and not that such people were to be discouraged as if they were outcasts. My friend Sardar Bahadur Ujjal Singh, the Parliamentary Secretary sitting behind the Honourable Minister will not be a grower although he owns considerable land while the other friend sitting next to him will be one such. (*An honourable Member* : Please do not name anybody). The Honourable Minister is always afraid of loopholes that might be left for the non-agriculturists. What about loopholes on your own side? Loopholes may be here, there or everywhere. Why attach particular significance to one side alone? The Honourable Minister was pleased to remark that traders and others would buy land from the non-agriculturists, that is, from one another to come under the definition of growers, but these assertions are of such a wild nature that they hardly need a reply. With these few words I press my amendment.

Mr. Speaker : The question is—

That the following words stand part of sub-clause (c) of clause 2:—

‘but shall not include a grower who works as a dealer or a broker or is otherwise engaged in the business of disposal or storage of agricultural produce.’

The motion was carried.

Diwan Chaman Lal : Mr. Speaker, the amendment which stands in my name is to this effect—

That in sub-clause (c), line 5, between the words “broker” and “or,” the words “or who is a partner of a firm of dealers or brokers” be inserted.

and I formally move the amendment. If this amendment is accepted then sub-clause (c) will read as follows :—

“Grower” means a person who grows agricultural produce personally, through tenants or otherwise but shall not include a grower who works as a dealer or a broker or who is a partner of a firm of dealers or brokers, or is otherwise engaged in the business of disposal or storage of agricultural produce.

That is how this amendment will read by the insertion of these words. It is in pursuance (Dr. Sir Gokul Chand Narang : Why is it being moved ?) My honourable friend asks why it is being moved. It is in pursuance of the policy of the Congress party, namely, to confine the definition of the grower only to those people who are the actual tillers of the soil and to exclude those who are by any manner of means engaged in the business either directly or as partners of a firm of dealers or brokers. My honourable friend has made this as the pivot of his measure, namely their exclusion. He says this definition of the grower ‘shall not include a grower who works as a dealer or a broker or is otherwise engaged in the business of disposal or storage of agricultural produce.’ The dealer or broker may be working individually as a dealer or broker or may be acting in partnership with other people. This amendment seeks to exclude even the partners. The position we have put before the House is a very clear position. My honourable friend was very eager during the last year in preaching the doctrine of the poor zamindar. We have been in a position to expose the claims of my honourable friend, and we have stated that our plan and our policy happened to be to support the actual tiller of the soil and to exclude the broker or a partner or a dealer in

[Diwan Chaman Lall.]

the firm of dealers. Why do we do that? Mr. Speaker, you have only to look round this particular honourable House and see that there are, including your honourable self, 175 members of this Chamber. Many of these 175 members come from the rural constituencies. They come as the representatives of the actual tiller of the soil who is the major voter in this province. And yet, Mr. Speaker, you will agree with me that there is not one single actual representative of the tiller of the soil here in this Chamber. They have got the franchise, they have got the vote, yet you do not elect one single man on your benches who is the actual tiller of the soil. You represent the swollen ranks of the landed gentry of this province. That is the point that has been working in our minds, namely, the representation on these market committees. When you are giving representation to the grower, the actual man who is the tiller of the soil will not be in a position to get elected to these committees. The only people who will get elected will be those who adorn those benches behind my honourable friend over there, the big landed gentry of this province. They are the people who will get representation.

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

Diwan Chaman Lall : It is in order to prevent that class of brokers, who may become partners in a firm of brokers or partners in a firm of dealers, that I have moved this amendment. We want to exclude that class of people, so that any benefit that may arise out of this measure should go only to those who are the actual tillers of the soil.

Mr. Speaker : Clause under consideration, amendment moved is—

That in sub-clause (c), line 5, between the words "broker" and "or", the words "or who is partner of a firm of dealers or brokers" be inserted.

Sardar Kapoor Singh (Ludhiana East, Sikh, Rural) : Sir, I would like to hear first from the Honourable Minister for Development and then I would move my amendment.

Mr. Speaker : The honourable member may speak on the motion of Diwan Sahib and then discuss his own. After discussion if he wishes to have it put to the vote of the House, he will be allowed to move it without making a speech.

Sardar Kapoor Singh : I am astonished that the Honourable Minister for Development is so far silent as to this amendment. I was expecting that he would readily accept the amendment moved by my honourable friend, Diwan Chaman Lall. I was expecting on the one hand that some of my friends here, who had previously moved certain amendments, might oppose this amendment, but on the other hand I do not find any opposition to Diwan Chaman Lall's amendment. According to the definition of 'grower,' those growers, who work as dealers or brokers have been excluded from that definition. But the Congress Party want to go still further. The Congress Party and we all on this side want to exclude those persons who are partners in a firm or a company carrying on the business of a dealer or broker, so that in any case that representation which is fixed for the grower might not be undermined by another indirect method. I hope the Honourable Minister for Development would stand up and readily accept the amendment moved by my honourable friend, Diwan Chaman Lall.

Dr. Sir Gokul Chand Narang (West Lahore Division, General Rural): Sir, I will not disappoint my honourable friend, Sardar Kapoor Singh and I do oppose this amendment. The arguments which have been given are really, I should say, entirely out of place. If their amendments to the definition of grower had been accepted, this amendment would have been in order. But now it has no meaning. They have missed the bus and now they are trying to run after the bus but they are getting the dust which the bus has left rising in the air. That time has gone and this amendment has no force at all. It only imposes an unnecessary, unjustified and unfair restriction upon the people who may have absolutely nothing to do with the actual working of the market. But they may have some relations, they may have one anna share in some company or firm and they may be also big growers, who have to take produce to the markets. I do not say that my honourable friend over here did not realise the significance of this amendment, but I feel tempted to say that he did not fully realise the implications of this amendment, particularly, after the amendments to the definition of grower had been rejected; otherwise I am sure, he would not have moved it. If my opposition to this amendment helps Diwan Chaman Lal to have his amendment accepted, because I am opposing it, then I would be very happy in having helped him, because everything coming from me must be most unacceptable to the sponsors of the Bill and anything that I oppose might be accepted by them.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram): Sir, I am glad that I am not going to disappoint Dr. Sir Gokul Chand Narang. But the reasons are entirely different. I am accepting this amendment not because the honourable member from West Lahore Division has opposed it, but in pursuance of the decision of my Party which was arrived at 4 or 5 days ago.

Mr. Speaker: Which amendment does the Honourable Minister accept?

Minister: I accept the amendment moved by my honourable friend, who represents one of the labour constituencies, that is, amendment No. 7. I am very very glad to hear that this amendment has been moved in pursuance of the professed policy of the Congress. I had begun to entertain some apprehensions from the fact that there was another amendment of which notice was given by a member of the Congress which ran counter to this amendment.

Mr. Speaker: Please do not mention Congress.

Minister: I was submitting that there was another amendment of which notice was given by a member of the Congress Party, which has caused some doubts in my mind as to the attitude which that Party as a whole was going to adopt, because amendment No. 6 runs entirely counter to the whole spirit which underlies this amendment.

Mr. Speaker: That was not moved.

Minister: If that amendment was not moved, can I not make a reference to it?

Mr. Speaker: If an amendment is not moved, no reference should be made to it.

Minister : I accept amendment No. 7.

Diwan Chaman Lall (East Punjab, Non-Union Labour) : I want to make my position clear. My honourable friend has put me in a slight difficulty in regard to this matter. One does not usually expect on these benches that any proposition that is mooted by us would be acceptable to my friend over there and it really is an extraordinary day to-day—and perhaps I think it is cloudy outside and it may rain—because my friend has condescended so far as to accept an amendment moved from these benches. But what is this amendment? It is, as I have said already, connected with the policy that we have laid down, namely the policy to restrict this particular definition to a particular class. Therefore in restricting it to that class naturally the broker, naturally the man who is a dealer is excluded and I do not want any backstairs influence to be exercised by any person to get into the definition of grower through illegitimate means. That is the reason why I suggested that the definition of a broker and a dealer shall also be extended to those who are partners.

My friend said that there are one-anna share-holders who will also be very large growers. That is exactly it. We are up against those large growers coming in. We want to limit the grower to one who tills land with his own hand. (4 voice : Who is a little grower?) My friend asks who is little grower. If my friend had read the Agricultural Commission's report, he would have known that 76 per cent. of the tillers of the soil in the province are little growers up to an area of ten acres. Does he not know that? If he wants the figures, I will give them to him. He will realise that 22.5 per cent. are those who are in possession of one acre, 15 per cent. are those who own between one acre and $2\frac{1}{2}$ acres, and 20 per cent. of them own between five and ten acres. That is the reason why we are proposing this amendment. We want to exclude the big grower.

Chaudhri Tika Ram : On a point of order. How is the honourable member relevant in quoting these figures?

Mr. Speaker : I request the honourable member to speak to the motion.

Diwan Chaman Lall : What I wish to say is that we want to exclude the big grower who sits on these benches, of the type that Dr. Gokul Chand Narang mentioned.

Mr. Speaker : The question is—

That in sub-clause (c), line 5, between the words 'broker' and 'or', the words 'or who is a partner of a firm of dealers or brokers' be inserted.

The motion was carried.

Mr. Speaker : The question is—

That sub-clause (c) as amended stand part of the clause.

The motion was carried.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural): Sir, I beg to move—

That in sub-clause (d), line 3, for the word 'area' the word 'premises' be substituted.

That in sub-clause (d), line 3, for the word 'area' the word 'premises' be substituted.

My reason for moving this amendment is apparent from a perusal of the sub-clause :

'Market' means a building, block of buildings, enclosure or other which area may be so notified in accordance with the rules made under this Act.

So far as a building, or a block of buildings or enclosure is concerned, we can understand or we can at least visualise what a market would be like. It may be one building, it may be a collection of buildings, or there may be no building at all and it may only be an enclosure inside which marketing business might go on. (*Interruption*). I am sorry that I was interrupted. As I was saying we can understand and visualise a market when it is in a building or in a group of buildings or in an enclosure, but it is somewhat difficult to visualise a market in an area. It may be that in fair weather some business of buying and selling the produce might be going on in the open. That is also possible to visualise, but then the extent of it is not possible to visualise. It may be one acre, it may be ten acres, it may be one thousand acres, it may be a whole town, it may be a whole tahsil, and in this way a whole district, a whole division or a province in fact, because the word 'area' has not in any way been defined by any restrictive words. The natural conception of a market is that of some premises, that is a place which is limited, may be very wide but still it has some limits, it may have a wall, it may have a fencing, it may have an imaginary limit or imaginary boundaries, but still the conception of the market must be confined within certain reasonable limits. As the word stands here, there is really nothing of the sort and I think if we substitute the word 'premises' in place of the word 'area', the object would be served and the confusion would be removed. I should like to hear what the Honourable Minister will have to say on this point, and I may again have to say a few words.

Mr. Speaker : Clause under consideration, amendment moved—

That in sub-clause (d), line 3, for the word 'area' the word 'premises' be substituted.

Diwan Chaman Lall (East Punjab, Non-Union Labour): I want to draw the attention of the Minister for Development to the fact that this Bill and in particular this clause has been so badly drafted and it has been so hastily composed that he has not paid the slightest attention to the fact that the definition of a 'market' is absolutely unnecessary as far as this Bill is concerned. He seems to have had three conceptions in his mind, namely notified area, notified market area and market. As far as a notified market is concerned, none of the provisions of this Bill concerns the market. The only provision in this Bill which concerns itself with the notified market is the definition itself and nothing more. In clause 4 we find the expression 'notified market area' and in clause 7 we find the expression 'notified area', but nowhere do we find the provision for a "notified market" in this Bill. In the circumstances I do not see any necessity for having a definition of 'market' in a separate clause. (*Interruption*) But there is no provision in the Bill requiring a definition of 'a notified market'. Therefore I think that my honourable friend, the Minister, ought to take a little time to consider whether this definition is not an unnecessary addition.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram): In the first instance I shall meet the criticism made by a very very wide awake member of this House. He thinks that everybody else is asleep and he alone is wakeful and has his senses about him. He has not, however, taken the trouble to read clause 21 in which there is a reference to the word 'market'. This is one of the items on which market funds could be spent. Therefore his criticism is all besides the mark.

[Minister for Development.]

As regards the remarks of my honourable friend who represents Lahore and Sheikhpura, that the word 'area' should be replaced by the word 'premises', I do not agree with him. When he says that the word 'market area' is not defined anywhere, he is wrong, because the very next clause defines it as an area which has been notified.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) (*Urdu*) : The objection raised by my honourable friend Diwan Chaman Lall is that there was no need to define the word 'market' as there is no reference to a market as such in the whole Bill. The Bill defines a market as :—

"A building, block of buildings, enclosure or other area which may be so notified in accordance with the rules made under this Act."

This definition, as has been pointed out by my learned friend is absolutely unnecessary. The section concerned with notification is section 3 and in that section we find the word area and the word market is nowhere to be found in it. Then turning to section 4 which relates to the declaration of notified area we find that this notification does not refer to a market as such but is concerned only with the market area. The words used are not a 'market' but 'notified market area'. Now it is for the House to decide whether the word 'market' occurs independently in either of these two sections. The word to be found there is "area" and if a definition was necessary it ought to have been the definition of the word "area" and not of "market".

The Honourable Minister for Development has referred us to section 21 which according to him requires that the word 'market' should be properly defined. I admit that there is a reference in that section to money being spent on maintenance and improvement of the market, but there is no provision for notifying the market. The Honourable Minister should know that the objection raised by the "very very wide awake" member is very weighty and instead of feeling so upset he should thank the honourable member concerned.

Dr. Sir Gokul Chand Narang : I think the point raised by my honourable friend on my right is correct, because what is sought to be done by this Bill, if it becomes law, is given in the second paragraph of clause 4 which says—

From the date of issue of such notification or from such later date as may be specified therein no person unless exempted by rules framed under this Act shall, within the notified market area set up....

It does not say that any restriction is going to be imposed on any one working in a market, but in a notified market area.

Mr. Speaker : The matter seems to be of some importance. We shall, therefore, take it up when we meet again.

Dr. Sir Gokul Chand Narang : I do not want to be considered as having finished my speech.

ADJOURNMENT.

Premier : I move—

That the Assembly at its rising this day be adjourned till 2 p.m. on Monday, the 28th November 1938.

The motion was carried.

The Assembly then adjourned till 2 p. m. on Monday, 28th November, 1938.

PUNJAB LEGISLATIVE ASSEMBLY.

4TH SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Monday, 28th November, 1938.

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

REFERENCE TO LATE MAULANA SHAUKAT ALI.

Premier (The Honourable Major Sir Sikander Hyat-Khan): Sir, it is with the deepest regret that we heard the news of the untimely and sudden death of Maulana Shaukat Ali, a well-known personality both in the political sphere and in social sphere. Maulana Shaukat Ali's death has come as a great shock to his friends as well as to all well-wishers of the country because he was one of the pioneers of progressive movement in this country. I had the privilege of personal acquaintance and friendship with Maulana Shaukat Ali since 1902 when I was yet a student at Aligarh and I can testify to his qualities of head and heart which his other friends no doubt will bear me out stood him in great stead during several vicissitudes and in times when other people, lesser people, would have more or less given way before the opposing forces which he had to face. He was a great patriot and we all know that during the non-co-operation days he was one of the first to court arrest and then the famous Karachi trial is also fresh in the memories of all of us here. I believe I am voicing the feelings of all of us and of the Punjabis generally in recording our deep sense of sorrow and regret at the death of this great Indian and I wish to convey to the family of the bereaved and all concerned our deepest sympathy and regret at this great calamity which I call in a way a national calamity.

Diwan Chaman Lall (East Punjab, Non-Union Labour): Mr. Speaker, on behalf of the Congress party I desire to associate myself with the sentiments expressed by my honourable friend, the Premier with regard to this tragic occurrence, the death of Maulana Shaukat Ali. We in particular mourn his death as that of a late companion, as a late comrade in arms whose bravery and whose patriotism and whose spirit of self-sacrifice were almost unmatched at that particular period when he jumped into the arena of Indian politics. I remember myself during the non-co-operation movement in 1921 when I first joined the movement it was with Maulana Shaukat Ali that I came into the arena of the fight in Bombay. Those days are unforgettable in my memory. I desire to pay my tribute to the services rendered by this great soul, services which I would beg you to remember were not rendered in the cause of any one community but rendered in the cause of India as a whole both by him and his younger brother, the late Maulana Muhammad Ali. I therefore request you, Mr. Speaker, to convey to the late Maulana's family the deep feeling and tragic regret that we harbour in regard to the death of this great man.

Begum Rashida Latif Baji (Inner Lahore, Muhammadan Women, Urban) (*Urdu*): Sir, Maulana Shaukat Ali was a great personality. He spent the whole of his life like a brave and dauntless soldier. He was a great patriot. He always acted according to his conscience. While he was still a child, his father passed away. He was consequently left under the sole care of his mother. His mother was a woman of great merit and was well known to the world as Bi Aman. Under her care he was brought up and educated in a manner that was likely to produce a great man. He never bowed before anybody except God. Whenever he was sent to jail, his mother used to come forward and take part in political activities. Unlike other women she never felt grieved at the imprisonment of her sons but remained cheerful at the idea that her sons were striving hard for the cause of the country and the nation. Such great persons come after ages. With these words I, on behalf of the women of the Punjab, support the motion now before the House.

Mr. Speaker: I presume the whole House wishes that a message of deep condolence and sympathy be sent to the family of the late Maulana Shaukat Ali.

The Assembly agreed.

STARRED QUESTIONS AND ANSWERS.

RELEASE OF SARDAR TEJA SINGH SWATANTAR.

***3364. Sardar Hari Singh:** Will the Honourable Premier be pleased to state whether he has recently received a letter from the state prisoner Sardar Teja Singh 'Swatantar', M. L. A., urging his release; if so, substance of the communication, and action proposed to be taken by the Government in the matter?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana): The question probably refers to two letters addressed by the state prisoner to my Honourable colleague the Finance Minister on the 25th June last. The only request specifically made in these was that the prisoner should be transferred to a jail nearer his home in order that his relatives might be able to visit him more easily. This request has been made by the prisoner on a number of occasions but Government have not found themselves able to accede to it.

Sardar Hari Singh: May I ask the Honourable Premier whether it is not a fact that Sardar Teja Singh Swatantar had also addressed a letter to the Premier urging his release? May I take it that no letter was written to the Premier asking for the release of this prisoner or for a trial in a regular court?

Premier: I should like to have notice of that question. But if that letter was sent recently, I may say I have not received it.

Sardar Hari Singh: May I ask whether the question of the release of Sardar Teja Singh Swatantar has been considered recently?

Premier: It is considered periodically.

Sardar Hari Singh: May I ask the Honourable Premier when it was considered last?

Premier : I cannot give the exact date, but I believe it must have been about two months ago.

Sardar Hari Singh : May I enquire what obstacles now stand in the way of his release ?

Premier : I am afraid that is a question which I cannot answer on the floor of the House.

Sardar Hari Singh : May I take it that Sardar Teja Singh Swatantar is going to be detained for an unlimited period ?

Mr. Speaker : Disallowed.

Sardar Hari Singh : May I know whether any fresh obstacles or any fresh difficulties have arisen in the way of his release ?

Mr. Speaker : That question does not arise out of the answer.

Sardar Hari Singh : May I know whether the Honourable Premier is prepared to reconsider the transfer of this prisoner to Amritsar jail ?

Mr. Speaker : That is a request for action.

Lala Deshbandhu Gupta : Will the Honourable Premier please state whether the situation in the province is one of the factors which stands in the way of Government's releasing this gentleman?

Mr. Speaker : That is a general question, disallowed. It does not arise from the answer given.

Diwan Chaman Lall : May I enquire why the Honourable Premier considers it inadvisable that Sardar Teja Singh Swatantar should be transferred to another jail ?

Premier : Because I believe the place where he is is most suitable taking all factors into consideration.

Diwan Chaman Lall : May I ask him to let us know what he means by the place being more suitable ?

Mr. Speaker : That is a question for interpretation or explanation.

Diwan Chaman Lall : May I enquire why such obstacles are being placed in the way of this particular member of this House who is now a state prisoner as not being transferred nearer to his home ?

Mr. Speaker : It is not admitted that any obstacles have been placed. Therefore the question does not arise.

Diwan Chaman Lall : What are the obstacles in the way of his being transferred to a place nearer his home ?

Premier : I have already stated that I cannot answer that question on the floor of the House.

Lala Deshbandhu Gupta : Have Government considered the desirability of putting him on trial in an open court ?

Mr. Speaker : It does not arise.

Sardar Hari Singh : May I ask whether he has ever considered the question of his transfer to Lahore Central Jail ?

Premier : Not to the Lahore Central Jail particularly but I have considered the question of his transfer to another jail.

Sardar Hari Singh : In what respects does the Honourable Premier consider Lahore Central Jail a less suitable place for the detention of the state prisoner than the Campbellpur Jail?

Premier : From the health point of view, for instance, Lahore is a less healthy place than Campbellpur.

Lala Deshbandhu Gupta : Political health or physical health?

Premier : Both.

Sardar Sohan Singh Josh : Has Sardar Teja Singh ever applied for his transfer to some other jail?

Mr. Speaker : That has already been answered.

Sardar Hari Singh : Has Sardar Teja Singh any objection to his transfer to Lahore on grounds of health?

Mr. Speaker : That does not arise.

Sardar Hari Singh : May I ask whether it is not a fact that there are some other state prisoners detained in Lahore Central Jail?

Premier : Yes.

Sardar Hari Singh : What stands in the way of his being transferred to Lahore Central Jail?

Premier : My honourable friend must be aware that Sardar Teja Singh was not keeping good health sometime ago according to the question asked by himself and from that point of view also we consider Campbellpur is a more suitable place than Lahore.

APPEALS IN SEDITION CASES AND SENTENCES QUASHED BY HIGH COURT.

***3365. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) the number of appeals in seditious cases and sentences quashed by the High Court since April 1938;
- (b) whether Government has seen High Court judgments in those cases?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana): (a) Twelve persons filed appeals in the High Court in cases under section 124-A, Indian Penal Code, during the period in question. The High Court quashed the sentence in one case only.

(b) Yes.

REDUCTION IN SALARY OF TEACHERS EMPLOYED BY LAHORE MUNICIPAL COMMITTEE.

***3366. Sardar Hari Singh :** Will the Honourable Minister for Education be pleased to state—

- (a) whether the salaries of the teachers working under the Lahore Municipal Committee have been reduced under orders of the Administrator; if so, at what rate;

- (b) whether the Government has received a representation from the teachers concerned or on their behalf; if so, action taken in the matter?

The Honourable Mian Abdul Haye : In the course of reorganisation of municipal staff, the Administrator, Municipality Lahore, has proposed a modification of the scales of salaries of the Municipal teachers and these proposals are at the present moment under the consideration of the Education Department.

PUNJABIS KILLED OR WOUNDED IN THE RACIAL RIOTS AND DISTURBANCES IN BURMA.

***3390. Lala Duni Chand :** Will the Honourable Premier be pleased to state—

- (a) how many Punjabis have been killed or wounded in the recent racial disturbances and riots in Burma;
- (b) how many Punjabis have had their properties burnt or looted therein;
- (c) the approximate amount of loss caused by destruction or loot of the property in respect of (b) above;
- (d) whether the Government has made any representation to the Government of Burma through the Government of India in this behalf; if so, what?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana): I regret that the answer to this question is not ready.

Diwan Chaman Lall : How long does the honourable member expect to take to reply to this question?

Parliamentary Secretary : It will be ready in due course.

Diwan Chaman Lall : What does due course mean to the honourable member?

Premier : We have received the reply from the Government of India that they have addressed the Burma Government in this connection.

COMMUNAL RIOTS IN THE PUNJAB.

***3391. Lala Duni Chand :** Will the Honourable Premier be pleased to state—

- (a) the number of communal outbreaks or riots that occurred between 1st April, 1987 and 31st August, 1988, in the Punjab;
- (b) the number of persons killed and injured as a result of these riots;
- (c) the number of persons prosecuted and convicted in this connexion;
- (d) the approximate value of the property destroyed in consequence of such outbreaks or riots;

[L. Duni Chand.]

(e) the amount of compensation ; if any, paid to the persons injured or to the heirs of the persons killed in this respect ;

(f) the preventive or remedial measures taken by the Government against recurrence of such incidents ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : (a) It is not clear what the honourable member intends by the expression "communal outbreaks," but thirty-two major and minor communal riots occurred in the Punjab between 1st April, 1937 and 31st August, 1938.

(b), (c), (d) The collection of this information will involve time and labour which are not commensurate with the results.

(e) Nil.

(f) Government have issued detailed and comprehensive instructions to district officers on the necessity of preventive measures and prompt action for the suppression of disturbances.

Diwan Chaman Lall : Is the honourable member prepared to lay a copy of the instructions issued on the table of the House ?

Premier : I should like to discuss this question outside the House with my honourable friend if he comes to me.

Diwan Chaman Lall : May I know whether it is not necessary that the public should be informed of the number of people arrested in regard to these riots and the action taken and the number killed and injured in order that it should act as a deterrent ?

Premier : As a matter of fact where the major riots are concerned the facts were published both in this House and in the Press and I think it would not be conducive to creating a better atmosphere if we were to collect statistics with regard to these minor riots which may or may not be communal and yet according to the local officers are communal.

Sardar Hari Singh : May I know whether any action was taken against those who incited people to communal ill-will and disturbances ?

Premier : Unfortunately we cannot always get at them, but where we do get hold of them and we can prove the offence against them, my honourable friend may be assured that we will press for drastic sentences.

Sardar Hari Singh : Has any action been taken so far against those disturbers of the communal peace within the last 18 months who happen to be the supporters of the Unionist Ministry ?

Premier : I am afraid my honourable friend's question is most uncharitable and uncalled for.

Sardar Hari Singh : In what manner ?

Premier : Because no Unionist has ever incited communal riots.

AGITATION IN AMRITSAR DISTRICT IN CONNEXION WITH SETTLEMENT.

***3392. Lala Duni Chand :** Will the Honourable Premier be pleased to state—

- (a) the number of persons convicted for the offence of defying orders promulgated under section 144, Criminal Procedure Code, in Amritsar district in connexion with the agitation against the settlement going on in that district ;
- (b) the reasons or causes that led to the promulgation of the said orders ;
- (c) how many of the persons convicted are still in jail ;
- (d) the circumstances under which the agitation ceased and the orders under section 144 were withdrawn ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : (a) 140.

(b) The District Magistrate, Amritsar, received information that the members and workers of the Amritsar District Bandobast Committee and allied bodies were organising jathas and processions with the intention of marching into the Civil Station and District Courts of Amritsar to make demonstrations on or about the 20th July, 1988. Such demonstrations were calculated to cause obstruction and annoyance to the public and to persons inhabiting the locality and lawfully engaged in their avocations and as there was an apprehension of a disturbance of the public tranquillity or a riot or an affray, the order under section 144, Criminal Procedure Code, was promulgated.

(c) Only seven of the ringleaders are in jail.

(d) In view of the assurances made to the Premier on his visit to Amritsar by organisers of the demonstrations that public peace and tranquillity would be maintained, the orders under section 144, Criminal Procedure Code, were withdrawn by the District Magistrate, Amritsar.

REPRESENTATION BY ONE CHANDER AGAINST THE HIGH-HANDEDNESS OF THE SUB-INSPECTOR OF POLICE, SALHAWAS.

***3415. Pandit Shri Ram Sharma :** With reference to the answer to my starred question No. 8236¹ put on 8th July, 1988, will the Honourable Premier be pleased to state whether the Superintendent of Police went personally to the spot and took the statements of the complainant and his witnesses and the nature of other steps he took to satisfy that the complaint was false ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) The Superintendent of Police examined Chander at length at district headquarters when he came in with his complaint. He had no witnesses with him. The Superintendent of Police did not visit the spot, but he made private inquiries a few days later when on tour in the neighbourhood, which taken with his examination of the complainant convinced him that the latter's story was false.

Pandit Shri Ram Sharma : Is it a fact that Chander went to the Superintendent's office to complain against the conduct of inquiries held by the Inspector of Police, Rohtak ?

Mr. Speaker : How does it arise out of the question ?

Pandit Shri Ram Sharma : In reply to my question No. *3236¹, it was stated that the Superintendent of Police personally examined the complainant, made other inquiries, and came to the conclusion that Chander's complaint was false. And now I enquired as to whether the Superintendent held any enquiries on the spot and was really satisfied as is given out in the reply. To this, the Government has replied that he made private inquiries in the neighbourhood which taken with the examination of the complainant convinced him that latter's story was false. And now I want to know whether the complaint was made against the Inspector's investigation.

Mr. Speaker : The question so far as it relates to the person against whom the complaint was made or might have been made does not arise out of the answer.

Pandit Shri Ram Sharma : How was the Superintendent satisfied that the statement of the complainant was false ?

Mr. Speaker : The next question.

REFUSAL OF DEPUTY COMMISSIONER, ROHTAK, TO ENTERTAIN
APPLICATIONS FOR DEPARTMENTAL ACTION.

***3416. Pandit Shri Ram Sharma :** With reference to the answer to my starred question No. *8287 (a) will the Honourable Premier be pleased to state whether the Government by this time has examined the matter of the practice on the part of the Deputy Commissioner, Rohtak, in not entertaining any non-judicial complaint without stamp and personal attendance of the complainant ; if so, to what result ; if not ; how much time it will take to arrive at a conclusion in the matter ?

The Honourable Major Sir Sikander Hyat-Khan : Government have come to the conclusion that the course followed by the Deputy Commissioner is, in the particular type of cases with which he has had to deal, suitable.

Pandit Shri Ram Sharma : Is the Government aware of the fact that whenever any non-judicial complaint is made to the Deputy Commissioner, Rohtak, the latter returns it with the remark that the aggrieved person should appear in his court with an application duly stamped ?

Parliamentary Secretary : The complaints cannot normally be entertained through the third party but must be made direct or orally by the aggrieved person.

Pandit Shri Ram Sharma : Is it illegal to send such representations through any third party ?

Parliamentary Secretary : I have said 'normally'.

¹Vol. V, page 879.

²Vol. V, page 880.

Pandit Shri Ram Sharma : Is it contrary to the rules to send such representations by post ?

Diwan Chaman Lall : May I ask my honourable friend as to why it is necessary that a complaint should be on a stamped paper ? Suppose a person wishes to make a complaint personally, why should there be the necessity for him to place a written stamped document before the Deputy Commissioner ?

Premier : I am afraid I cannot add anything to the reply already given but on enquiry I have found that the practice was not uniform in all districts and in certain cases complaints, which were taken cognizance of, were put in without a stamped paper. I am considering the advisability of issuing instructions so as to secure uniformity in the matter throughout the province.

Pandit Shri Ram Sharma : What I want to ask is as to whether the Government considers it proper on the part of the Deputy Commissioner, Rohtak, to return all the non-judicial representations for departmental action to the complainant on the ground that these should be submitted personally and duly stamped.

Parliamentary Secretary : On account of the meddlesome activities of some political middlemen in the district.

Lala Deshbandhu Gupta : Will the Parliamentary Secretary please repeat his reply ?

Parliamentary Secretary : On account of the meddlesome activities of some middlemen in the district.

Diwan Chaman Lall : May I ask my honourable friend as to how he jumps to this conclusion that it is due to, what he did say, the " meddlesome activities of political middlemen " in the district ? Even when the complaint is not entertained how does my friend jump to the conclusion, as he states, that there are " meddlesome political middlemen " in that district ?

Premier : I am afraid my honourable friend did not make himself quite clear. He said that there are cases when political middlemen, by their meddlesome activities, do meddle and do put in applications or rather court applications and they shove them on to the deputy commissioners. I think the deputy commissioners should have the discretion to reject or accept certain applications. I have already told my honourable friend that I am considering the advisability of issuing instructions so as to secure uniformity in the matter. We might decide that all applications should bear judicial stamps or we might decide that no applications should bear judicial stamps and complaints might be made by the people concerned personally.

Pandit Shri Ram Sharma : Is it a fact that a certain representation was returned to the complainant simply because it was sent through me ?

Premier : The honourable member knows better than myself.

Pandit Shri Ram Sharma : May I know as to whether the representation was returned on the ground that I am a Congressite and an M. L. A. ?

Premier : So far as the Congress is concerned I can assure my honourable friend that no application is returned for the reason that it is submitted by a Congressman. As regards the honourable member himself, the deputy commissioner only is in a position to throw light on the matter.

Diwan Chaman Lall : May I ask my honourable friend whether the Government have come to the conclusion that it is desirable that deputy commissioners should, when a complaint is made by a member of the Assembly, entertain that complaint?

Premier : My honourable friend has raised a question which, I think, has very wide ramifications. The deputy commissioners have instructions that they should show every courtesy and consideration to the honourable members when they go with complaints or go to see them otherwise. This applies to local officers as well. But, at the same time, my honourable friend will agree with me that if one of us or any member of this House starts collecting applications and then shoves them on to the deputy commissioner—two or three hundred applications—the deputy commissioner should have discretion for rejecting or refusing any applications. That is a question which will have to be considered on merits in each case. I hope my honourable friend will not press further on this question and I can assure him that the deputy commissioners will show every consideration to the members of the Assembly when they go to see them.

Lala Deshbandhu Gupta : Are the Government prepared to make enquiries into the particular case mentioned by my honourable friend Pandit Shri Ram Sharma that certain applications were presented by him and he was treated in that manner? Are the Government prepared to hold an enquiry into that matter and if it is found that the deputy commissioner was at fault, will he take action against him?

Premier : So far as that particular district is concerned no application was received.

Sardar Sohan Singh Josh : Was it not announced by the Premier himself the other day, that a representation sent through any member of this august House would be favourably considered?

Premier : Surely it is the duty of the honourable members to convey the grievances of their constituents to me and I assure them that they will be properly considered.

Mr. Speaker : The next question.

TRAVELLING ALLOWANCE DRAWN BY THE PREMIER AND THE MINISTER
OF DEVELOPMENT.

***3417. Pandit Shri Ram Sharma :** Will the Honourable Premier be pleased to state—

- (a) the amount of travelling allowance realized by the Honourable Premier and the Honourable Minister of Development in their tour of the Ambala division in October last;
- (b) what public business they transacted during this tour particularly at Rohtak and Hissar;
- (c) the total amount of travelling allowance they realized from 22nd July to 9th November, 1938?

Parliamentary Secretary (Khan Bahadur Mian Mushtaq Ahmad Gurmani): (a) Rs. 810-12-0.

(b) The honourable member is referred to the reply given to part (a) of question No. *1580¹ put by Diwan Chaman Lall on 27th January, 1988.

(c) Rs. 4,877-9-0.

Pandit Shri Ram Sharma: May I ask the Government through you, Sir, whether taking out processions and presiding over and addressing any conference were a part of public business?

Parliamentary Secretary: Out of which part of the answer does this supplementary question arise?

Pandit Shri Ram Sharma: I refer to part (b) i.e., the public business which they transacted during their visit to Rohtak and Hissar.

Parliamentary Secretary: The answer has already been given by me.

Premier: And that should suffice.

Pandit Shri Ram Sharma: I ask whether the procession was a part of the public business transacted by them at Rohtak.

Premier: Undoubtedly.

Pandit Shri Ram Sharma: What I want to know is whether such functions are a part of public business.

Premier: A reply to the honourable member's supplementary question has already been given and a reference to it will undoubtedly solve his difficulty.

Pandit Shri Ram Sharma: I want to know as to which part of the answer relates to my question.

Lala Deshbandhu Gupta: With regard to the reply given to part (c) may I know the amount drawn by each minister separately?

Parliamentary Secretary: I cannot give him the information separately.

Diwan Chaman Lall: Is the proportion about five to one?

Premier: My honourable friend is much too extravagant.

Diwan Chaman Lall: Does the honourable member mean that his own allowances were much too extravagant?

Premier: My honourable friend is much too extravagant in his estimate.

Pandit Shri Ram Sharma: Were the procession and the conference a part of the public business?

Premier: This has been already replied to. If my honourable friend would pay attention to what has already been said in answer to this question, his difficulty will be solved.

Pandit Shri Ram Sharma: I wish to know it in clear terms whether the procession and the subsequent conference were a part of the public business.

Premier : Why does he ask that question ? He should peruse the answer already given ; then he will be satisfied.

Pandit Shri Ram Sharma : Why does he not say what has been said already ?

Premier : Government have to answer many questions. Surely they do not carry in their heads all the answers given to the questions put by honourable members.

SETTLEMENT OPERATIONS AND INTRODUCTION OF SLIDING SCALES OF REVENUE IN THE PUNJAB.

***3447. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the names of the districts where settlement operations took place during the last five years ;
- (b) the name or names of the districts where they are being carried on now ;
- (c) the names of the districts where sliding scale of land revenue assessment has already been introduced and also the names of the districts where it is intended to be introduced ;
- (d) the yearly amount of land revenue assessed in the district where the system of sliding scale has been introduced before and after the introduction of that system ;
- (e) the names of the districts where Government had decided not to increase land revenue for five years after introduction of sliding scale system ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) The Lower Bari Doab Colony (Okara and Montgomery tahsils of Montgomery district and Khanewal tahsil of Multan district) the Lyallpur district and Rakh Branch Colony Circle of Sheikhupura district.

(b) Lahore , Amritsar, Jhelum and Gurgaon ;

(c) The sliding scale system was applied in the settlements of the Lower Bari Doab Colony and the Lyallpur district and Rakh Branch Colony Circle of Sheikhupura, and it has been decided to apply it to the Lahore and Amritsar districts also.

(d) A statement giving the required information is laid on the table.

(e) The Lyallpur district and Rakh Branch colony Circle of Sheikhupura and the Amritsar district.

Mian Sultan Mahmud Hotiana : What is it which the Government keeps in view at the time of introducing the sliding scale system into a district ?

Parliamentary Secretary : We keep in view the interests of the zamindars (*hear, hear*).

Mian Sultan Mahmud Hotiana : Then why does not the Government introduce this system throughout the Punjab ?

Parliamentary Secretary : We are doing it steadily. We have introduced it in Amritsar and.....

Mian Sultan Mahmud Hotiana : Will the system be introduced in Montgomery where new settlement is to be taken up in the near future ?

Parliamentary Secretary : How can I say that off-hand ?

Sardar Sohan Singh Josh : May I know how much revenue was collected in Lyallpur in 1986-87 ?

Minister for Revenue : If the honourable member will give me notice, I will collect the figures for him.

Diwan Chaman Lall : Is it a fact that this sliding scale was introduced in 1984 ?

Minister : Yes.

Diwan Chaman Lall : Is it a fact that the figure for 1986-87 was higher than the figure before the sliding scale was introduced ?

Minister : No.

Diwan Chaman Lall : Is it a fact that the figures have been higher for any year after the new sliding scale was introduced ?

Minister : Sliding scale means reduction : it does not mean increase.

Diwan Chaman Lall : I am not discussing the argument whether it means reduction or increase. I want to know whether it is a fact that since 1984 when this sliding scale was introduced in Lyallpur there was any single year when the amount has been higher than before the introduction of the sliding scale.

Minister : No.

Lala Deshbandhu Gupta : Has the Honourable Minister in charge enquired into the matter or is he giving a mere inference ?

Minister : My honourable friend ought to know that I know my duty.

Lala Deshbandhu Gupta : I want to know as a matter of fact whether the Minister has gone into the figures.

Minister : I know my duty : I cannot give you any more reply.

Lala Deshbandhu Gupta : But you do not know the figures.

Minister : If the honourable member will give me notice I will give him the figures.

[Minister for Revenue.]

Comparison of the old and the new (sliding scale) demand of land revenue exclusive of malikana, cesses, etc., in areas under the sliding scale system of assessment.

1	2	3	4	5
Serial No.	Name of district or tract.	Old demand (expired Settlement).	Net demand imposed under the sliding scale after allowing remission.	REMARKS.
		Rs.	Rs.	
1	Lower Bari Doab Colony	19,49,663	18,91,255	The figure in column 3 relates to the year 1934-35 the first agricultural year of the new settlement.
2	Lyallpur district ..	69,68,532*	53,77,474	The figure in column 3 relates to the year 1937-38, the first during which the entire district was under sliding scale assessment.
3	Rakh Branch colony circle of Sheikhpura district.	6,87,972*	3,18,145	Figure for rabi and kharif 1937.

*Average assessable demand under the old settlement during 1928-29 to 1932-33.

(NOTE.—The figures in column 3 fluctuate with prices every harvest).

IMPRISONMENT OF L. CHINT RAM THAPAR OF LYALLPUR.

***3461. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Finance be pleased to state—

(a) the date of imprisonment of L. Chint Ram Thapar of Lyallpur in contempt of court case last year and the term of sentence of imprisonment ;

(b) whether he was required to do jail labour while in jail, and, if so when and for what period ;

(c) whether he earned any remission, and, if so, how much and when he was due to be released ;

(d) the date when he was actually released ?

The Honourable Mr. Manohar Lal : (a) L. Chint Ram Thapar was committed to jail on the 17th December, 1937, until such times as he chose to purge his offence. If he failed to do so he was to be released after six months.

(b) No.

(c) Prisoners undergoing simple imprisonment cannot earn ordinary remissions.

(d) He was released on the 16th June, 1938.

Sardar Sohan Singh Josh : Is it a fact that Lala Chint Ram Thapar asked the Superintendent to be given labour ?

Lala Deshbandhu Gupta : Does the Honourable Minister know that it is open to a simple imprisonment prisoner to elect to take labour ?

Minister : Yes, I know it.

Lala Deshbandhu Gupta : Did [this particular prisoner elect to take labour ?

Minister : I am not aware of this.

Lala Deshbandhu Gupta : Will the Honourable Minister please make enquiries and say if this particular prisoner did do labour : and if so what remission was earned by him ?

Minister : If the honourable member will give notice I shall make enquiries.

Sardar Sohan Singh Josh : Is it a fact that the order of granting him remission reached him only a day before he was due to be otherwise released ?

Minister : I am afraid in the first place I have not understood the question and, secondly, I am not aware whether this particular prisoner was doing any labour at all.

WAZIRABAD MUNICIPAL COMMITTEE.

***3462. Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Public Works be pleased to state—

- (a) the yearly income of the Wazirabad Municipal Committee for the last five years and if it has deteriorated, the reasons therefor ;
- (b) the yearly expenditure on, (i) Establishment, (ii) Education, (iii) Public Health sections of the said municipality for the last five years ;
- (c) whether salaries of the staff (conservancy) of the said municipality are in arrears ; if so, their total amount and for what period ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) and (b) A statement showing the income of the committee together with expenditure under the various heads during the last five years is laid on the table.

The committee ascribe the falling off in revenue to—

- (1) the opening of new markets outside municipal limits,
 - (2) the opening of private *addas*, and
 - (3) the decrease in rents on account of economic depression.
- (c) No.

[Minister for Public Works.]

Annual income of the committee for the last five years has been as follows :—

					Rs.
1933-34	..	..	..	..	96,842
1934-35	..	..	..	..	97,026
1935-36	..	..	..	..	88,042
1936-37	..	..	..	..	1,02,650
					This amount includes extraordinary income of Rs. 15,268 on account of sale of land.
1937-38	..	..	..	..	78,190

Yearly expenditure under various Major Heads has been as under.

Heads.	1933-34.	1934-35.	1935-36.	1936-37.	1937-38.
1	2	3	4	5	6
	Rs.	Rs.	Rs.	Rs.	Rs.
General Department ..	24,150	20,642	19,350	21,198	19,035
Education ..	38,381	40,173	32,095	35,695	28,540
Medical ..	11,604	10,171	9,668	15,517	10,310
Public Health ..	13,946	16,781	12,468	13,215	12,849
Water-supply ..	774	782	757	701	602
Municipal Works ..	13,920	5,345	1,285	1,323	1,455
Suspense account ..	4,014	9,606	2,452	10,019	6,456
Total ..	1,06,789	1,03,500	78,075	97,668	79,247

Expenditure on establishment under each head during these years has been as follows :—

Heads.	1933-34.	1934-35.	1935-36.	1936-37.	1937-38.
1	2	3	4	5	6
	Rs.	Rs.	Rs.	Rs.	Rs.
General ..	14,325	14,269	12,492	13,423	11,954
Education ..	29,466	34,471	25,334	28,463	21,577
Medical ..	6,554	7,074	7,181	7,580	7,363
Public Health ..	10,991	11,843	10,700	11,036	10,573
Water-supply ..	637	608	599	594	487
Veterinary ..	60	60	55	65	55
Municipal Works ..	1,858	1,875	1,053	804	702

REMISSION FOR ZAMINDARS OF VILLAGE TANGWAMI.

***3521. Sardar Tara Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether he is aware of the fact that the banks of *rajbah* named Tangwami distributary, which irrigates the village Tangwami, thana Nathana, district Ferozepore, were washed away eight times in the month of September last 1938, and in consequence the water did not reach the village Tangwami from 11th February, 1938, up to 27th February, 1938, and also the said *rajbah* did not flow in October ;
- (b) whether it is a fact that the zamindars of the above-named village sent representations to the Divisional and Sub-Divisional Officers, Bhankra division, and the Deputy Commissioner, Ferozepore, on 2nd October, 1938, regarding the damage done to their crops and prayed therein for remission in abiana ; if so, the action Government has taken or intends to take in the matter ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) No. The channel breached once only in September and remained closed for 2 days. It was again closed for 3 days in September and for 3 days in October on account of cuts having been made by zamindars in Phul Distributary from which this minor takes off. It was also closed in the last 4 days of October on account of rotational closure owing to the river supplies having fallen.

(b) Yes. Representations were received ; the damaged crops have been inspected and the necessary remission is being given.

REMODELLING OF RAJBH TANGWAMI, IN DISTRICT
FEROZEPORE.

***3522. Sardar Tara Singh :** Will the Honourable Minister of Revenue be pleased to state whether the Government is considering the question of remodelling the outlets of the *rajbah* Tangwami in the village Tangwami, sub-tahsil Nathana, district Ferozepore ; if so, with what object ?

The Honourable Dr. Sir Sundar Singh Majithia : Yes. Outlets are proposed to be remodelled because the tail of the channel is getting much less supply than authorised because of the upper outlets over-drawing.

DESTRUCTION OF NEHRI KHARIF CROPS DUE TO TELA AND PEST IN
FEROZEPORE DISTRICT.

***3523. Sardar Tara Singh :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that due to scarcity of rains the nehri kharif crops in the Ferozepore district are generally bad this year, especially in ilaqas Bagapurana, Muktsar and Nathana and that chari and gwara crops have been totally destroyed by tela and pest ;

[S. Tara Singh.]

(b) if the answer to (a) above be in the affirmative what steps the Government intends to take to give relief to the zamindars; if not reasons for the same?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) Yes. The crops have suffered to some extent.

(b) Enquiries are in progress and remission, if found due, will be given in accordance with the rules.

Pandit Muni Lal Kalia : Have representations been received from various villages in this tahsil with regard to the fact that their crops have been totally damaged?

Parliamentary Secretary : I have already stated that representations have been received and enquiries are being made.

Pandit Muni Lal Kalia : When is the result of that enquiry expected?

Mr. Speaker : Disallowed.

ELECTRIFICATION OF DERA BABA NANAK AND KALANAUR.

*3531. **Mian Badar Mohy-ud-Din Qadri** : (a) Will the Honourable Minister of Public Works be pleased to state whether the people of Dera Baba Nanak in Batala tahsil and Kalanaur of Gurdaspur tahsil have, on different occasions, submitted representations to the Government urging for the electrification of these towns; (b) if so, the action taken or proposed to be taken on those representations?

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

(b) Load surveys have been made and the results are being examined by the Chief Engineer, Punjab, Public Works Department, Electricity Branch. If the prospects warrant such action a project will be prepared by him and submitted to Government for sanction.

BATALA-FATEHGARH ROAD.

*3532. **Mian Badar Mohy-ud-Din Qadri** : Will the Honourable Minister of Public Works be pleased to state whether the Government has ever considered the question of taking over Batala-Fatehgarh road from the District Board, Gurdaspur; if not, whether the Government is prepared to consider this question now?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : About 4 miles of this road which are metalled have already been provincialized. Owing to limited funds there is no intention at this stage either of taking over or metalling the rest of the road as there are numerous other roads in the province which are of far greater importance.

GUJRAT-BHIMBER ROAD.

*3533. **Mian Badar Mohy-ud-Din Qadri** : Will the Honourable Minister of Public Works be pleased to state whether the Government has

so far taken over Gujrat-Bhimber road from the District Board, Gujrat; if not, whether it intends to do so now?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana: The road in question has not been provincialized nor is it the intention of Government to provincialise it in the immediate future as there are many other roads in the province that are in more urgent need of attention. It may, however, be mentioned that Government intends to provincialize the following three roads in the Gujrat district during 1939-40:—

- (1) Gujrat to Jalalpur Jattan.
- (2) Gujrat to Kunjah.
- (3) Miana-Gondal-Phullarwan.

This district is, therefore, being very generously treated in regard to the provincialization of roads.

NOTICE BOARDS AT PUBLIC WELLS.

***3579. Lala Deshbandhu Gupta:** Will the Honourable Minister of Public Works be pleased to state the number of Municipalities and District Boards which have put up at each public well notice boards at conspicuous places stating that it is open to all classes of people scheduled or non-scheduled?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana: As the honourable member no doubt knows, Government in April last requested Commissioners to suggest to all local bodies within their charge that they should post notices at all public wells to the effect that the wells are open to all classes of the public including the scheduled castes. I should like to be able to inform the honourable member to what extent the suggestion of April has been followed, but the matter is, of course, ultimately one for the decision of local bodies, and the labour in districts which would be involved by the proposed enquiry would be enormous. If there is any locality in regard to which the honourable member particularly wishes to receive information I could make enquiries in regard to it.

Lala Deshbandhu Gupta: Have the Government not considered it necessary to enquire as to whether the instructions sent by the Government are being observed or not?

Minister: We presume that they are being followed. But if you have any information to the contrary, we will look into those specific cases.

Lala Deshbandhu Gupta: Is that the way in which the Government is treating the scheduled class in this province?

Minister: Yes, we are doing all we can. We have issued instructions and we presume that they are being followed. If any particular case, where they are not being followed, is brought to the notice of the Government, enquiries will be made.

Lala Deshbandhu Gupta: Is the Honourable Minister aware that a majority of local bodies are not observing these instructions?

Minister: That is not my information.

Lala Deshbandhu Gupta : What is the information of the Honourable Minister ?

Minister : That they are being followed.

Lala Deshbandhu Gupta : Has the Honourable Minister made enquiries into the point ?

Minister : Can you suggest a case where they are not being followed ?

Lala Deshbandhu Gupta : Can the Honourable Minister state the number of the municipalities which are following the instructions according to his information ?

Minister : I presume all, except some defaulters which you may name.

Lala Deshbandhu Gupta : The Honourable Minister may take it that his presumption is wrong.

Minister : I think your assertion is wrong.

Lala Duni Chand : Is it not within the knowledge of the Government that several complaints have been made that the orders of the Government are not being carried out ?

Minister : None so far. I have asked for a particular case and even that has not been cited.

Pandit Shri Ram Sharma : Has the Honourable Minister seen any such notice put up on a well ?

Lala Deshbandhu Gupta : Is the Honourable Minister aware that the Rohtak district is in particular a defaulter in this respect ?

Minister : Not to my knowledge. But as you have mentioned it, I will make enquiries.

Lala Duni Chand : Is the Honourable Minister aware of a specific instance, namely, that members of scheduled castes of Naraingarh, Ambala district, made repeated representations regarding the orders not being carried out ?

Minister : No.

Mr. Speaker : The next question.

REMISSION OF SCHOOL FEES FOR DEPRESSED CLASSES.

*3580. **Lala Deshbandhu Gupta :** Will the Honourable Minister of Education be pleased to state the approximate amount of fee income derived during the last financial year from students of depressed classes reading in Government schools and colleges ?

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

Lala Deshbandhu Gupta : May I know if the Government is keeping no record of the progress made by depressed classes ?

Minister : The Government is carefully watching the progress and I may tell my honourable friend that we are incurring a loss of not less than

thousand on account of remission and reduction in fees granted to the students of depressed classes in schools.

Lala Deshbandhu Gupta : Does the Honourable Minister know that it is very necessary that all these statistics should be automatically collected by the Government ?

Minister : I request the honourable member not to press the matter any further. As I have said, census of the students belonging to depressed classes is now being taken.

ADULT EDUCATION.

***3581. Lala Deshbandhu Gupta :** Will the Honourable Minister of Education be pleased to state—

(a) whether any arrangements are being made in the Central Training College and the Normal Schools of the Punjab for teaching special methods to impart adult education in different Vernaculars of the province;

(b) if not, reasons for the same ?

The Honourable Mian Abdul Haye : There are no such arrangements at the Central Training College, but every effort is being made at the normal schools of the Punjab to impart literacy to adults.

Pandit Shri Ram Sharma : Has any progress been made with this ?

Minister : Yes, in various parts of the province, good progress has been made and the results are very encouraging.

Lala Deshbandhu Gupta : What particular steps have the Government taken to spread adult education in the province ?

Minister : My honourable friend is perhaps aware of the appeal that I made some months back to which there was very encouraging response; we have supplied books and literature and in one case we gave a grant-in-aid also.

Lala Deshbandhu Gupta : Is the Honourable Minister in a position to give us a rough estimate of the increase in the number of adults receiving education throughout the province made ever since the present Government took office ?

Minister : It is rather too early to expect an answer to this question.

Lala Deshbandhu Gupta : Can you say if there are one thousand persons receiving education in all now ?

Minister : I think there are more than a couple of thousand.

Lala Duni Chand : Is it true that this scheme has not gone beyond propaganda stage ?

Minister : The honourable member is speaking of other provinces now.

Lala Deshbandhu Gupta : Has the Honourable Minister thought it necessary to give education to 24,000 prisoners who are directly under the charge of the Government ?

Minister : Steps are being taken in that direction.

Lala Deshbandhu Gupta : What progress has been made in that direction ?

Minister : My honourable colleague, the Minister for Finance, will be able to tell this on a suitable occasion.

Lala Deshbandhu Gupta : Will the Honourable Minister for Finance please let us know whether any steps have been taken to give adult education to 24,000 prisoners directly put under his charge ?

Mr. Speaker : Can a question, which relates to one department, be answered by a Minister, not in charge of that Department ?

Diwan Chaman Lall : On a point of order. When a Minister is called upon to answer a question, it does not matter whether one Minister answers it or the other. It is for them to decide. We are not forcing any particular Minister to give an answer.

Lala Deshbandhu Gupta : May I know whether the Honourable Minister for Finance is in a position to answer my question whether any steps have been taken ever since the present Ministry took office, to impart adult education to the 24,000 prisoners in jails, who are under the direct charge of the Government ?

Mr. Speaker : Questions have to be put and answered by members and Ministers and not by Government.

Lala Deshbandhu Gupta : I think the Honourable Finance Minister is willing to answer my question.

Minister for Finance : I should like to give a precise answer. If the honourable member gives me notice, an answer will be available.

Pandit Muni Lal Kalra : On a point of order. May I know whether it is not open to a Minister to answer a question which relates to another Minister when there is joint responsibility of Ministers ?

Mr. Speaker : The honourable member is referred to Rules 19 and 20 (1). A question is put to a Minister on a matter of public concern within his special cognizance.

FAMINE IN HISSAR.

***3589. 2nd-Lieutenant Bhai Fatehjang Singh :** Will the Honourable Minister of Revenue be pleased to state—

(a) the number of cattle heads sold by the people of the Hissar district due to the famine ;

(b) the details of relief the Government has given and is proposing to give ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) It is regretted that the information is not available.

(b) The attention of the honourable member is invited to the press notes issued on the 29th September, 1938, 5th October, 1938, and 2nd November, 1938, a copy each of which is laid on the table¹.

Lala Deshbandhu Gupta : Have instructions been issued to collect and keep a record of the number of the cattle sold at very low prices ?

¹Kept in the Assembly Library.

Parliamentary Secretary : So far as I know no such instructions have been issued.

Lala Deshbandhu Gupta : What particular harm will arise if a record of such figures is kept?

Minister : It is very difficult to collect and keep a record of these figures.

**LIST OF PERSONS PROHIBITED FROM INTERVIEWING PRISONERS
IN JAILS.**

***3590. Sardar Sohan Singh Josh :** Will the Honourable Minister of Finance be pleased to state—

- (a) whether a list containing the names of the persons prohibited from interviewing prisoners in jail is kept in the Punjab jails ;
- (b) the reasons for keeping this list ;
- (c) the class of people from which persons are selected for inclusion in the list ;
- (d) the date when the practice of maintaining such list was started ;
- (e) the names of the Members of the Legislative Assembly, if any, included in the list ?

The Honourable Mr. Manohar Lal : (a) and (c). A reference is invited to the reply given to part (a) of question *377¹ put by the honourable member for the Kangra and Northern Hoshiarpur Sikh Rural Constituency on the 12th of July, 1937. A copy of this reply is laid on the table.

(b) While Government are anxious to allow prisoners reasonable facilities for seeing their relatives as well as their legal advisors, they cannot be expected to allow interviews which appear to be sought merely with the object of preserving contact between the prisoners and their associates in crime or subversive activity outside the jail.

(d) The present instructions were first issued substantially in their existing form in 1931.

(e) I regret that I cannot undertake to divulge the contents of such confidential instructions.

Lala Duni Chand : What are the considerations that are kept in view in putting names of persons on the list of disqualified persons ?

Minister : I have referred in reply to part (b) some of the circumstances that may stand in the way of a person being able to secure an interview with a prisoner.

Lala Duni Chand : Is it true that only those persons are put on the list of disqualified persons who are supposed to expose the mal-practices in the Jail administration ?

Minister : The assertion contained in the question about mal-practices in the jail administration is not admitted, and the question, therefore, is unmeaning.

Lala Deshbandhu Gupta : Has the Honourable Minister for Finance revised this list or is he only following the practice which was observed by the old Government ?

Minister : No. There is no question of following any old Government. As I said, the present instructions were first issued substantially in their existing form in 1981.

Lala Deshbandhu Gupta : I want to know whether the Honourable Minister has taken the trouble of going into the list of these disqualified persons and whether he has reduced the number or added to that number.

Minister : As I have said, there are general instructions to the Superintendents of Jails, who exercise their discretion.

Diwan Chaman Lall : Are there any members of the Legislative Assembly on that particular list ?

Minister : I am not sure.

Diwan Chaman Lall : May I ask if it is true that there are members of the Legislative Assembly on that list ? Is it not a fact that his description, namely that the Minister wants to prevent those people from getting into touch with the prisoners who are associates in crime with those particular persons apply to the members of the Legislative Assembly also ?

Minister : I cannot say exactly whether there are any members of the Legislative Assembly. It is possible that there may be, but I say that the general principle which prevents certain interviews is to disallow contact between the prisoners and their associates in crime or subversive activity outside the jail. That of course does not exhaust all the considerations which may stand in the way even of a member of the Legislative Assembly possibly being able to secure an interview with a prisoner.

Chaudhri Kartar Singh : Is it a fact that I submitted an application to the Honourable Finance Minister to obtain permission for interviewing the Babar Akali prisoners and the application was forwarded to the Inspector-General of Prisons, but permission was refused ?

Minister : If the honourable member gives notice, I shall find out whether that is so.

Chaudhri Kartar Singh : Is it a fact that the Superintendent of Jail, Multan, refused me permission to interview prisoners ? Was this refusal communicated to the Honourable Minister ?

Minister : I have nowhere stated that at the moment an honourable member asks for an interview he must get an interview. Did I say so ?

Lala Deshbandhu Gupta : Is the Honourable Minister aware of the great inconvenience caused to members of the public who wish to interview these prisoners, on account of the fact that they do not know that their names are on the list of disqualified members ? Does he realise the inconvenience caused ?

Minister : There is no such thing as a "list of disqualified members", in the first place. Secondly, I am not aware that any inconvenience has been caused to anyone on this ground.

Diwan Chaman Lall : Is he prepared to disclose the names of the members of the Legislative Assembly who are placed on that list ?

Minister : As I said there is no list in any formal sense.

Diwan Chaman Lall : Is he prepared to disclose the names in an informal sense ?

Minister : I have already stated that I regret that I cannot undertake to divulge the contents of such confidential instructions.

Diwan Chaman Lall : May I ask whether he has followed my question ? My question is not with regard to instructions. My question is whether he is prepared to divulge the names of the members of the Legislative Assembly who have been placed on this informal list.

Minister : I heard the question and I did not in any wise misunderstand it. The question was, the names of the members of the Legislative Assembly, if any, included in the list. That was part (e) of the question and to that I answered : I regret that I cannot undertake to divulge the contents of such confidential instructions.

Diwan Chaman Lall : Then my honourable friend is not prepared to divulge the names of the members, who according to his instructions, are debarred from visiting these prisoners.

Minister : That is exactly what I said.

Diwan Chaman Lall : Will he let the House know the grounds on which he refuses to divulge the names ?

An honourable member : Public interest !

Minister : The grounds are obvious enough.

Diwan Chaman Lall : Is he aware of the fact that it is necessary for a member of the Legislative Assembly to do his duty properly to his constituency and that one part of his duty is to get into touch with the political prisoners of his own district ? That being so, is not the Honourable Minister debaring such honourable members of this House from discharging their duty ?

Mr. Speaker : That is a subject fit for a resolution.

Sardar Sohan Singh Josh : Are the names of Master Kabul Singh, Baba Rur Singh and myself included in that list ?

Mr. Speaker : Disallowed.

Lala Duni Chand : Is the name of Dr. Satya Pal in that list ?

Mr. Speaker : Disallowed.

Chaudhri Kartar Singh : Is the Honourable Minister prepared to consider the desirability of issuing instructions to Superintendents of Jails that no restrictions should be placed on M.L.A.'s interviewing prisoners ?

Minister : Is not that rather a big request for action ?

SHORT NOTICES QUESTIONS AND ANSWERS.

KHARIF CROP AND RELIEF TO ZAMINDARS.

Sardar Sahib Sardar Gurbachan Singh : Will the Honourable Minister for Revenue be pleased to state whether the statement he made in this House the other day about the failure of kharif crop in Jullundur district, in which it was stated that

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[S. S. S. Gurbachan Singh.]

inquiries have been ordered to be made for ascertaining the damage done with a view to afford relief to the zamindars concerned, refers only to the tahsils of Nakodar and Phillaur, or to the whole of the district?

The Honourable Dr. Sir Sundar Singh Majithia : Enquiries will be made in all the four tahsils of the district.

RELIEF ON ACCOUNT OF FAILURE OF MONSOON.

Chaudhri Kartar Singh : Will the Honourable Minister for Revenue be pleased to state whether the Government is prepared to consider the desirability of affording relief to the people of the Hoshiarpur district in view of the failure of monsoon in that district?

The Honourable Dr. Sir Sundar Singh Majithia : I am afraid I cannot commit the Government to anything of that sort in an answer to this question.

UNSTARRED QUESTIONS AND ANSWERS.

AREA NOT CULTIVATED ON ACCOUNT OF DROUGHT IN JULLUNDUR DISTRICT.

523. Lala Bhagat Ram Choda : Will the Honourable Minister of Revenue be pleased to state whether Government is aware of the fact that owing to drought this year a large area of land is lying without cultivation in the Jullundur district; if so, the steps Government propose to take in the matter?

The Honourable Dr. Sir Sundar Singh Majithia : In *kharif* 1938 in certain tahsils a comparatively large area was uncultivated on account of drought.

The question of affording relief is under examination.

AFFORESTATION OF CERTAIN CHAKS IN TAHSIL KHANEWAL.

524. Munshi Hari Lal : Will the Honourable Minister for Revenue be pleased to state—

- (a) if it is a fact that the Government wants to convert chaks Nos 14, 15, 16, tahsil Khanewal, district Multan, into a forest plantation;
- (b) if it is a fact that the resident tenants of these chaks have prayed to the Government that these chaks should not be afforested and they should be granted occupancy rights in the lands;
- (c) if the answer to (b) is in the affirmative, the action the Government intends to take in the matter?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes, in fulfilment of a long established plan.

(b) Yes.

(c) None, as the tenants are not Government tenants, but sub-tenants of Government lessees and as such have no rights in the land or claims on Government.

525. *Cancelled.*

PANCHAYAT AND ASSISTANT PANCHAYAT OFFICERS.

526. Rai Bahadur Lala Gopal Das : Will the Honourable Minister of Public Works be pleased to state—

- (a) how many panchayats have been established in the Punjab ;
- (b) how many panchayat and assistant panchayat officers have been appointed and what will be the duties assigned to them ;
- (c) whether, besides their salary, they will be entitled to travelling allowance ; if so, at what rate ;
- (d) the total estimated expense involved in the appointment of panchayat and assistant panchayat officers ;
- (e) how many out of the panchayat and assistant panchayat officers are Hindus, Muhammadans and Sikhs, and how many out of these are Hindu, Muslim and Sikh non-agriculturists ;
- (f) whether in appointing agriculturists the old definition of agriculturist, viz., of agriculture being the main source of income and residence in rural areas, has been retained ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) 1,275 up to the 31st March, 1938.

(b) There are at present 21 sanctioned posts of panchayat officers but three are vacant ; no assistant panchayat officer has yet been appointed. Government propose however subject to the vote of the Assembly, to appoint a panchayat officer in every district in January next together with an assistant panchayat officer in every tahsil. The duties of the officers will be to supervise and encourage panchayats.

(c) It is proposed that panchayat officers should draw a fixed travelling allowance of Rs. 25 per mensem, and that assistant panchayat officers should draw Rs. 15 per mensem.

(d) The present panchayat staff cost Rs. 33,913 during the last financial year. The approximate cost of the total panchayat establishment after the new appointments have been made will be Rs. 1,42,000 per annum, with 1 provincial inspector and five divisional inspectors, whom it is also proposed to appoint from the 1st January the cost will be Rs. 1,76,000.

(e) No appointments have yet been made.

(f) Does not arise.

NUMBER OF GOVERNMENT SERVANTS BELONGING TO MEO TRIBE IN GURGAON DISTRICT.

527. Chaudhri Abdul Rahim : Will the Honourable Minister of Revenue be pleased to state—

- (a) the total number of Government servants belonging to the Meo tribe in the Gurgaon district particularly the number of

[Ch. Abdul Rahim.]

tahsildars and naib-tahsildars and the number of Meo candidates for these posts ;

- (b) the number of the Meos employed in the office of the Deputy Commissioner, Gurgaon, and in the office of the District Board, Gurgaon, respectively, and whether they are proportionately represented ; if not, why not ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Two. There is no tahsildar or naib-tahsildar from the Meo community nor is there a candidate for these posts.

(b) The number of Meos employed is :—

(i) in Deputy Commissioner's office, Gurgaon, 2 out of 101.

(ii) in the office of the District Board, Gurgaon—

Clerks	1 out of 31.
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Teachers	89 out of 800.
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They are not proportionately represented—mostly due to lack of education.

GRADES OF PAY OF TEACHERS EMPLOYED BY MUNICIPAL COMMITTEE, LAHORE.

528. Begum Rashida Latif Baji : Will the Honourable Minister of Education be pleased to state whether it is a fact that a reduction has recently been effected in the grades of pay of the teachers of the Municipal Board Schools maintained and managed by the Lahore Municipality ; if so, the reasons therefor and whether it is intended to restore this cut in the grades ?

The Honourable Mian Abdul Haye : The attention of the honourable member is invited to the reply already given to question No. *3866¹.

EXECUTIVE OFFICERS OF MUNICIPALITIES.

529. Rai Bahadur Lala Gopal Das : Will the Honourable Minister for Public Works be pleased to give the names of Executive Officers of Municipalities appointed by him since 1st April, 1937, and also the names of those replaced by the new nominees ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : At Gujranwala Mian Muhammad Said, P.C.S., and at Rawalpindi Shaikh Muhammad Yaqub, P.C.S., were appointed—these were first appointments after the Act had been extended to the municipalities in question and the committees had been unable to make their own appointments in accordance with it. In the five other municipalities in which appointments have been made during the period in question the names of the

gentlemen appointed together with the names of their predecessors are as follows:—

Serial No.	Name of Municipality.	Name of Executive Officer.	Name of the previous incumbent.
1	2	3	4
1	Khem Karan ..	M. Khadim Hussain, B.A., LL.B.	M. Abaid-ullah Khan, M.A. LL.B.
2	Bhiwani ..	Chaudhri Raghunath Singh, B.A., LL.B.	Chaudhri Prabhu Lal.
3	Gujrat ..	Shaikh Muhammad Akram Khan, B.A., LL.B.	Khan Sahib Chaudhri Ghulam Mohy-ud-Din.
4	Jalalpur Jattan ..	Chaudhri Muzaffar Khan ..	Dr. D. R. Mehta.
5	Ambala ..	Pandit Ram Rachpal Singh, M.A., LL.B.	Bakhshi Raghbir Dass.

COMMUNITY-WISE NUMBER OF GAZETTED OFFICERS AND NUMBER OF JATS AND RAJPUTS AMONG THEM.

530. Rai Bahadur Lala Gopal Das : Will the Honourable Premier be pleased to lay on the table of the House a statement showing community-wise the posts held by agriculturists amongst gazetted officers and also how many of these are Jats and Rajputs and how many belong to other tribes ?

The Honourable Major Sir Sikander Hyat-Khan : The information is not readily available, and its compilation would involve a disproportionate waste of time and labour. The honourable member will, however, be able to extract the information he requires from the History of Services of Gazetted Officers, a copy of which is available in the Assembly Library.

531—36. *Cancelled.*

SUBSCRIPTIONS FOR GAMES IN GOVERNMENT SCHOOLS IN AMBALA DIVISION.

537. Pandit Shri Ram Sharma : Will the Honourable Minister of Education be pleased to state the total sum of the subscriptions for games and plays realized from the students of Government schools in the Ambala division separately during 1937-38, giving the items under which the subscriptions are realized and also the expenditure incurred during the said period on the following heads out of the sums so subscribed by each school:—

- (i) buying material,
- (ii) tournaments,
- (iii) scouting uniforms, etc., and material,
- (iv) refreshments,
- (v) scout rallies,
- (vi) travelling allowance, etc., for scouts ?

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

COMMUNAL REPRESENTATION IN FEROZEPUR CIRCLE OF IRRIGATION
BRANCH.

538. Maulvi Mazhar Ali Azhar : Will the Honourable Minister of Revenue be pleased to state the number of officers and contractors community-wise, in the Ferozepur circle of the Irrigation Branch of the Public Works Department?

The Honourable Dr. Sir Sundar Singh Majithia : The number is as follows :—

	Muslims.	Hindus.	Sikhs.	Others.
1	2	3	4	5
Officers	4	9	1	..
Contractors	25	27	10	..

539-40. Cancelled.

COMMUNAL REPRESENTATION ON DISTRICT BOARD, AMRITSAR.

541. Khan Sahib Chaudhri Fazal Din : Will the Honourable Minister of Public Works be pleased to state whether any community is under-represented on the District Board, Amritsar; if so, the action proposed to be taken in the matter?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The local officers have been asked to re-arrange the circles so as to ensure that each community may obtain its due share of elected seats in future.

MAINTENANCE FOR THE SURVIVORS OF AKBAR KHAN, HEAD CONSTABLE,
DECEASED.

542. Khan Sahib Chaudhri Fazal Din : With reference to question No. 305¹ put by me at the last budget session, will the Honourable Premier be pleased to state the steps the Government has taken, so far, for the maintenance of the two widows and nine minor children of the late Akbar Khan, head constable, police, of police station Raiwind, who was killed by an absconder; if no steps have been taken so far, the reasons therefor?

The Honourable Major Sir Sikander-Hyat Khan : A cash payment of Rs. 500 has been made to the dependents of the deceased head constable. The question of granting an extraordinary pension to his family is under examination.

543-53. Cancelled.

RECRUITMENT OF CONSTABLES IN DERA GHAZI KHAN DISTRICT.

554. Khan Bahadur Sardar Muhammad Hasan Khan Gurchani :

Will the Honourable Premier be pleased to state—

- (a) the number of constables, with their educational qualifications, who were recruited during the last three years for the police in Dera Ghazi Khan district, giving separately the number of those who belong to the Dera Ghazi Khan district proper and those who come from other districts ;
- (b) whether it is a fact that the number of constables who were recruited during these three years and who belong to other districts is much larger than the number of those belonging to Dera Ghazi Khan district and if so, the reasons for ignoring the young men of this district and the action Government proposes to take in the matter ?

The Honourable Major Sir Sikander Hyat-Khan : (a).

	Recruits from the Dera Ghazi Khan district.	Recruits from other dis- tricts.
1	2	3
B. A.	1	1
F. A. .. .. .	..	..
Matriculates	3	7
Middle	11	13
Primary	3	4
Illiterate	3	18
Total	21	43

(b) Yes. The reason is that young men from the Biluch tribes—the tribes which are dominant in the district and from which it derives its special characteristics—are seldom ready to enlist in the lower ranks of the police ; and experience has shown that it is not possible to recruit a satisfactory force entirely from the other local elements.

COMPLAINTS UNDER SECTIONS 379 AND 215, I. P. C., IN DERA GHAZI KHAN DISTRICT.

555. Khan Bahadur Sardar Muhammad Hasan Khan Gurchani :

Will the Honourable Premier be pleased to state—

- (a) the number of complaints lodged under section 379 and 215, I. P. C., in the Dera Ghazi Khan district during the last three years ;

[K. B. S. Muhammad Hasan Khan Gurchani.]

- (b) the number of cases regularly challaned and how many of them resulted in conviction ;
- (c) the number of cattle stolen and the number recovered ;
- (d) the special measures adopted to prevent the acceptance of *bhunga* (gratification as explained in section 215, I. P. C.)?

The Honourable Major Sir Sikander Hyat-Khan : I regret that the answer to this question is not yet ready.

CASES CHALLANED UNDER SECTION 110, CRIMINAL PROCEDURE CODE, IN
DERA GHAZI KHAN DISTRICT.

556. Khan Bahadur Sardar Muhammad Hasan Khan Gurchani :
Will the Honourable Premier be pleased to state—

- (a) the number of cases challaned under section 110, Criminal Procedure Code, thanawise in Dera Ghazi Khan district, and the number of persons bound down as a result of these proceedings during the last three years ;
- (b) the number of the bad characters proceeded against under section 109, I. P. C. and convicted during the last three years ?

The Honourable Major Sir Sikander Hyat-Khan : I regret that the answer to this question is not yet ready.

ARREARS OF TAQAVI LOANS IN DERA GHAZI KHAN DISTRICT.

557. Khan Bahadur Sardar Muhammad Hasan Khan Gurchani :
Will the Honourable Minister of Revenue be pleased to state—

- (a) the total amount of arrears of *taqavi* loans at present in the Dera Ghazi Khan district ;
- (b) whether there is any intention on the part of the Government to announce any remission of those loans, if so, to what extent ?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Rs. 1,12,130 on the 1st November, 1938, excluding interest.

- (b) The question of grant of remissions is under consideration.

CONSTRUCTION OF A PACCA ROAD FROM DERA GHAZI KHAN *via*
KOT MITHAN TO ROJHAN.

558. Khan Bahadur Sardar Muhammad Hasan Khan Gurchani :
Will the Honourable Minister of Public Works be pleased to state the action Government has taken so far to construct a *pacca* road between Dera Ghazi Khan and Rojhan *via* Kot Mithan ; if not, the reasons therefor.

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The road from Dera Ghazi Khan to Rojhan *via* Kot Mithan is 110 miles long. The metalling of this entire length would have involved very considerable expenditure. In view of the facts that traffic on this road is light, funds at the disposal of Government being very limited and

the need for metalling roads in other parts of the Province being far more urgent, the metalling of this road beyond Kot Chutta was never undertaken.

In regard to the section Dera Ghazi Khan to Kot Chutta, a matter of 18 miles, metalling was done many years ago solely because the soil in this stretch of road was very much worse than in any other part of road. However Government's intention is eventually to metal this road at some future date when funds are available and there is greater economic justification than at present for taking such a step.

ACCEPTED CANDIDATES FOR THE POST OF EXTRA ASSISTANT COMMISSIONERS.

559. Rai Bahadur Lala Gopal Das : Will the Honourable Premier be pleased to state how many Hindus, Muslims and Sikhs were accepted as candidates on registers A, B and C for the post of Extra Assistant Commissioners in the year 1938 ?

The Honourable Major Sir Sikander Hyat -Khan : 12 candidates were accepted for the Punjab Civil Service (Executive Branch) in 1938. Out of these 7 were Muslims, 2 Hindus, 2 Sikhs and one Anglo-Indian.

560.—Cancelled.

COMPLAINT LODGED BY LALA CHINT RAM THAPPAR OF LYALLPUR.

561. Munshi Hari Lal : Will the Honourable Minister of Public Works be pleased to state —

(a) whether it is a fact that a complaint was lodged by L. Chint Ram Thappar of Lyallpur to the Deputy Commissioner, Lyallpur, in October, 1938, against a member of the Municipal Committee, Lyallpur, regarding the latter's using the bullocks and labour of the Committee for the purpose of ploughing the lands of his bungalow ;

(b) if the answer to (a) above be in the affirmative, whether any inquiry was made, and if so, with what result ?

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

(b) The complaint is being enquired into by the Deputy Commissioner.

EXORBITANT RATES OF FARES CHARGED BY LOBBY DRIVERS ON ROADS IN SIALKOT DISTRICT.

562. Shaikh Karamat Ali : Will the Honourable Minister of Public Works be pleased to state whether it has come to the notice of the Government that exorbitant rates of fares are being charged by the owners and drivers of public motor vehicles plying for hire on the roads in the Sialkot district to the great inconvenience of the public ; if so, the action intended to be taken in the matter ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : No. The rates at present charged are given in the annexed statement. They do not appear to be exorbitant. If large profits were being earned it is probable that there would be an influx of vehicles into the district from other parts of the province, and the fact that there has been no tendency of that kind is strong confirmatory evidence that the rates are not unduly high.

Fares charged on the main bus routes in the Sialkot District.

Route.	Distance.	Fare per passenger.
1	2	3
	Miles.	Rs. A. P.
Sialkot to Gujranwala	37	0 7 0
Sialkot to Daska	23	0 5 0
Sialkot to Sambrial	12	0 3 0
Sialkot to Wazirabad	28	0 5 0
Sialkot to Pasrur	19	0 4 0
Sialkot to Narowal	38	0 8 0
Sialkot to Zaffarwal	27	0 9 0
Narowal to Zaffarwal	Two alternative routes.	0 8 0
Narowal to Pasrur	17	0 4 0
Jamru to Sialkot	26	0 6 0

CHALLANS FOR OVERLOADING ON NAROWAL-ZAFARWAL AND ZAFARWAL-SIALKOT ROADS.

563. Shaikh Karamat Ali : With reference to the answer to starred question No. 3986¹ put on 17th December, 1984, will the Honourable Minister of Revenue be pleased to state the number and nature of challans made by the head-constables and the constables deputed to check lorry traffic on the Narowal-Zafarwal and Zafarwal-Sialkot roads during the past three years with the names of the drivers challaned for overloading?

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

OVERLOADING OF MOTOR LORRIES ON KACHA ROADS BETWEEN NAROWAL AND ZAFARWAL AND ZAFARWAL AND SIALKOT.

564. Shaikh Karamat Ali : With reference to the answer to starred question No. 3993,² asked on 16th November, 1984, will the Honourable

¹Punjab Debates, Vol. XXV, page 1222.

²Punjab Debates Vol. XXV, page 986.

Minister for Revenue be pleased to state whether it is a fact that the overloading of motor lorries plying for hire on the kacha roads between Narowal and Zafarwal and Zafarwal and Sialkot is still prevalent and no action has been taken by the police against the drivers concerned at least during the last three years; if the answer to this be in the negative, will the Honourable Minister please state the names of the drivers who have been challaned for this offence during the last three years?

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

GRANT OF LICENCE FOR *Chehlam* TO SHIAS OF TALWANDI
BHINDRAN.

565. Shaikh Karamat Ali : With reference to the answer to part (d) of question No. *3252¹ asked on 8th July last, will the Honourable Premier be pleased to state the action ascertained to have been taken on the representation stated to have been sent to the Deputy Inspector-General of Police, Central Range, for disposal?

The Honourable Major Sir Sikander Hyat-Khan : It was decided not to interfere with the decisions of the district officers.

ROAD OUTSIDE CITY OF NAROWAL.

566. Shaikh Karamat Ali : With reference to the answer to question No. *3179¹ asked on 29th March, 1934, will the Honourable Minister of Public Works be pleased to state whether funds are now available to construct a road outside the city of Narowal; if not, what action does the Government propose to take to save the public from the constant danger?

The Honourable Nawabzada [Major Malik Khizar Hayat Khan Tiwana : I regret that the reply to this question is not yet ready.

SEATING ACCOMMODATION FOR LITIGANT PUBLIC.

567. Shaikh Karamat Ali : Will the Honourable Finance Minister be pleased to state whether any seating accommodation is provided for the litigant public in any of the law courts of the province; if the answer is in the negative what action do Government propose to take to remove the inconvenience felt by the public in this respect?

The Honourable Mr. Manohar Lal : Benches for the use of the litigant public are already provided in most of the law courts of the province.

¹Vol. V, page 885.

²Punjab Debates, Vol. XXIV, page 1035.

SEATING ACCOMMODATION IN PUBLIC MOTOR VEHICLES.

568. Shaikh Karamat Ali : Will the Honourable Minister of Public Works be pleased to state whether it has ever come to the notice of the Government that public motor vehicles have been passed generally for more passengers than there is actual seating accommodation in them to the great inconvenience of the public travelling in such vehicles ; if so, the action that Government proposes to take to redress this grievance of the public ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The existing Punjab rule requires that each passenger shall be allowed a seat 14 inches wide and 14 inches deep, and except in the case of a few vehicles licensed prior to the 1st June, 1938, it has been strictly followed in fixing the permissible number of passengers. It is recognised that 14" by 14" is a niggardly allowance for a full grown man, but it has been thought better to leave matters as they are at any rate until the whole body of the rules is revised, as it will have to be as soon as the new Motor Vehicles Bill comes into operation.

DILAPIDATED CONDITION OF ROADS BETWEEN NAROWAL AND ZAFARWAL, NAROWAL AND SIALKOT.

569. Shaikh Karamat Ali : Will the Honourable Minister of Public Works be pleased to state whether it is a fact that the roads between Narowal and Zafarwal, Narowal and Sialkot, Sialkot and Shakargarh, are in a most dilapidated condition ; if so, whether the Government has ever considered the question of taking over these roads from the district boards concerned and placing them under the direct control of the Public Works Department ; if not, why not, and whether it is intended to improve the condition of these roads in any other way ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : 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 unserviceable for short periods.

The road from Narowal to Sialkot is already under the control of the Public Works Department. The provincialisation of the other two roads is not necessary at present as the District Boards concerned have been relieved to such an extent that they can now maintain their roads in far superior condition than before.

SHOOTING LICENCE.

570. Shaikh Karamat Ali : Will the Honourable Minister for Development be pleased to state whether it is a fact that it has recently been made compulsory for a licensee for arms granted for sport and protection to take a shooting licence before he can be permitted to shoot even such birds and animals as are not protected under the Wild Birds and Wild Animals Protection Act, if so, the reasons therefor ?

The Honourable Chaudhri Sir Chhotu Ram : The granting of licences for sport is discretionary with the District Magistrate and this discretion is exercised only in favour of those who are in possession of shooting licences under the Wild Birds and Wild Animals Protection Act.

REPRESENTATION OF MUSLIMS OF AMBALA DIVISION IN VARIOUS GOVERNMENT SERVICES.

571. Chaudhri Muhammad Yasin Khan : Will the Honourable Premier be pleased to state whether the Muslims of the Ambala division are adequately represented in services in the various departments of the Government, ; if not, what measures has he adopted to give the Muslims of this division their due share in these services ?

The Honourable Major Sir Sikander Hyat-Khan : The attention of the honourable member is invited to the answer given to part (ii) of starred question No. 43¹ put by Mian Sultan Mahmood Hotiana on 21st June, 1937, and parts (a) and (b) of unstarred question No. 430² put by Lala Deshbandhu Gupta on 29th June, 1938.

ACQUITTALS IN MURDER CASES IN MONTGOMERY DISTRICT.

572. Sardar Ajit Singh : Will the Honourable Minister of Finance be pleased to state—

(a) whether it is a fact that the following murderers were challaned by the police this year in the Montgomery district :—

- (1) Khushal Singh and his brother murder case at Mianshan, police station Nurshah ;
- (2) Chahat Meharshah murder case in which seven murderers were challaned and acquitted by the High Court ;
- (3) Chak Bhojonana murder case in which too seven murderers were challaned and acquitted ;
- (4) Zaildar Kishan Singh of 77/5R murder case in which four murderers were challaned and acquitted by the High Court ;
- (5) Chak No. 26 Valtoha near Pakpattan murder case in which seven murderers were challaned and acquitted by the High Court ;

(b) if the answer to (a) above be in the affirmative, does Government propose to enquire into the matter and lay on the table of the House the reasons for so many acquittals ?

The Honourable Mr. Manohar Lal : I regret that the answer to this question is not yet ready.

573—75.—*Vide debates of 1st December, 1938.*

EXTERMENT OF COMRADE IQBAL SINGH.

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

(a) whether Comrade Iqbal Singh has been recently extermed from the Punjab ;

¹Vol. I, page 343.

²Vol. V, page 423.

[Master Kabul Singh.]

(b) whether he has asked for any allowance for his maintenance and also requested that he may be allowed to return to the Punjab ;

(c) if the answer to the foregoing parts be in the affirmative, the action the Government propose to take in the matter ?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes.

(b) Yes.

(c) Government rejected the application as the claims were based on inadequate grounds and were untenable.

**FILTHY WATER DRAIN PASSING ALONG THE MUNICIPAL INFECTIOUS
DISEASES HOSPITAL.**

577. Begum Rashida Latif Baji : Will the Honourable Minister for Education be pleased to state—

(a) whether it is a fact that a big filthy water drain passes along the slaughter-house situated behind Data Ganj Bux and that the Municipal Infectious Diseases Hospital is also situated close to it ;

(b) whether it was proposed by the Public Health Department to shift the aforesaid slaughter-house to some other healthier locality ; if so, the reasons why that proposal has not been carried into effect so far ?]

The Honourable Mian Abdul Haye : (a) Yes. The objection will be removed when the new Lahore drainage scheme is more advanced.

(b) Yes. The matter is under consideration.

**SUPPLEMENTARY STATEMENT OF EXPENDITURE AUTHEN-
TICATED BY GOVERNOR.**

Minister for Finance : As required by section 81 of the Government of India Act, 1935, I lay on the table the supplementary statement of expenditure (Second Instalment) for the year 1938-39 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 1938-39, which specifies:—

(a) the supplementary grants (second instalment) made by the Punjab Legislative Assembly in its Session held in November, 1938, and

(b) the sums required to meet the expenditure charged on the revenues of the Province.

STATEMENT OF EXPENDITURE.

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SUPPLEMENTARY STATEMENT.

Grant No.	Major head of account.	Supplement- ary grants made by the Punjab Legis- lative As- sembly.	Sum required to meet ex- penditure charged on the revenues of the pro- vince.	Total.
1	2	3	4	5
		Rs.	Rs.	Rs.
10	25—General Administration ..	1,22,000	..	1,22,000
18	39—Public Health	3,25,000	..	3,25,000
20	41—Veterinary	1,00,000	..	1,00,000
22	43—Industries	40,000	..	40,000
23	72—Capital Outlay on Industrial Development not charged to re- venue.	620	..	620
25	Charges on Public Works Depart- ment, Buildings and Roads estab- lishment.	12,480	..	12,480
27	Charges on Public Works Depart- ment, Hydro-Electric establish- ment, XI—Working expenses and 79—Capital expenditure.	31,484	..	31,484
28	50-A—Capital Outlay on Civil Works met out of the Extraordinary Re- ceipts.	86,800	..	86,800
30	54—Famine	18,27,900	..	18,27,900
34	57—Miscellaneous	4,12,590	..	4,12,590
36	Loans to Municipalities and Ad- vances to Cultivators.	39,93,800	..	39,93,800
7	XVII—Irrigation, Navigation, etc., Working Expenses.	10	..	10
24	50—Civil Works	10	7,600	7,610
29	79—Capital Outlay on Electric Schemes—I—Hydro-Electric Schemes (other than establishment)	10	..	10

LAHORE :

The 23rd November, 1938.

H. D. CRAIK,

Governor of the Punjab.

AGRICULTURAL PRODUCE MARKETS BILL.

Premier : I may inform the House that I feel that the progress over the Marketing Bill has been extremely slow and it may be necessary for us to sit on off-days also and, further, to sit for longer hours, if necessary. I have in that connection consulted my honourable friend, the Deputy Leader of the Opposition and I have suggested to him that he might in consultation with his party or in consultation with me suggest some other method which might be conducive to the rapid progress of Government business. Another suggestion that I might make is that we may resort to the practice which is sometimes adopted in Parliament of guillotining, that is to say, select certain number of clauses and decide that we must dispose of so many clauses in a day. That is another way of expediting the business. I will make a definite announcement of the line which I propose to adopt in the interest of public business after I have had further consultation with the Deputy Leader of the Opposition.

Diwan Chaman Lall : I must say a word with regard to the statement made by the Honourable Premier. He was kind enough to consult me in the absence of the Leader of the Opposition in regard to the procedure that he desires to adopt with a view to expedite the progress of the Marketing Bill. I want to say just one word. In our opinion there has been no undue delay in considering the Marketing Bill considering the controversial nature of the Bill and also considering the serious consequences of this Bill throughout the province. But if the Honourable Premier considers that there has been, from the point of view of Government, any delay in getting through this Bill we are perfectly willing to consult our party in regard to this measure and place before our party the suggestion that he has now made and let him know our decision. But I do want to say one thing and that is that there should not be any curtailment of the rights of the members of this House to consider in detail the provisions of a measure which is of a far-reaching nature. In the matter of longer hours, I dare say the Opposition will be only too glad to accommodate the Honourable Premier.

Premier : There is no attempt whatever on my part in any way to restrict the privileges of this House in discussing a measure of this character or for the matter of that any measure which comes before the House. My point was to expedite the business or rather to finish it during the period we have in view. I only suggested that it may be necessary to resort to such devices, such as long hours of sitting and so on. If such devices are resorted to, it will not in any way restrict the rights of members to discuss this measure. But at the same time I hope that the honourable members between the Opposition and the Government benches will help us in expediting the business, because it will not help them or anybody else by prolonging the debate merely for the sake of prolonging it.

Clause 2—concl'd.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural) : The amendment before the House is—

That in sub-clause (d), line 3, for the word 'area' the word 'premises' be substituted.

The other day I was saying a few words in connection with the remarks made by the Honourable Minister in charge of the Bill. It was pointed out at the time that there was no such thing as 'market' dealt with in any part of the Bill. There is no doubt that the word 'market', as I pointed out then and there, does occur in two clauses, in clause 9 (1) and in clause 16 (1). My honourable friend on my right was perfectly right in saying that the word 'market' by itself really indicated nothing very specific as whatever provision was made in this Bill was made with respect to the notified market area and all that we find in clause 9 is that one of the duties of the market committee shall be to establish a 'market' in the notified market area. That market has been defined as a building or a block of buildings, enclosure or other area which may be so notified in accordance with the rules made under this Act. Now substitute these words in clause 9 itself. Then it would mean 'that it shall be the duty of the market committee to enforce the provisions of this Act and the rules and bye-laws made thereunder in the notified market area and when so required by the Government, to establish an area therein providing such facilities for persons.....' To my mind that sounds rather queer—the way I have put it. But the wisdom or unwisdom or propriety or impropriety of an expression appears clearly when it is actually put in its proper place. It need not necessarily be a building, it need not necessarily be a block of buildings. It need not be an enclosure. But it may simply mean an area and then it would mean that the market committee should establish an area in the notified market area. Apart from anything else, the very English of the clause would appear to be—to say the least—unusual and I would therefore submit that the Honourable Minister really should have accepted my amendment and substituted the word 'premises' in place of the word 'area', as, if we substitute the word 'premises' in sub-clause (1) of clause 9, it reads perfectly well and the difficulties that I pointed out of being not clear, indefinite and not specific would disappear. After all no one can say that the premises can extend over a whole village or a whole town or a considerable part of a tahsil or a district.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram): As the honourable member representing Sheikhpura and Lahore has made it clear, the word 'premises' is a little more definite, narrower and more precise than the word 'area' and that is exactly the reason why I have used the word 'area' instead of the word 'premises'. 'Premises' to me seems to carry with it an impression that it is something attached to something else, while 'area' conveys no such sense. I have, therefore, preferred to adopt the word 'area' which gives more latitude than the word 'premises' which will restrict me within limits beyond which I may like to go. So far as the attempt to fit in the word 'area' under clause 9 is concerned, I do not see how it can fit in there. I have used the word 'market' and that word fits in quite well there.

Mr. Speaker : The amendment is—

That in line 3 of part (d) of clause (2) for the word 'area' the word 'premises' be substituted.

The question is—

That the word 'area' stand part of the clause.

The motion was carried.

Sardar Sahib Sardar Santokh Singh (Eastern Towns, Sikh, Urban) :
Sir, I beg to move—

That in sub-clause (d), lines 3—5, for the words "which may Act" the words "where agricultural produce is either stored or brought in from outside for sale" be substituted.

My object in moving this amendment is to make the definition of the word "market" more comprehensive. I consider that in a matter of this nature there should be no difference of opinion between the Treasury benches and other sections of the House. The Honourable Minister for Development is naturally anxious to see that no loophole is left. But at the same time the point of view of the traders in this matter is that if this definition of the word "market" is adopted it would make trade more difficult than what it already is. It may not be commonly known except to those who are intimately connected with the trade that it is not only the small area with enclosed walls which is commonly called "mandi" where the sale or purchase of agricultural commodity is done. I may tell for the information of the House that in big cities like Amritsar this sale or purchase of commodities and the storage extends to almost all parts of the city, even in remote lanes not commonly known to outsiders. So, my submission is that if the definition of the market is left as it is, it will not be an easy matter for the Government to include everything in it. They cannot include all the lanes and side-lanes where goods are ordinarily stored. Even if they attempt to do that, that attempt will be a failure. At the same time I may tell them that in big cities large number of godowns are filled every year with produce. Take Amritsar alone. There no less than 2,000 *kothas* of wheat and gram are stored every year spread all over the city and unless you define the market to mean the area within the jurisdiction of the local municipal committee, you will not be making a very clear definition. This is a matter where no difference of opinion need exist. We ought to see that in this particular matter the word 'market' is properly defined. You cannot provide 2,000 godowns in one particular place. You will require lakhs of rupees and a number of years to do that and until such time that you are in a position to provide 2,000 or 1,500 godowns at one particular place or in two or three particular localities, according to the position of the mandis, you will do well to make this definition comprehensive enough so as to include all places where the goods are stored and where agricultural produce is brought for sale. I may tell you for your information that there are small dealers who live in the remotest parts, in lanes, and the kisans go direct to them to make their sales because they have confidence in them. Now if you do not bring within the definition of the word 'market' all those bazaars, lanes and sub-lanes with which you are not so well familiar, and it will be impossible to bring them within this definition, as it stands, you will make it impossible for the kisan to make the sale to such people. You will thereby be compelling him to bring the goods to a particular market place and the rents at that place will rise very much to the detriment of the grower as this has in the long run to fall on the produce. Where they are at present paying Rs. 5 for the rent, you may have to pay Rs. 10 and this will ultimately fall on the shoulders of the zamindars. So, considering all these, my submission is that you must make the definition of the word 'market' sufficiently comprehensive so as to bring within its ambit all sorts of places where goods are at the moment sold and stored.

If you do not do that, the position will become worse. If this definition remains as it is, the stockist will have to store the goods at the market place only, where he will have to pay higher charges. He cannot buy, sell, or store, goods at any place outside the market area, which you notify. You should not therefore restrict this area, until you have supplied godowns or elevators, in a particular market, to the extent of its storing capacity. The amendment that I have moved will help to remove this ambiguity.

You have borrowed this definition of the "market" from the Bombay Act. Bombay Act applies only to cotton. It does not apply to wheat and gram. The position here is very different in regard to *kapas*. *Kapas* is simply brought into the market and is sold to the factories. The factories buy and gin it. So far as storing of *kapas* is concerned, it is either done in the villages or by the factory owners in the shape of bales of pressed cotton. Generally speaking *kapas* is not so much stored in the mandis as the ginned and pressed cotton. So, the conditions that apply to the trade of wheat and gram are very different from cotton. As I have told you wheat and gram are sold in almost all parts of the towns, even directly by the zamindars, and you have to bring in all these localities within the definition of the "market". I, therefore, do hope that with the explanation that I have given, the Honourable Minister for Development will consider this point seriously in order that he does not make trade more difficult than it already is.

Mr. Speaker : Clause under consideration, amendment moved is—

That in sub-clause (d), lines 3—5 for the words 'which may Act' the words 'where agricultural produce is either stored or brought in from outside for sale' be substituted.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural): If I have understood my friend rightly, then I must oppose this amendment. It is just possible that I have not understood him, but so far as I have understood him, it means that if this amendment is accepted then two thousand places in Amritsar must be notified and must be brought within the definition of the word 'market' and difficulties should be created for everybody. Unless, as I put it to him, he was trying to point out the absurdity of the whole thing, in my humble opinion, he should not have moved this amendment. Of course, he stated, he wanted to point out the absurdity of the whole thing. If this is his object certainly he has exposed the very great absurdity of the whole thing, but otherwise if he means that if a grower brings, say one donkey-load of wheat and takes it to some one in a lane, that lane also is to be brought in the definition of the word 'market' and all the rules and restrictions in this Bill if it becomes law must apply to that lane, then I am afraid I must oppose it. There may be a retail vendor who wants to buy a certain amount of *gur* or a certain amount of gram from a grower who brings it directly to him knowing that he is a good man and an honest man who would not cheat him. But if my honourable friend's definition is accepted then a little shop in that obscure *kucha* must also be brought in. So the object is really to expose the absurdity of the thing, otherwise I do not think that this amendment can be accepted.

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General, Urban) : I support the amendment moved by Sardar Santokh Singh and oppose the views expressed by Dr. Sir Gokul Chand. I am afraid that Dr. Sahib has not understood the amendment at all. As far as I see this Bill will be applied to notified areas. The Bill has got nothing to do with these areas which are not notified. This point Dr. Sir Gokul Chand Narang has ignored and I quite welcome the proposal that the Bill should be applied to all notified areas. I do not see where that solitary shop comes in within the purview of this Bill. With these words I support the amendment.

Diwan Chaman Lall (East Punjab, Non-Union Labour) : I take it that the Honourable Minister for Development is not going to say anything with regard to this particular objection of my honourable friend, Sardar Santokh Singh. There are one or two points that we have with regard to this amendment and I shall be obliged if my honourable friend would dissolve the doubts that we have in regard to this matter. Let us take the position that the Bill has been passed as it is, that this clause (d) is accepted as it is and that the amendment of my honourable friend, Sardar Santokh Singh, is rejected by this House. What would be the actual consequence? If that position is reached, then I submit, that a notification would be issued by my honourable friend under the rules under which he would describe certain buildings and block of buildings or enclosures or areas as a market for the purposes of this Act. Obviously it may not mean anything much wider than that because it must be restricted in the terms of this particular clause and the specific matters referred to in this clause. Suppose he does notify this particular market and suppose he takes a city like Amritsar where there are many buildings and many blocks of buildings and enclosures and other areas where transactions are done, present transactions and future transactions, that is to say, ready transactions and future transactions. What would be my honourable friend's position? Would he notify under this clause every such building where transactions of this nature are done or not? What would he do? He wants to control the produce which is bought and sold in these markets, control these buildings where these things are sold and bought and control the weights and measures and see to it that no extra allowances are charged by the brokers. What would be his position in the city of Amritsar? How many hundreds and thousands of buildings would he be notifying under this particular measure? The second doubt is this. Would he then be regulating also future transactions? There are two types of transactions which are carried out in the mandis, transactions regarding the sale of ready produce, that is to say, one maund or two maunds of cotton brought in and sold either through the brokers or otherwise and a second type of transactions, the future transactions, that is also a sale and purchase but the actual produce may not exist. It may merely be a book transaction and millions of transactions of this nature are put through every year in the Punjab in the various mandis of the Punjab where not one single bale of cotton passes through the hands of those who deal in these future transactions. Would my honourable friend be extending his notification to the markets of these mandis? Would he be controlling the future transactions in a town like Amritsar, future transactions which do not depend upon the necessity of finding whether the weights and measures are correct or not, because there is no actual produce to be

bought or sold. That is not the question in these transactions. What would be my honourable friend's position? I hope that my honourable friend would throw some light in regard to these two matters. One is the difficulty that would arise of having to notify a thousand buildings, or two thousand or ten thousand in a city like Amritsar where produce is sold and bought. The second is the difficulty regarding future transactions where my honourable friend behind me who is a very great speculator in cotton and wheat throughout India, my honourable friend who does not handle a single maund of ready wheat or cotton ordinarily or a single bale of cotton, is he also to get a licence and be subject to the regulations made by the notification of these markets? I want my honourable friend to inform the House as to what his position would be in regard to these matters.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram): So far as future transactions are concerned, they form the subject matter of another amendment of which notice has been given by the honourable member who represents the town of Amritsar. I have no desire to anticipate at the present stage discussion on that particular matter. So far as the difficulty visualised by my friend with regard to the declaration of so many shops and buildings as markets is concerned, that is a matter which can be taken more easily into consideration when a notification is to be issued. That is the reason why I want to leave the hands of the Government free in the matter of notification.

Mr. Speaker: Does the honourable member wish to withdraw his amendment?

Sardar Sahib Sardar Santokh Singh: Yes, Sir, I beg leave to withdraw the amendment.

The motion was, by leave, withdrawn.

Mr. Speaker: The question is—

That sub-clause (d) stand part of the clause.

The motion was carried.

Dr. Sir Gokul Chand Narang: I move—

That in sub-clause (e), line 2, for the word "area" the word "premises" be substituted.

I do not wish to take the time of the House, and, therefore, would not make a speech.

The motion was lost.

Mr. Speaker: Amendments Nos. 23, 24, 25, 26, 27 and 28 will be discussed together.

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General, Urban): I beg to move—

That for sub-clause (e) the following be substituted:—

" 'Notified Market Area' means any place, fair, market or factory enclosure within a radius not exceeding five miles, where buyers and sellers usually congregate for the purpose of buying and selling agricultural produce, and which is notified under section 4 of this Act."

[Ch. Krishna Gopal Dutt.]

Much has already been said on this subject as to what the definition of a market should be and what the definition of a notified market area should be. As was pointed out the other day, it appears to us that there has been a great amount of bungling in drafting the definition of the word 'market.' First, there is the definition of the word 'Market' and then there is the definition of the 'Notified Market Area.' I do not want to expatiate on that point now. What I want to impress on the Honourable Minister for Development is this, that the definition as given in the Bill itself, as it has emerged out of the select committee, is very wide and comprehensive and in my opinion will defeat the purposes of the Marketing Bill. I may assure the Honourable Minister for Development that I am one of those members who are prepared to give a trial to a Marketing Bill which is not exploited for political purposes and, therefore, I would urge upon him to forget this thing that he is in power and that we are on the Opposition benches. So far as this is concerned we agree that it is only with a view to give a fair price to the grower that such a Bill is needed in this province. But I may tell him that this Bill in itself is and will be on an experimental basis. Nobody can say as to what would be the result of the working of this Bill, because he would realise that in other provinces the Marketing Acts are confined to only a few items of produce, but here we have taken in a large number of items of produce and given the Government *carte blanche* to include other items of agricultural produce in this Bill. Therefore, I would request him not to make it very stringent, not to make it very strict or very wide and comprehensive and, therefore, I want that the definition which is given in the Bill—which is very wide and comprehensive—should be restricted, should be limited so that we may be able to gather some experience as to how this Bill works in a particular market area and then if we find that this Bill has been successful in achieving the object which is dear to us, that is, in giving a fair price to the grower and to eliminate mal-practices from the mandis, then I assure him that we shall give him our whole-hearted co-operation in extending the scope of the present Bill. May I remind him that even in the various Marketing Acts of other provinces—which he has copied almost word for word—the definition of a market is very restricted. Therein they have clearly stated as to what a Notified Market Area will be. But in this Bill it is merely said that a "Notified Market Area" means "any area notified under section 4." By this clause it means that the entire district can be declared a market area and I do not think that that is the object of the sponsor of the Bill. I, at this stage, do not want that the entire district be declared a Notified Market Area. I will welcome the day when we have found that we have successfully worked this Bill so that we may consider the desirability of declaring the entire district or the entire province as a notified market area. But at present I have got my fears and apprehensions and irrespective of party feelings, irrespective of political tendencies, I am prepared to take this Bill on its own merits and I urge upon the Government to adopt the same attitude. What is the market area which has been defined in other provinces? Here are before me the Rules of the Bombay Government. In your Bill you have given a definition which is very wide and comprehensive while in the Bombay Rules they have laid down definite limitations. I do not know what rules the Punjab Government is going to make. I confess

I am always suspicious and apprehensive of the Government vesting itself with wide powers, because we have had bitter experience of that. Take for instance the debt conciliation boards. We gave our whole-hearted co-operation for the establishment of these boards. I am afraid I am getting a little bit irrelevant but I am giving an instance to show that we gave co-operation in the establishment or in the extension of debt conciliation boards, but we found that those powers had been abused and the working of those boards had become most unsatisfactory due to the appointment of parasites, political reactionaries, nincompoops, and ignoramuses on these boards.

Now, let us see what the Bombay Rules say in regard to a Market—

Rule 2 (6).—"Cotton market" shall include market yard, market proper, and market approaches.

- (9) "Market approaches" includes all land which is the property of Government or of a local authority within such distance of the market yard as may be prescribed by Government by notification in the *Bombay Government Gazette* in this behalf.
- (10) "Market proper" includes all land with the buildings thereon within such distance from the market yard as Government may, by notification in the *Bombay Government Gazette*, prescribe, and shall also include all cotton mills, ginning and pressing factories and their compounds, and all yards where cotton is stored within the area so notified.
- (11) "Market yard" includes any enclosure or building declared to be a market yard by Government by notification in the *Bombay Government Gazette*.

So these are the rules under the Bombay Act and may I point out to you as to what are the rules in this respect framed under the Berar Act?

"The area of the market as defined in the rules made under this Act includes the following:—

- Rule 48 (1) The market yard (the enclosure bounded by walls and railings known as the cotton market yard);
- (2) The market proper (including all lands, the property of the Government or of the Municipality, within a radius of 500 yards from the centre of the market yard); and
- (3) The approaches (including all lands, the property of the Government or of the Municipality, within a radius of one mile from the centre of the market yard)."

I have stated in my amendment that it should be within a radius not exceeding five miles. Mr. Speaker, this I consider as very important, because I think, if this Bill works adversely, as nobody knows, and God forbid it does, but if it does, the Government will be face to face with tremendous difficulties and business may be dislocated. There is in my opinion a difference of only 4 per cent or 5 per cent between the price paid by the consumers in a particular locality of India. The other part of the difference has got nothing to do with the *ahrtias* profiting. Therefore the *ahrtias* or the middlemen are not responsible for other extraneous charges. To control this difference of 4 per cent or 5 per cent let us not lose our heads. Let us discuss the Bill on its merits forgetting our political complexion. Let the Government be fair in its attitude toward our amendments. I understand there is a move in the Unionist Party to introduce the principle of election and not nomination into the constitution of the market committees. If the Government does that, I will be prepared to support this Markets Bill.

[Ch. Krishna Gopal Dutt.]

We are not against the Markets Bill as such. (*Dr. Sir Gokul Chand Narang* : He does not agree with you.) Please, do not create disruption amongst us that may be very pleasing outside but not within the House.

I have not made any secret of my feelings, susceptibilities and reaction to the Bill. What I want to say is this that even in England, although there is no Markets Bill there, there is no such definition of the market area. There the growers have got their own organisations. It is a new and peculiar piece of legislation which you will find, Mr. Speaker, only in India or perhaps in South Africa, as far as my knowledge goes. In no other part of the world have they got such market committees. They have got producers' organisations and purchasers' organisations. Mr. Speaker, you will find that there are a large number of growers in England; you will find they have got their own associations. There are a large number of growers who do not want to sell through these organisations because they feel that if they sell through the organisations they cannot get proper prices. It is, therefore, a contentious and controversial subject. I would, therefore, appeal in the name of fairplay that we should consider this Bill on its own merits and confine and restrict the market area. There should be certain places in the province which should not be declared as notified market areas, because we have to compare the two conditions as to whether in a notified market area as compared with a non-notified area the grower has been able to obtain better prices.

The other point in favour of my amendment is this that under this Bill market committees are going to be constituted. If the Minister for Development declares an entire district as a notified area then there will be only one market committee in the entire district. In my opinion one committee will not be able to conduct and control the entire business of buying and selling in the entire district. I am afraid the Minister for Development has perhaps not been able to appreciate this point that one committee in the entire district will not be able to control all the buying and selling. Every notified area is going to have only one market committee for that area under this Bill and there is going to be one committee for an entire district. Knowing the people who are going to serve on these market committees, these committees will not be able to control all the buying and selling. With these words I move my amendment.

Mr. Speaker : Clause under consideration, amendment moved is—

That for sub-clause (e) the following be substituted :—

“ ‘Notified market area’ means any place, fair, market or factory enclosure within a radius not exceeding five miles, where buyers and sellers usually congregate for the purpose of buying and selling agricultural produce and which is notified under section 4 of this Act.”

Lala Duni Chand (Ambala and Simla, General, Rural) : I rise to support the amendment that has been moved by the honourable member from Sialkot. The point that I want to bring out precisely and definitely is this. My view of this Bill is that if the Government want to make it a success a notified area must be a compact well defined and manageable area. The definition that the honourable member from Sialkot proposes to substitute will serve this purpose. The definition of the notified market area as given in the draft will apply to a large part of the district or to an area that will hardly be manageable or controllable. I am of opinion that there

must be a market committee for every market area and the market committee should be in a position to exercise personal control, personal management over the affairs of the notified market area. For instance, if a complaint is made regarding certain malpractices, the members of the market committee should be easily available to consider it. It should not be necessary that the man who wants to make that complaint regarding certain malpractices should have to go to a distance of 10, 15 or 20 miles. I am also of opinion that there should not be one committee for many notified market areas where the difficulty will arise. If the conditions in the market can be improved, they can be improved only by bringing the members of the notified market areas in personal contact with those people who may suffer from malpractices of the dealers. If that sort of department is created and several markets are brought under the control of that body, lot of trouble will arise. I may also invite the attention of the Honourable Minister for Development to the fact that if he is going to constitute market committees of the kind, that he proposes to do, there will be a good deal of corruption. I know that if there is one market committee on the spot, the members of which will be within the easy reach of every grower, the grower will be able to get some relief. But if the grower is expected to approach a certain department or to go to a certain place which is at a considerable distance from where he has to take his agricultural produce, then a great difficulty would arise. There is a great difference between our point of view and the point of view of the Government. We want this to be an effective Act, an Act that will be able to serve the grower. If this definition is not accepted, then it will mean that the whole district may comprise of a notified market area, there may be 20 or 30 markets in that particular district and there may be only one market committee and that market committee will be called upon to manage and control those 20 or 30 markets, then the whole thing will become impossible to manage and control. After all, what is the idea? The whole object is that the remedy should be placed at the disposal of the victim of malpractice of the *ahrtia*. This will be possible if he at once goes to proper authority and seeks protection. This is the most important point of view that the Government should bear in mind. I am not going to make any presumption against the intention of the Government. The whole object is really to make this Bill a beneficial and effective measure. I am not going to make any presumption, unless later on we are forced to do so. If the object of the Government is to afford protection to the simple-minded person in a simplified manner, then they should try to simplify this law as much as they can, so that those who are intended to be benefited by this measure may have an easy remedy. That is the suggestion that we on this side want to make. I hope if the Honourable Minister for Development sees through the merits of the case, not of course, through anything else, it will not be difficult for him to accept the suggestion in the form of this definition that we have proposed.

Pandit Shri Ram Sharma (Southern Towns, General, Urban) (*Urdu*): The amendment which has been moved by this side of the House has great bearing and far-reaching effect on the whole Bill. The clause now under discussion clearly and definitely shows as to how far this Bill would prove advantageous and useful to the growers as well as to the class of buyers and how far it would have an adverse effect on the interests of either party.

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The definition of a "Notified Market Area" as given in the Bill lacks precision and is as wide as well as a vague one. It is stated therein that the "Notified Market Area" means "an area notified under section 4". The word "area" does not specifically delimit and define any particular place. It may be the whole of the district or a part of it. It may extend to any tahsil or a thana. In other words it empowers the Government to the effect that it may declare any area or any portion thereof notified under section 3 to be a notified market area. It means that without proposing any area of a definite length and breadth the restrictions and conditions provided in the Bill would be imposed on that *ilaga*, howsoever big or small.

Now the object in moving this amendment is that either the place of a market itself should be declared as a notified market area or this area should be within a radius of 5 miles from that particular mandi. What we seek to obtain by means of this amendment is that the Government should make a provision in the Bill for the particularisation of any spot or small area. The acceptance of our amendment, I am sure, would go a long way in disarming the lurking apprehensions and suspicions in the mind of the public at large about the implications of this definition. Moreover, it would facilitate the work of the Government itself.

Now, I am going to point out the reasons as to why we have brought forward this healthy amendment. I may assure the House that I would not harp upon the self-same arguments which have been already advanced by my several honourable friends on this side of the House. Rather I shall try to place absolutely different and altogether new arguments before the Government benches. I am confident of the fact, that if our amendment is turned down the poor zamindar will be brought face to face with insurmountable difficulties, and in most cases he would be utterly ruined. The class of people who would first fall victim to the tyrannies of this Bill would be the same whose interests are sought to be safe-guarded by means of this measure. I am as certain as anything that it would add to the miseries of the poor growers. I would like to explain my point by giving an instance. Suppose the Honourable Minister for Development seeks first to benefit his own constituency, that is, tahsil Jhajjar by this Bill. Here in this tahsil there is only one mandi, namely Bahadurgarh, which is situated at the farthest end of the tahsil. Therefore, the whole of the tahsil would be declared a notified market area, with the result that the proposed conditions and restrictions would be imposed on that *ilaga*. Thus it would mean that except under a licence granted in accordance with the provisions of the Bill no person will be allowed to transact any purchase or sale of the agricultural produce within the notified market area. In this case undoubtedly a licence will not be required by the grower who sells his own agricultural produce or by a consumer who purchases it for his private use. Under these circumstances the petty growers who usually subsist on the sale of small quantities of their produce would be hard hit. They would have to go as far as 10 or 20 miles away from their village to sell their produce. For several miles they would not be able to find any buyer holding a licence. Moreover, in view of a very small number of the licensees, the growers would be obliged to sell their produce at a distant place and also at a much lower rate. Thus

it is essential in the interests of the growers who may like to sell their produce in their villages to clearly define the limits of the market area. God forbid, if the Government were so kind as to enforce this measure in my tahsil, Jhajjar, the poor zamindar would be obliged to go as far as 15 or 20 miles—

Mr. Speaker : How many times is the honourable member going to repeat this very argument ?

Pandit Shri Ram Sharma : For explaining certain important points repetition of arguments sometimes seems absolutely necessary.

Now, leaving the question of the zamindar to the Government which is very anxious to safeguard his interests, I turn to the plight of that petty shopkeeper who is at present carrying on business of agricultural produce on a small scale in a remote village. This poor fellow, with a nominal capital, caters to the needs of those who cannot afford to buy big quantities of produce and who usually purchase for their private use. The real brunt of this provision would fall on this class of people. Their lot would be a hard one. In spite of their small scale business they would not be free to carry on their enterprise without getting any licence. Either they would be obliged to obtain licences and get themselves prepared for accepting the overlordship of the market committees or else they would have to wind up their business.

Now, I turn to another class of people whose already pitiable condition would be still worse as a consequence of this measure. This unfortunate class consists of Harijans, members of the depressed classes and other village kamins. These people almost in all cases get their wages in kind. A certain quantity of agricultural produce is given to them in consideration of their services either on harvest, or any other time. At present they live upon the income derived from selling that corn to the village shop-keepers. If the market area were extended to comprise a district, a whole tahsil or even a thana, these poor people, and widows would not be able to find for miles together any licenceholder from whom they could get the price of their wages in kind. Nor would they find any shopkeeper from whom they could buy their requirements. And so the enactment of this Bill with original provision will add to their difficulties.

The other point which I like to bring to the notice of the House is that for every notified market area which may extend to a tahsil or even to a district there would be only one market committee. And it is just possible that within that area there may be more than one market. Thus there will be one committee for many markets. Can it be physically possible for a committee of 10 or 12 members including one official member to keep control over the working and management of the various markets ? I doubt very much. Such committees can control the marketing affairs and trade activities of a particular area within a radius of 4 or 5 miles, but beyond that limit no efficient supervision and successful control of the various markets could possibly be affected. But in case of the acceptance of our amendment there would be only one committee for every market and this would facilitate the work of the former which would in this case efficiently and competently perform its duties.

Furthermore, we have great many apprehensions and suspicions about the efficacy of this measure. The Government would do well if it

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confines its intended experiments relating to the measure to only a limited area of a market. If it proves beneficial, well and good, the Government may extend it to other *ilagas*. But if it is found to bring about any mischief it could easily be confined to a limited area and in no case be allowed to spread to other parts of the province. Particularly the rural area. In case of its beneficial and fruitful results the people themselves would demand its extension.

There is another very very important point which the honourable members of this House should not lose sight of. This point speaks for itself and I need not lay much stress upon it. My submission is that if the notified market area were extended over a district, whole of a tahsil or a thana, the members of the market committee would claim travelling allowances for touring about that vast *ilaga*. This item would, I am sure, play a havoc with the market committee fund. The honourable members of this House are aware of the fact that the problem of these travelling allowances is already becoming acute. The other day our Government was obliged to bring forward a supplementary demand for a big sum which was mainly due to the unexpected heavy expenditure on account of travelling allowances of the honourable members of the Assembly. If the amendment moved from this side of the House is accepted, it will not be possible for the members of a

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committee to go about aimlessly in order to earn their travelling allowance. They will not be able to say that they had gone to visit such and such a place to enquire into this or that imaginary grievance of the people. If this amendment is accepted, a great difficulty of the zamindar will be solved. The clause, as it stands, leaves for the Government ample scope for notifying as wide an area as they may choose. This leads us to think that the present arrangement is intended to provide Government with committees to do propaganda work for them in as wide an area as possible.

Mr. Speaker : The honourable member is requested not to attribute motives.

Dr. Sir Gokul Chand Narang : I should like to know whether it is not permissible to members of this House to attack the intentions of Government apart from those of individuals.

Mr. Speaker : Government's actions can certainly be criticised.

Pandit Shri Ram Sharma : I am conscious of the fact that the right of criticism can only be exercised either by the Honourable Ministers or by the members occupying the front benches. I am speaking in the interest of those growers who are described as halfpenny, twopenny by my honourable friend, Sir Gokul Chand Narang and about whom the Honourable Minister for Development said that they could be purchased. The Honourable Minister for Development is looking this way and that way but I am sure that he will not be able to adequately meet my criticism. With these words I commend to the House the amendment before the House.

Dr. Sir Gokul Chand Narang : I rise to offer a word of personal explanation. It is the second time that my phrase "twopenny halfpenny zamindar from Rohtak" has been commented upon, first by the Honour-

able Minister in my absence and to-day by the honourable member representing Rohtak, Hissar, and Gurgaon. I may explain that I never said that all zamindars are "twopenny halfpenny" zamindars. That has never been my intention and I am not a lunatic to say so. When I said "twopenny, halfpenny zamindar" I meant none but the twopenny, halfpenny ones, just as I might refer to a "twopenny, halfpenny bania" or "twopenny, halfpenny Brahmin" or "twopenny, halfpenny individuals" among either agriculturists or non-agriculturists.

Sardar Kartar Singh (Lyallpur East, Sikh, Rural) (*Punjab*): According to the definition of a "Notified Market Area" incorporated in this Bill, the Government will have powers to declare as notified market area a single house a single bazaar on the one hand and a thana, a tahsil, a district or even a whole province on the other. We want to place a limit on this wide power which is proposed to be entrusted to Government.

Mr. Speaker: All this has been said already.

Sardar Kartar Singh: That was only by way of introduction. I want to point out that the present definition of the term "Notified Market Area" will cause a real hardship to the poor zamindars.

Mr. Speaker: The honourable member is again repeating. Will he please put forward fresh arguments?

Sardar Kartar Singh: If you allow me to proceed for a minute, you will hear fresh arguments from me. If a wide area is notified as market area, the result will be that all villages in that area will be considered as mandis where payment of certain fees will be essential for buyers and sellers, while there are no such restrictions at present. Under the present circumstances in these villages purchases can be made without such restrictions and the people are not subjected to any restrictions in the matter of buying and selling of their produce. The definition of the term "Notified Market area" empowers the Government to leave no such place within that area where there are no such restrictions. If the power is widely used by the Government the greatest sufferer from this will be the zamindar. At present he disposes of most of his produce in villages. Here he has neither to pay various sums in the shape of *tola* or *rola*, nor has he to pay anything by way of *arhat*. On the other hand, this Bill provides for many trade allowances which will be leviable from the seller and buyer of produce in the notified market area wherein there are bound to be many villages, and the defaulters will be dragged to courts. In villages the zamindars have not to pay anything to the weighman or to the measurer at present. Their own men carry cotton, etc., to the weighing balance. But with the passage of this Bill even these men will have to take out licences. Otherwise it will not be permissible for them to help the zamindar in his house even. In short, if a wide area is declared as a notified market area, it will be a great hardship for the poor zamindars.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural): I am sorry that I cannot accept this amendment as it stands, because though the object of the mover of the amendment is to restrict the area of a notified market area, the limit sought to be imposed by him upon the notified market area is too wide. They are probably proceeding on the principle that they should have the lesser evil instead of the greater evil. This seems to be the object of the amendment from the trend of the arguments advanced.

[Dr. Sir Gokal Chand Narang.]

My submission is that the fear that the Government might notify a whole district or a whole tahsil as a notified market area is really not well based in spite of all that might be said about this Government. I do not think that they will be, when acting under this Act, so devoid of sense of proportion that they would include a whole district or a whole tahsil or even a whole thana as a notified market area. If they do so, if even a whole thana is notified as a notified market area, my submission is, that they will be nullifying the Act itself which they are at so much pains to pass, because the Act will become unworkable. I, in fact, would welcome it, if they notify the whole district as a notified market area and appoint one committee for the whole district. The traders certainly would welcome it, because they will say there will be only one nuisance in the whole district instead of having 100 so that the very absurdity of the thing should be an argument against the possibility of its abuse. On the other hand I think the honourable mover and his supporters on this side are placing in the hands of the Honourable Minister a power which really should not be given. He should not be given the powers by statute of defining a notified area extending to about 80 square miles or 78 square miles. You are a mathematician and if I have not forgotten my mathematics, if the radius is to be 5 miles the area covered would certainly be $22\frac{1}{7} \times 5^2$, which is more than 75 miles or about 78 miles. These gentlemen are asking the Government to notify an area of 78 miles. (Interruption.) Of course it may be less, but the power is given to him to go to that extent. Even if this power is given, Government will not probably be so unwise as to take full advantage of it and notify an area of 78 miles as a notified market area. They are to keep within that. That is quite plain. But the maximum limit may extend to 78 miles and just imagine what it would mean. It may mean a score of villages being included in it. Take the case of Lahore, for instance. A radius of 5 miles would include about a dozen villages. I think Shahdara would come within that radius as also Sanda, part of Bhogwal, Misri Shah, Baghbanpura, Ramgarh, Moghulpura, Mianmir and so many other villages. They would all be included within a range of five miles and would come within the definition of notified market area. My submission is that this is too much and if I have your permission I would move an amendment to this amendment substituting 'one' for 'five'.

Chaudhri Krishna Gopal Dutt : I think my honourable friend is wrong. He is confused.

Dr. Sir Gokal Chand Narang : Unless all mathematics is wrong, this is not wrong. My honourable friend seems to have been puzzled. It is very plain. $5^2 \times \frac{22}{7}$ comes to nearly 78 miles. There seems to be no difficulty about it. Therefore, my submission is that 5 miles radius is too much. I would rather leave it entirely to the discretion of the Government than giving a statutory sanction of a maximum limit of a radius of 5 miles. The onus will then be on the Government to show that their action is appropriate. But if this amendment is accepted, they will say, the law gives us sanction up to 5 miles, so we are doing it within 5 miles and no one will be able to blame them even if that includes an area of 50 or 60 or 70 miles—up to 77 or 78 miles. No doubt I appreciate the motive of the honourable mover. He wants to have the lesser evil instead

of the greater evil which might be involved without any limit at all. But I believe that the good sense of even this Government would be a sufficient safeguard against any such apprehended absurdity.

(*Diwan Chaman Lall rose to speak.*)

Mr. Speaker : I hope the honourable member will not repeat.

Diwan Chaman Lall (East Punjab, Non-Union Labour): I do hope, Mr. Speaker, you will give me the credit that during your period of experience of this Assembly I have not been in the habit of repeating other people's arguments. My honourable friend here has unfortunately added a little to the confusion that already exists regarding this particular measure. The amendment as it stands speaks for itself if only honourable members would read the amendment in reference to the measure presented by my honourable friend. I want to make the position perfectly clear, Mr. Speaker, that this amendment seeks to restrict and restrict in a practical manner the scope of this measure in order to facilitate whatever good might come out of this measure and not to leave the measure as it stands at the present moment in such a vague state of suspension, in such an absolutely undefined state of existence that when my honourable friend comes to promulgate this measure, to enforce it as an Act, he will find that it is impossible for him to take a single step in the interests of the classes that he claims he is representing. My honourable friend has stated that this measure is similar to the measures that have been enacted in certain other provinces. This is the claim that my honourable friend has made. In reference to this amendment and in reference to this clause I mean to show to my honourable friend the vital difference that exists between other legislation which he calls similar legislation and this legislation which he is foisting upon this House.

My honourable friend must remember that under section 17 of the Bombay Act, and I take the Bombay Act for this purpose, for the Bombay Act is an Act of 1927 whereas the Berar Act is of 1897, only a question of 30 years earlier or later, therefore, it is permissible for me to hope that thirty years experience of a measure has benefited the Bombay Government and therefore that the Bombay Government has brought in a more practical measure than the one that was promulgated in Berar. The Bombay measure contemplates the regulation of a particular market. Now, remember, Mr. Speaker, the vital distinction : it does not seek to regulate an area like a district, it does not seek to regulate the villages, it does not seek to regulate a railway station, it does not seek to regulate anything outside the market itself. This is the main object of the Bombay measure, but the main object of my honourable friend's measure is to take powers to be able to regulate an entire district, may be under the Act, the entire province without any reference to the nature of the instrument which he wishes to regulate. The instrument that he wishes to regulate or that we ought to regulate is not the district as such, but that particular spot or place where evil according to my honourable friend exists. It is, therefore, a very vital distinction that exists between the Bombay measure and our measure.

Lala Deshbandhu Gupta : It is a political measure.

Diwan Chaman Lall : The Bombay measure in section 17 definitely states that where a market has been regulated and an area of that market notified, no person shall set up a rival market within that area. It does not go on to say, as my honourable friend says in this measure, although he claims similarity to that measure, it does not go on to say that you shall

[Dawan Chaman Lal.]

prohibit the sale and purchase of all produce outside that particular market, outside that particular notified market area. Under the Bombay measure everybody is free to sell and purchase and the argument raised by my honourable friend here, a very vital and important argument, namely, that the villager is free to sell his produce in his village to-day without having to pay tax or charge, that argument is met in the Bombay measure, but it is not met in my honourable friend's measure. I am absolutely convinced in my own mind that my honourable friend's zeal has exceeded his wisdom in presenting this measure. Did he stop to consider the repercussions of this measure from the practical point of view—and I am not at present taking this argument from a political standpoint—I am taking merely the standpoint as evidenced by the clause of this measure? Did he take the practical point of view, did he ever realise that it is necessary to confine this measure to the evils that exist and to the places where that evil exists and not to arm himself with the power of creating a wide roving commission to go all over the province doing things which are not desirable, which are not necessary nor practical? This is a very vital distinction and I submit that when my honourable friend, Dr. Sir Gokul Chand Narang, got up and objected to the radius of 5 miles which is to be found in the amendment moved by my honourable friend behind me, he also was misled by the mere magnitude of the problem due to a very relevant objection that I have raised to this particular measure, namely, the wideness of the powers taken for unnecessary purposes. Therefore he objected to the five mile radius. Now let me for a moment explain what the amendment really means. The amendment means this. Suppose, for instance, we cut up the city of Lahore into a series of villages five miles distant from each other and consider for a moment that Model Town, where my honourable friend lives, is a market and 5 miles outside the Model Town, Ichhra is also a mandi. Now suppose we live in Model Town mandi. It means that within five miles as the crow flies, that within five miles from that particular regulated mandi, no mandi shall be set up in competition with that particular mandi. It does not matter even if it comprises an area of 78 miles by taking a circle right round, it does not affect me. What I am concerned with in this amendment is this that within five miles from this mandi as the crow flies no other rival mandi should be set up. That is all that this amendment means. For instance, you take Phularwan and Bhalwal, two mandis. They are at a distance of about 10 miles from each other. It is said that from Bhalwal going north, south, east, and west in any direction that you choose to go, no other mandi shall be set up within five miles. It does not mean anything more.

Rai Bahadur Mr. Mukand Lal Puri : There is no such provision in the Act.

Diwan Chaman Lal : My honourable friend only re-states what I have already said that as far as the Act is concerned there is no such thing. As far as the Act goes, as I have already stated, it seeks to regulate the entire province and if my honourable friend would read the wording of the section which we are seeking to amend he will find that the section itself speaks as follows :—

The Government may, by notification, declare their intention of exercising control over the purchase and sale of such agricultural produce and in such area comprised in a district as may be specified in the notification.

"Such area comprised in a district as may be specified in the notification," and if my honourable friend were to put into effect the vague ideas that are contained in this measure, he would be compelled not to regulate the market but to regulate the entire district, an unthinkable and impossible proposition.

Shaikh Muhammad Sadiq : Why?

Diwan Chaman Lall : My honourable friend over here says, "why." He questions my statement. I will explain to my honourable friend. By regulating an entire district and stopping sale and purchase of crops, apart from regulating the market, stopping the sale and purchase of produce in the entire district if my honourable friend over here, who is not a grower himself, goes to buy a seer of ghee, he will have to get a licence before he can get ghee and if my honourable friend over there who wears a coloured turban desires to buy a little bit of dye-stuff, inspite of the fact that he is a Minister, he will have to get a certificate from the market committee before he is able to buy the dye-stuff, otherwise he will have to wear uncoloured turbans. This is the reason, I submit, for my honourable friend seeking not to regulate the purchase and sale outside the market area. There was nothing in this Bill previous to the select committee's report regarding the purchase and sale outside the market area. In seeking to regulate that my honourable friend will make this measure an impossible one to put into effect. Let me here say one word in regard to this particular matter which is of interest in view of the remarks that have already been made and that is this. The main object of this amendment and this particular clause should be to regulate the particular market where agricultural produce is sold and bought with the two-fold object, (1) that undue charges are not levied by the brokers and (2) that the weights and measures by means of which the agricultural produce is weighed and sold through these brokers are correct and of a standard. These are the only two objects, most desirable objects, which we are out to support every time, but what we are not out to support is the vague measure, a measure not properly thought out, a measure which has its basis not in the regulation of the markets on this two-fold basis, but which has its origin in the political controversies of the day, in the desire of my honourable friend to control the markets and as far as that goes, I say it here, deliberately on behalf of my party that because of the principle of nomination for which my honourable friend stands, we are here to oppose this measure tooth and nail, but if he wants to improve it and make it a practical measure we are here to support it, but if he chooses to make a political weapon of it, then he will get the strongest possible opposition that we can give on the floor of this House.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram): Some of my friends on the Opposition benches have been giving expression to imaginary fears. They are afraid of shadows which need not exist and which do not really exist. It seems that the occurrence of the words "comprised in the district" has been responsible for misleading them. If my friends will just look at page 2 of the Third Revised List of Notices of Amendments (Amendments Nos. 3 to 7 to Clause 3) they will find that there is a notice of an amendment which seeks to eliminate the words "comprised in a district." In order to set my friends' fears at rest I may state that I am going to accept that amendment.

Rai Bahadur Mr. Mukand Lal Puri : Which amendment ?

Minister : No 7 (ii) which runs as follows :—

That in line 7, the words " comprised in a district " be deleted.

But I claim that even in the presence of these words there is no reason to feel that these fears are well-founded. What Government would care to declare all at once is not a whole district to be a notified market area. Nothing is further from the mind of the Government than to declare as a notified market area either a whole district or a whole tahsil or a whole thana or even a whole zail. What the Government seeks to secure is that growers, when they go to market places, will not be victimised by dishonestly-inclined purchasers, brokers, etc. In order to secure that, restrictions and sanctions provided in this Bill may come into operation. All that is intended is that market places in the ordinary popular sense of the term may be declared to be " Notified Market Areas." (*Interruption.*) I am not going to accept it for the simple reason that if this amendment is accepted it will produce a number of loopholes for the evasion of law. Supposing there is a market place or an ordinary place for the meeting of sellers and purchasers in a particular town and Government declares only those particular places as notified market areas. These people can easily shift to another place say a hundred or two hundred yards away or even two yards away and be in a position to evade the law.

Chaudhri Krishna Gopal Dutt : You can notify it again.

Minister : I am not going to accept the limit of five miles. It will work havoc. Supposing this amendment were accepted and a town were declared a market area which adjoins the territory of an Indian state. What would happen then ? The five miles suggested may extend beyond the limits of British territory. All that is intended is to declare only those portions as notified market areas which are normally speaking places of business, but in order to see that this law is not evaded we are also desirous of including a certain further margin within which we apprehend that fresh places of business may be set up. That is all that is intended. A town may be declared a notified area.

Lala Deshbandhu Gupta : If my honourable friend does not mind interruptions, may I ask him a question ? How is the question of a native state solved under the provisions of the Bill as it stands ? How is the honourable member going to safeguard against the possibility of a native state obstructing ?

Minister : Quite easy. We will say in the notification declaring any particular area to be a notified market area, that the limits of that area will not go beyond certain points in the British territory itself. But if this amendment is accepted then in the case of a mandi town which is situated right on the border of an Indian state it will bring under its purview some portion of the Indian state which would be an absurdity. (*Interruption.*) Anyway I can assure my friend that all that the Government desires to secure is fair dealing to growers with the least possible inconvenience to those who have to carry on the business of purchasing and selling agricultural produce. With these words I oppose the amendment.

Lala Deshbandu Gupta : If the honourable member does not mind my asking him a question, I would enquire whether he did or he did not in the select committee say that under the provision as it stands it is open to the Government to declare the entire district or entire tahsil as the market area? (*Voices : No.*) I ask the Honourable Minister for Development. Let him deny.

Minister for Development : There is no question of denying or affirming. I am not prepared to disclose any discussion that may have taken place at the meeting of the select committee. I am not in a witness box.

Lala Deshbandhu Gupta : I think the Honourable Minister is not justified in withholding an information on a point like this. There is no question of his being placed in the witness box. He has to satisfy the members of this House.

Rai Bahadur Mr. Mukand Lal Puri (Rawalpindi Division, General, Rural) : Sir, it is a matter of some relief that the apprehensions, which were entertained by certain members of the Opposition on the basis of what was reported to have taken place in the select committee, have been attempted to be allayed to a certain extent by the Honourable Minister for Development when, if I understood him aright, he said that the intention of the Government was not to make the market area a very extensive one ; that it would not be ordinarily extended even to a zail much less to a thana. Personally I think that apart from what has taken place in the select committee which evidently has led the Opposition to move this amendment, the original idea of the Bill, as shown by the definition itself, was not even to extend it to a whole town. The original idea of the Bill was to confine it to the mandis where the agricultural produce is sold not in retail but is sold on a wholesale basis ; where usually the agricultural produce is brought from outside and is given to the *ahrtia* who buys and then either sends it to the port towns, like Karachi or Bombay or sends it to other markets for retail. But the discussion here and the arguments which we have heard during the last few days, when the Bill has been under discussion, seem to indicate that the idea is not to regulate the agricultural produce markets only but to insist upon a licensing of all the shopkeepers in a tahsil who sell out this produce in retail. If what the Honourable Minister for Development has stated to-day is the object of the Bill, that object can be very well served by adopting a provision like the provision in the Bombay Act. The idea is that the producer who wishes to sell the produce should be able to sell it at a fair and proper price and should be able to sell it under conditions which do not place him under a disadvantage.

If that is the object, then the Bill should be confined to the well-known existing mandis where such agricultural produce is usually these days being sold without extending it to the tahsil where the agricultural produce is being sold in retail. Of course the growing up of new mandis should always be safeguarded by enacting a provision that the agricultural produce on wholesale basis will not be sold or bought except within such an area. What we on this side feel is that under the guise of regulating the trade and usages of the markets the entire community of shopkeepers, who deal with agricultural produce, will be compelled to take out licences. That evidently, if the Honourable Minister for Development is to be taken on his words, is not

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the object of the Bill. Now if you define, for instance, a town like Sargodha or a town like Kamoke or Lahore as a market place, the effect will be that every person who sells or buys any agricultural produce in those places will have to take out a licence. Anybody who assists a shopkeeper either as a weighman or a labourer or as a stockist will have to take out a licence in order to carry on his business. That evidently is not at least the professed intention of the framers of the Bill and yet we in this House are actually framing a Bill which would have that effect. Therefore, I certainly would like the Honourable Minister for Development to restrict the definition of the market place to the spirit of the definition which was originally given in the Bill. The idea was that a "market means a building, block of buildings, enclosure or other area which may be so notified in accordance with the rules made under this Act." We all know that in this province there is a block of buildings in all towns which is called a "mandi." According to the ordinary meanings of the words the intention was to include a small area round about the mandi, which may be possibly used to avoid the provisions of the Bill. That I take to be the original idea. If the Government does not stick to that original idea I submit it will be creating an engine of oppression in this province and it will certainly be creating a situation and a set of circumstances that would be absolutely impracticable. Any woman who keeps a stock of grams for parching and selling shall have to take out a licence under the Act as it is. Any person who is selling a bag of flour or a seer of chillies, or any person selling ten seers of *dal* will have to take out a licence. Is that the intention of the framers of the Bill? If that is not the intention, there is absolutely no justification for having this definition.

As I submitted, it is no use calling the Bill, the Punjab Agricultural Produce Markets Bill and under the guise of that Bill to insist upon every shopkeeper to take out a licence because according to the phraseology of some of my friends he is a bania and according to others he is usually a Hindu or a Sikh. What I contend is that nobody has any objection to the alleged laudable objects which the Government holds out to the province as the objects of this legislation. Nobody objects to the Government regulating the markets in such a manner that the agricultural producer gets a fair return and a fair price for his goods. Nobody objects to that but why do you insist on a person selling a bag of flour or selling vegetables taking out a licence? How is the object of the Bill advanced by that provision? I therefore respectfully contend that the Government has really gone far beyond what was originally intended and beyond what was laid down in the Bill and unless certain amendment is made in the Bill which carries out the original intention without roping in people unnecessarily, I feel confident that the Bill will be absolutely impracticable and it will be a dead letter.

Chaudhri Ali Akbar (Gurdaspur East, Muhammadan. Rural) (*Urdu*): Sir, if this amendment is accepted all the wholesome provisions of this measure will become ineffective. The object of this Bill is to enable the growers to obtain a reasonable price for their agricultural produce and to save them from the malpractices prevalent in markets. It is a well-known fact that at the time of harvesting, the grower is robbed of at least one-tenth of his produce.

Mr. Speaker : The honourable member is irrelevant.

Chaudhri Ali Akbar : My submission is that whenever a notification under this measure is issued the notified market area should not be confined to the market place but should also include the villages of the *ilaga*. We in the villages have to face many a robber. We are looted in various ways. At every harvest there is such a loot.

Mr. Speaker : The honourable member's remarks have nothing to do with the amendment under consideration. So, I request him to resume his seat.

Chaudhri Krishna Gopal Dutt : Mr. Speaker, I would like to say a few words in reply to the arguments—or lack of them—used by the Honourable Minister for Development. It is very discouraging that we have received little response from the Government with respect to our important amendments. As I said at the very outset when I moved this amendment, we are prepared to consider the Bill on its merits. I expected that such an important amendment which was in fact not controversial at all, would be accepted by the Government. I know, that when the whole debate on the Bill is concluded, the Honourable the Premier will get on his legs and say that we had been using obstructionist tactics.

Mr. Speaker : I would request the honourable member not to attribute motives to the Premier or any other honourable member of the Assembly.

Chaudhri Krishna Gopal Dutt : But you allow the Premier to say such things.

Mr. Speaker : I would request the honourable member not to bring in the Premier or any other member of Government by name in this House.

Chaudhri Krishna Gopal Dutt : I do not know what to say with regard to your order: I have to obey it. That is all I can say but we are every day feeling—

Mr. Speaker : I request all members of this House, to whichever party they may belong, that they should not be personal and should always avoid personal references and attacks. No one should be addressed as "you". Every one should be referred to in the third person so that heat may not generate.

Lala Deshbandhu Gupta : It is very cold and we do want some heat!

Chaudhri Krishna Gopal Dutt : I was not importing or generating any heat whatsoever.

Mr. Speaker : No personal reference should be made to any member of this House. He should be referred to in third person.

Chaudhri Krishna Gopal Dutt : How can we carry on the business of the House, if we are not permitted to give replies to the charges that have been levelled against us in season and out of season and inside this House and outside this House?

Mr. Speaker : I again hold the honourable member to be out of order.

Chaudhri Krishna Gopal Dutt : You said the other day that we should not name them at all. I never said "Sir Sikander". I said "the

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Premier ". You do not want us to say as to what our attitude is towards this amendment and that is what I am submitting. When we do these things we are accused of indulging in obstructionist tactics.

Mr. Speaker : Nobody has accused the honourable member or any other member to-day.

Chaudhri Krishna Gopal Dutt : All right, Mr. Speaker. May I bring it to your notice that the entire speech delivered by the Honourable Minister for Development on the Markets Bill was not—

Mr. Speaker : Order, order. If the honourable member persists in irrelevance, I shall be constrained to ask him to resume his seat.

Chaudhri Krishna Gopal Dutt : I am prepared to acquiesce in your decision and shall resume my seat before I finish my speech. But I may submit that every time—

Mr. Speaker : Please, speak to the motion.

Chaudhri Krishna Gopal Dutt : I bow to your decision. I would not import any irrelevant argument, but I would insist upon saying that I consider it a poor response from the Government with respect to this amendment when we are prepared to consider this amendment to improve upon the Bill. No one can deny that we on this side are also in favour of controlling the markets in the province and from that point of view I moved this amendment. I was using the argument that the Government say, "look here, we have not done anything new in this province, we are only following what other provinces like Bombay and Berar have done." I was saying that when in Bombay and Berar they have under the rules restricted their markets, why not do the same thing in this province? I regret to say that I was very much disappointed to hear the Honourable Minister's arguments. In fact, I would say that he has advanced no argument whatsoever and this is the poorest speech that I have ever listened to from the Honourable Minister for Development. His only argument was this that normally speaking market would be restricted and normally speaking he would act according to the spirit of this amendment. This is what I understood him to say. Did you say that? He nods his head. Why did he not say so then? He merely said that there were certain loopholes and that he did not want that certain persons should take advantage of those loopholes and, therefore, in order to close those loopholes he stuck to his original definition. But the original definition of a notified market area gives the Government wide powers. He has not said a word about that. He said that he would restrict the places and that he would also accept the amendment of my honourable friend, Munshi Hari Lal. But I regret to say that Munshi Hari Lal has drafted his amendment hastily and he wants to include places covering fairs, markets, enclosures where sellers and buyers usually congregate for the purpose of buying and selling such agricultural produce. This is meaningless because the entire district is also covered and the entire province is also covered. Therefore, it defeats its very object. I think he is not going to move it either. Mr. Speaker, my point is this that if normally the spirit of this amendment is to be followed by the Government, there is no harm whatsoever why the Honourable Minister for Development should not actually and literally incorporate this amendment in the Bill. He has

not given one argument, besides the argument of lapse of jurisdiction, that there may be a district, there may be another state and then there may be some clash of territory. Are there no states in the Central Provinces, are there no states in the Bombay Presidency? There are states even in the Bombay presidency and there are states in the Central Provinces and yet the question of duplicity of jurisdiction has never arisen in those cases. If it does arise in this case there is nothing to prevent him from declaring even that particular area as a notified area. I only say that perhaps he has no mood to accept the fundamental amendment moved by the Opposition, otherwise I see that there is nothing in it which should not appeal to his mind.

My honourable friend, the member for Lahore and Gujranwala, said that the Government would never do such a foolish thing, viz. declare the entire district as a "notified market area," and that if the Government did that it would cut its nose or something like that. He would welcome that because he wanted the Bill to be killed. That is not our position. It was from that point of view that we were absolutely indifferent to the circulation motion moved by Sardar Sahib Sardar Santokh Singh. We at this stage do not want to indulge in dilatory tactics. We want to consider the Bill on its merits. We do not want to kill it. We want properly organised and representative market committees in the province. It is from that point of view that Government should not be armed with these powers. My honourable friend, Dr. Sir Gokul Chand must know that the present Government is doing things which are worse than those done by previous Government, therefore, I am not prepared to arm this Government with such wide powers. Only one argument advanced by the Honourable Chaudhri Sir Chhotu Ram has been replied to by me so far as the jurisdiction of states is concerned.

Now, I must impress upon the House what has been said by my honourable friend, Pandit Shri Ram Sharma. I developed that point in my original speech because it is a very important point. I laid stress on the point that we should not try to control marketing which is done on a small scale. We should not control the buying and selling which is done in small places, and one of my very important argument for that is that the Punjab is poor in transport and the agriculturist will be at a great disadvantage. That is my fundamental argument.

I resume my seat with a stern warning to the Government that in case they do not accept this amendment, and it is very unfortunate that we are considering such a Bill in an atmosphere of distrust and suspicion, in an atmosphere which is charged with tendencies of agriculturists and non-agriculturists, that prevents our considering the Bill on its merits—if the Honourable Minister does not accept our amendments, and makes the scope of the Bill so wide and comprehensive, then I may warn him and warn him sternly that time will come when the Government will be disillusioned. This Government whose eyes are at present disfigured with class spectacles will be disillusioned as to the reaction of the agriculturist himself. When the Bill is passed in this form and when he will go out into the province he will find when that tendency of agriculturist and non-agriculturist has been wiped out of the province that the agriculturists will be very much against this very clause which he has inserted. The agriculturist will not want that

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the area of buying and selling should be so vague, wide and comprehensive. I would welcome the day when the circumstances are favourable for so doing. But I believe that to-day they are not. We should try to control marketing in big places. We should not try to control marketing in small places. I think that the agriculturist has certain advantages in selling his produce in his very place, and I bet that the agriculturist will not be able to get a better price if all the markets are controlled and therefore I say that only certain markets should be controlled and it is very disappointing that the Honourable Minister has not accepted the amendment. However I appeal to the House irrespective of parties to vote in favour of the amendment which I have moved in the interest of the agriculturist.

Minister for Development (The Hon'ble Chaudhri Sir Chhotu Ram): I will say just a few words by way of reply. My friend representing Sialkot has suggested that I made no reply whatsoever to any of the arguments which were adduced by himself or by some other members of the Opposition. I did put forward my arguments. The arguments may have failed to appeal to him, but they were put forward all the same. My friends seem to have misunderstood the scheme of this Bill. They have made a reference to Bombay ignoring the fact that the Bombay Act applies only to cotton—just one commodity.

Diwan Chaman Lall: What has that to do with cotton? It is a question of the area, it is not a question of commodity.

Minister: If my honourable friend will allow me to proceed, I will explain the position. The Bombay Act applies only to one commodity, and there they can declare a whole district or a whole tahsil to be a notified market area. After having made that notification they can very well proceed to lay down that they are not going to allow any rival *mandi* to be set up in that area. Here the present Bill under discussion does not relate only to one commodity. It extends to four or five. Therefore it would be impossible to declare a whole district to be a notified market area and at the same time to forbid the setting up of any other place of business for purchase or sale of those commodities. I made it quite clear that the intention was to apply the provisions of this law, in the first instance, to towns where *mandis* already exist and also to a small margin beyond the limits of those towns, so that people, in order to evade the provisions of the law, may not shift to places other than those where they now transact business.

Then, again, in order to see that no avoidable hardship will be caused to anybody, there have been provided exemptions under this law. A grower will not have to take out a licence. A man who purchases small quantities for his own personal use will not be required to take out a licence. Even apart from these two classes power has been given to Government to grant exemptions in other suitable cases. Therefore, it may be assumed that so far as Government is concerned it has no intention of causing any unnecessary hardship or avoidable inconvenience to any class of people.

Chaudhri Krishna Gopal Dutt: Where is the guarantee?

Minister: The guarantee is in the human nature itself.

Chaudhri Krishna Gopal Dutt : Human nature is animal nature now-a-days.

Minister : My honourable friend is wrong in proceeding upon the assumption that any responsible Government will conduct itself in a glaringly unjust or absurd manner.

Chaudhri Krishna Gopal Dutt : Why not have that human nature incorporated in the Bill ?

Minister : I claim that the present Government as any other government anywhere else should be given credit for possessing a sufficient sense of fairness to follow only sane methods of applying the law. If my friends are not prepared to concede that, then I do not feel inclined to answer any further questions by them.

Mr. Speaker : The question is—

That the existing sub-clause (c) stand part of the clause.

The Assembly divided : Ayes 78 ; Noes 26.

AYES.

Abdul Hamid Khan, Sufi.	Gurbachan Singh, Sardar Sahib Sardar.
Abdul Haye, The Honourable Mian.	Habib Ullah Khan, Malik.
Abdul Rahim, Chaudhri (Gurdaspur).	Hans Raj, Bhagat.
Abdul Rahim, Chaudhri (Gurgaon).	Hari Chand, Rai.
Afzaal Ali Hasnie, Sayed.	Indar Singh, Sardar.
Ahmad Yar Khan Daulatana, Khan Bahadur, Mian.	Jafar Ali Khan, M.
Ahmad Yar Khan, Chaudhri.	Jagjit Singh Man, Sardar.
Akbar Ali, Pir.	Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.
Ali Akbar, Chaudhri.	Manohar Lal, The Honourable Mr.
Amjad Ali Shah, Sayed.	Muhammad Akram Khan, Khan Bahadur, Raja.
Anant Ram, Chaudhri.	Muhammad Amin, Khan Sahib Sheikh.
Badar Mohy-ud-Din Qadri, Mian.	Muhammad Ashraf, Chaudhri.
Bhagwant Singh, Rai.	Muhammad Azam Khan, Sardar.
Chhotu Ram, The Honourable Chaudhri Sir.	Muhammad Hayat Khan Noon, Nawab Malik Sir.
Dasaundha Singh, Sardar.	Muhammad Hussain, Chaudhri.
Dina Nath, Captain.	Muhammad Jamal Khan Leghari, Nawab Sir.
Faiz Muhammad, Shaikh.	Muhammad Nurullah, Mian.
Faqir Chand, Chaudhri.	Muhammad Sadiq, Shaikh.
Farman Ali Khan, Subedar Major Raja.	Muhammad Sarfraz Khan, Chaudhri.
Fateh Khan, Khan Sahib Raja.	Muhammad Yasin Khan, Chaudhri.
Fateh Muhammad, Mian.	Muhammad Yusuf Khan, Khan.
Fateh Sher Khan, Malik.	Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
Fazl Ali, Khan Bahadur Nawab Chaudhri.	Muzaffar Ali Khan Qizilbash, Sardar.
Fazl Din, Khan Sahib Chaudhri.	
Fazl Karim Bakhsh, Mian.	
Few, Mr. E.	
Ghazanfar Ali Khan, Raja.	
Ghulam Mohy-ud-Din, Maulvi.	
Ghulam Samad, Khawaja.	

Muzaffar Khan, Khan Bahadur Captain Malik.
 Nasir-ud-Din, Chaudhri.
 Naunihal Singh Mann, Lieutenant Sardar.
 Nur Ahmad Khan, Khan Sahib Mian.
 Pir Muhammad, Khan Sahib Chaudhri.
 Pritam Singh Siddhu, Sardar.
 Ranpat Singh, Chaudhri.
 Riasat Ali, Khan Bahadur Chaudhri.
 Ripudaman Singh, Thakur.
 Roberts, Sir William.

Sahib Dad Khan, Khan Sahib Chaudhri.
 Shahadat Khan, Khan Sahib Rai.
 Sham Lal, Rai Bahadur Chaudhri.
 Sikander Hyat-Khan, The Honourable Major Sir.
 Singha, Mr. S. P.
 Sultan Mahmood Hotiana, Mian.
 Sundar Singh Majithia, The Honourable Dr. Sir.
 Suraj Mal, Chaudhri.
 Tara Singh, Sardar.
 Tikka Ram, Chaudhri.
 Ujjal Singh, Sardar Bahadur Sardar.

NOES.

Bhagat Ram Choda, Lala
 Bhagat Ram Sharma, Pandit.
 Bhim Sen Sachar, Lala.
 Chaman Lall, Diwan.
 Deshbandhu Gupta, Lala.
 Dev Raj Sethi, Mr.
 Duni Chand, Lala.
 Hari Singh, Sardar.
 Harjab Singh, Sardar.
 Kabul Singh, Master.
 Kartar Singh, Chaudhri.
 Kartar Singh, Sardar.
 Kishan Singh, Sardar.

Krishna Gopal Dutt, Chaudhri.
 Lal Singh, Sardar.
 Muhammad Hassan, Chaudhri.
 Mula Singh, Sardar.
 Partab Singh, Sardar.
 Prem Singh, Mahant.
 Rur Singh, Sardar.
 Sahib Ram, Chaudhri.
 Sant Ram Seth, Dr.
 Satya Pal, Dr.
 Shri Ram Sharma, Pandit.
 Sohan Singh Josh, Sardar.
 Sudarshan, Seth.

Mr. Speaker : The question is—

That sub-clauses (f) and (g) stand part of clause 2.

The motion was carried.

Mr. Speaker : Clause 2 as amended.

Diwan Chaman Lall : The amendments that have been moved by us with regard to this clause which we considered to be amendments of a very important nature have been so summarily rejected by Government that we feel constrained to oppose the whole clause. I will detail very briefly my grounds for opposing the clause. The first ground is the definition. The definition of 'grower' has been taken by my honourable friend to include those classes which we do not desire to be included in the definition. We have already stated on the floor of this House that we would be willing to give this two-thirds majority on the market committee to those persons who are the actual tillers of the soil. Secondly, we have tried to explain that it is essential that this measure should be of a practical nature. Therefore the definition of a 'market' or 'notified market area' should be such as would be within the four corners of a practical proposition. My honourable friend has advanced grounds which seem to be extraordinary for opposing the amendments that have been proposed by us. Only a person who is not conversant with the actualities of the case regarding a market would take his stand on an argument like that namely the shifting of

a market elsewhere. My honourable friend ought to know that where a market has actually been started, where a market has been in operation for several years, large sums of money have been invested in that market, numbers of shops have been opened, the value of property has increased and business connections have been created, that it is not possible for a market of that nature to shift in the twinkling of the Honourable member's eye.

It will take little more than the twinkling of my honourable friend's eye for a market to shift from where it has already been established. Therefore that particular argument advanced by my honourable friend has absolutely no substance in it and my honourable friend should have realised that we do try, we do attempt to give him a practical scheme. But even if a market is shifted from that particular area there is nothing in the amendment that we have proposed preventing my honourable friend from taking the necessary action to rope in a new market. Does it mean that with the provision that we are seeking to incorporate into this measure, does it mean that no new market can ever be roped in or notified under this Act?—An unthinkable proposition, a proposition which can only be advanced by people who never read this Act. At any time a market which does not conform to the rules and regulations laid down by my honourable friend for the notified area markets can be roped in by my honourable friend. All that I would say is this, that in view of the fact that my honourable friend has rejected the offer of co-operation that we made to him in regard to the making of this measure of a practical nature in the interest of the actual tiller of the soil, my honourable friend having rejected that offer of co-operation, we are constrained to offer our opposition to this clause.

Rai Bahadur Mr. Mukand Lal Puri (Rawalpindi Division, General, Rural): This is a clause dealing with definitions and one expects that the Government would adopt a definite attitude. But what do we find. Instead of attempting any definition the Government says, 'well these things shall be decided not now. Leave them to our discretion to define as and when we like.' Just look at the definition of "agricultural produce". One would expect that the definition would be confined to the main agricultural produce of this province. But nothing of the kind. According to the definition 'agricultural produce' means a crop which may hereafter be declared by notification by the Government. This is no definition at all. The Government says, we will decide it at a later stage as to what would be 'agricultural produce' and what would not be 'agricultural produce'. They might declare trade in horses to be agricultural produce; they might declare trade in sugar to be agricultural produce; they might declare trade in dairy produce to be agricultural produce, provided they can call it a crop. Now if you look at the other definition you find the same thing. In the definition of "the market" no limits are given, no indication is given, whether it is to be confined to certain particular areas. Again an area, howsoever large or howsoever small can be declared to be a market area. Complaints have been made in other countries also that the modern democracy is becoming absolutely autocratic. Complaints have been made that instead of the Government defining its attitude to the public and placing it before the House and taking the verdict of the House on such measures,

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the modern democratic Governments are assuming to govern by notifications and rules and bye-laws and this is precisely what is being done here with a vengeance. Instead of defining the term, instead of laying down what a thing is or a thing is not, it says 'a thing shall be what we say at a future time and which we shall declare by notification.' This is an attitude against which I raise my voice of protest and that is the reason why I oppose this clause.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural) : I spoke on one particular amendment in connection with this clause and the Honourable Minister replied to it. I had no opportunity of making any reply to his speech and I avail myself of this opportunity to say a few words. In sub-clause (c) where grower is defined an exception is made and that exception is very important. It says, "Grower means a person who grows agricultural produce personally, through tenants or otherwise but shall not include a grower who works as a dealer or a broker or is otherwise engaged in the business of disposal or storage of agricultural produce". I submitted that this was too discriminative and there was no reason why a person who is really a grower, whether a big one or a small one—undue importance was attached to some of my remarks by the honourable member on my right. It does not make any difference whether the grower is a big one or a small one—there is no reason why he should be deprived of the protection which this measure is intended to give to a grower simply because in addition to growing some crop he is also working as a dealer, may be only as a warehouseman in a market. He may be the owner of only 10 acres of land and he has got that land tilled through tenants. He will still be a grower. He is getting his land tilled by his sons. He will still be a grower. He is getting his land tilled by his servants. He is still a grower because he is actually growing some crop and the protection is extended even to those growers who do not till the soil with their own hands because the amendment for the deletion of these men who grow through tenants or otherwise was not accepted by the Government, so that if you take him in the literal sense or otherwise, he is a grower; and why does he cease to be a grower because while his sons are carrying on the actual cultivation of his land he is working say as a *rola* or a *tola* or a broker or a weighman or a measurer or a surveyor or a warehouseman in a market? Why should he be deprived of the advantage which those who are not doing anything actually personally in any market enjoy under this measure? The Honourable Minister said that if this amendment was accepted it would leave a loophole. What is that loophole? Most probably he had in mind the possibility of such a man not only selling the produce grown by himself on his land but also in the guise of a grower selling the produce of other persons. If this was not in his mind it is impossible to conceive at least for me of any other loophole. But if this is a loophole it is a loophole which is also open to a grower who is not a weighman or a measurer or a surveyor or a broker in a market. He can set up a shop in mandi and say, 'I have got 50 acres of land or 500 acres of land or 5,000 acres of land' as some of our friends have got, and say 'I am here to sell my own produce'. He is not required to take out a licence. Will the Honourable Minister then put some spies or members of the Criminal Investigation Department on these shops to see

that only the produce of their own land is sold and not the produce of other lands? Their lands are situated say at a distance of 20 or 30 miles in the mofasil. For instance take the Bhalwal market. Some of the biggest landlords are there as also in the vicinity of Phullerwan or some other market place. Their produce would come from their lands. Now, who is going to keep an account whether 100 carts of wheat or cotton that have come into the market are the actual produce of the man who sells or whether they come from the lands of the neighbours? They can buy something in the villages and bring into the markets as the produce of their lands.

If there is a loophole in the case of non-agriculturist growers, there can also be a loophole in the case of agriculturist growers.

Lala Bhim Sen Sachar : That is not material.

Dr. Sir Gokul Chand Narang : We have to proceed on assumptions and presumptions of honest dealings and justice and fairness to all classes. Of course these assumptions may be absolutely unfounded and it is daily appearing that we are not really warranted to be so optimistic as to make these assumptions and presumptions. I had to meet a very important argument—important from the Honourable Minister of Development's point of view which he advanced while replying to speeches from this side. Then perhaps he had another consideration in his mind and that was that as the growers have to enjoy a representation on the market committees which would not be less than two-thirds of the total strength, some of the poor non-agriculturist growers might also go on the committee through that door. But there is a very simple reply to that. If there was the elective system, there would be some force in that apprehension, but there will be no election so far as the representatives of the growers are concerned. Their representatives on the market committees will entirely depend on the selection to be made by the Honourable Minister of his nominees, so that there cannot be any apprehension that the poor non-agriculturist growers would have any share in the representation given to the growers on the market committees. I would therefore submit that the arguments which were given by the Honourable Minister do not have any force at all and his apprehensions were entirely unfounded and as this is a very important sub-clause in this clause, I consider the whole clause to be defective and unacceptable and I wish to join in opposing it.

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General, Urban) : Sir, I rise to oppose the entire clause. I was looking forward to the time and circumstances which will enable me and my other friends to support this clause and to support the entire measure as a whole, but in view of the attitude adopted by the Government I and my friends find it difficult to support this clause. This clause is very badly drafted. This clause is a jumble of inaccuracies, paradoxes and contradictions as has already been pointed out by various friends, but the chief objection has been centred round the definition of the word "grower." As has been already pointed out by my friend Dr. Sir Gokul Chand, if there are loopholes in the clause from the point of view of the Honourable Minister of Development there are also loopholes in the clause from the point of view of the Opposition and it is on that ground mainly that we oppose this clause. For instances, if you take the definition of the word "grower," it means a person who grows

[Ch. Krishna Gopal Dutt.]

agricultural produce personally, through tenants or otherwise, but shall not include a grower who works as a dealer or broker or is otherwise engaged in the business of disposal of storage of agricultural produce. This means that the actual grower who actually grows with his own hands is not the only person who is a grower. As I explained the other day there are *pucca ahrtias* and *kacha ahrtias* in the markets and the *kacha ahrtias* represent the interests of the growers and this Bill prevents these *kacha ahrtias* from representing the growers. In this connection, may I read out to you a paragraph from the report which was submitted as a result of an enquiry conducted under the supervision of Mr. H. Calvert who is a very well-known writer on agricultural economics in the Punjab? On page 11 of this report it says—

“From the rules it appears that the representatives of the growers must belong to the same class, and consequently the majority of the members of the market committees are more often than not likely to consist of growers, it seems, therefore, that in the Punjab where the majority of traders and the growers generally belong to different castes and religions and where there is a risk of all Government measures which tend to protect the agriculturists being misunderstood marketing legislation on the lines of the Bombay Act, if proposed, would need to be adopted to the Punjab situation, e.g., the creation of a distinction between *pucca* and *kachcha ahrtias* so as to include *kacha ahrtias* among the growers’ representatives. (Vide “Market Practices in the Punjab”).

The *kacha ahrtia* represents the interests of growers in the market. When he is not allowed to be considered as a “grower”, why should those landlords whose interests are at variance with the actual tillers of the soil be included in the definition of the word “grower”?

Sayed Amjad Ali Shah : How?

Chaudhri Krishna Gopal Dutt : The honourable member has not read the Bill. The landlord who does not till the land himself but does so only through his tenants will be included in the list of growers while the actual tillers of the soil would not be included. On the one hand this is the situation and on the other these parasites who do not till the land themselves, who till the land only through their tenants and servants and who have nothing to do with agriculture and have nothing to do with the growers, will be represented on the market committees and will be considered as “growers”. Look at the disparity, look at the difference. It is on that ground that I oppose the clause. The second ground on which I oppose the clause is the definition of the word “market.” I would again say that the speech delivered by the Honourable Minister for Development in reply to my speech was no speech at all and he did not advance any argument. I ask, if the spirit of the amendment will be observed, then where is the harm in incorporating it into the Bill? There is only one conclusion which I can draw from this that perhaps they have taken it into their heads to oppose all fundamental amendments moved by us on this side of the House and if this is the spirit, then I submit that our spirit should also change. If this is the spirit prevailing on the other side, then why should we arm the Government with extraordinary powers. If the Government takes it into their head to be mischievous and there are apprehensions that the Government may become mischievous, then this Bill will become oppressive. If the

Government is not prepared to disabuse our minds of such apprehensions, then we have no other course open to us but to oppose this clause. With these words I oppose the entire clause ?

Sardar Kartar Singh (Lyallpur East, Sikh, Rural) (Urdu) : I have stood up to oppose clause 2 as the definition of the term "grower"—

Mr. Speaker : That is repetition.

Sardar Kartar Singh : May be, I say a few things which have already been said, but I shall stress new points as well. If this Bill is passed into law, the big zamindars will become the masters of all mandis in the province. They will be included among "growers" through the kindness of the benign Government and their sons and nephews will become *ahrtias* in mandis. In this way, these big people will capture the whole business of the markets. But this will not help the general public and kisans in any way. The interests of the general public will not be safe in their hands. These interests will be trampled under foot. If this definition is allowed to remain, all the big and small landholders will be considered growers without any distinction. The small landholders deserve at least ninety per cent. representation on the market committees. But I am afraid they will not be able to get any representation worth the name. All the seats on the market committees will be usurped by the big zamindars. In the present mentality of the Government it is certain that cent. per cent. representation on these committees will go to big zamindars.

Mian Sultan Mahmood Hotiana (Pakpattan, Muhammadan, Rural) (Urdu) : My honourable friends have raised only two questions. First, that only the cultivators should be included among "growers" under the proposed Act and that all zamindars should not be included in the term. In this connection I want to put a question to my learned friends on that side of the House and that is this : will it not be unjust to exclude from the term "grower" those zamindars who have invested thousands of rupees on their lands and who have a legitimate share in the produce of those lands ? Further, will it not be inequitable to exclude them from "growers" when they have to take their produce to mandis and thus augment the business of the market places ? The second question raised by my learned friends is that *kacha ahtias* should be included among "growers". But my submission is this : there are at present both *pucca* and *kacha ahtias* in the mandis ; has any of the *kacha ahtias* ever raised his little finger to protect a zamindar from the fraudulent practices prevalent in the mandis ? They, on the other hand, are as keen on looting the zamindars as their *pucca* brethren.

Lala Deshbandhu Gupta : Do not the big zamindars loot them ?

Lala Bhim Sen Sachar : *Us waqt ghar ki ghar men rehti hai.*

Mian Sultan Mahmud Hotiana : With these words I submit that all the zamindars should necessarily be included among "growers" and that no *kacha ahtias* should be so included so that he may not have an opportunity to carry on his looting business against the interests of the zamindar.

Mr. Speaker : The question is—

That clause 2, as amended, stand part of the Bill.

Assembly divided : Ayes 67 ; Noes 38.

AYES.

Abdul Hamid Khan, Sufi.
 Abdul Haye, The Honourable Mian.
 Abdul Rahim, Chaudhri (Gurdaspur).
 Abdul Rahim, Chaudhri (Gurgaon).
 Afzaalali Hasnie, Sayed.
 Ahmad Yar Khan Daulatana, Khan Bahadur Mian.
 Ahmad Yar Khan, Chaudhri.
 Akbar Ali, Pir.
 Amjad Ali Shah, Sayed.
 Anant Ram, Chaudhri.
 Chhotu Ram, The Honourable Chaudhri Sir.
 Dasaundha Singh, Sardar.
 Dina Nath, Captain.
 Faiz Muhammad, Shaikh.
 Faqir Chand, 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.
 Gopal Singh (American), Sardar.
 Gurbachan Singh, Sardar Sahib Sardar.
 Habib Ullah Khan, Malik.
 Hans Raj, Bhagat.
 Hari Chand, Rai.
 Indar Singh, Sardar.
 Jafar Ali Khan, M.
 Jagjit Singh Man, Sardar.
 Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.
 Kishan Das, Seth.
 Manohar Lal, The Honourable Mr.
 Mubarik Ali Shah, Sayed.
 Muhammad Akram Khan, Khan Bahadur Raja.

Muhammad Ashraf, Chaudhri.
 Muhammad Azam Khan, Sardar.
 Muhammad Hayat Khan Noon, Nawab Malik Sir.
 Muhammad Jamal Khan Leghari, Nawab Sir.
 Muhammad Nurullah, Mian.
 Muhammad Raza Shah Jeelani
 Makhdumzada Haji Sayed.
 Muhammad Sarfraz Khan, Chaudhri.
 Muhammad Wilayat Hussain Jeelani, Makhdumzada Haji Sayed.
 Muhammad Yasin Khan, Chaudhri.
 Muhammad Yusuf Khan, Khan.
 Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
 Muzaffar Ali Khan Qizilbash, Sardar.
 Muzaffar Khan, Khan Bahadur Captain Malik.
 Nasir-ud-Din, Chaudhri.
 Nur Ahmad Khan, Khan Sahib Mian.
 Pir Muhammad, Khan Sahib Chaudhri.
 Pritam Singh Siddhu Sardar.
 Ranpat Singh, Chaudhri.
 Ripudaman Singh, Thakur.
 Roberts, Sir William.
 Sahahadat Khan, Khan Sahib Rai.
 Sham Lal, Rai Bahadur Chaudhri.
 Sikander Hyat-Khan, The Honourable Major Sir.
 Singha, Mr. S. P.
 Sultan Mahmood Hotiana, Mian.
 Sumer Singh, Chaudhri.
 Sunder Singh Majithia, The Honourable Dr. Sir.
 Suraj Mal, Chaudhri.
 Tara Singh, Sardar.
 Tikka Ram, Chaudhri.
 Ujjal Singh, Sardar Bahadur Sardar.

NOES.

Bhagat Ram Choda, Lala.
 Bhagat Ram Sharma, Pandit.
 Bhim Sen Sachar, Lala.
 Chaman Lall, Diwan.
 Deshbandhu Gupta, Lala.
 Duni Chand, Lala.
 Gokul Chand Narang, Dr. Sir.
 Hari Singh, Sardar.
 Harjab Singh, Sardar.
 Kabul Singh, Master.
 Kapoor Singh, Sardar.
 Kartar Singh, Chaudhri.
 Kartar Singh, Sardar.
 Kishan Singh, Sardar.
 Krishna Gopal Dutt, Chaudhri.
 Lal Singh, Sardar.
 Muhammad Hassan, Chaudhri.

Muhammad Ittikhar-ud-Din, Mian.
 Mukand Lal Puri, Rai Bahadur Mr.
 Mula Singh, Sardar.
 Muni Lal Kalia, Pandit.
 Partab Singh, Sardar.
 Prem Singh, Mahant.
 Rur Singh, Sardar.
 Sahib Ram, Chaudhri.
 Santokh Singh, Sardar Sahib
 Sardar.
 Sant Ram Seth, Dr.
 Satya Pal, Dr.
 Shri Ram Shama, Pandit.
 Sita Ram, Lala.
 Sohan Singh, Josh, Sardar.
 Sudarshan, Seth.
 Uttam Singh Dugal, Sardar.

Clause 3.

Mr. Speaker : The first part of amendments Nos. 3 to 7 has been disposed of. So, part (ii) may be moved.

6 P.M.

Lala Bhim Sen Sachhar : Sir, I beg to move—

That in line 7, the words " comprised in a district " be deleted.

The motion was carried.

Chaudhri Tikka Ram : Sir, I beg to move—

That the following proviso be added :—

" Provided that such period shall not be less than one month ".

Mr. Speaker : Clause under consideration, amendment moved—

That the following proviso be added—

" Provided that such period shall not be less than one month ".

Rai Bahadur Mr. Mukand Lal Puri : Sir, the notification relating to the constitution of market areas should be sufficiently well advertised, and sufficient opportunities should be given to the people to raise objections. Ordinarily the persons who will be affected by the constitution of these market areas are persons who are not conversant with the English language and it will take time before the information trickles down to them, and after that information has been thus obtained the various aspects of the constitution of the market areas or the trade of the town have to be considered.

Therefore, it is necessary that in order that the Government may be placed in possession of the *pros* and *cons* of the subject, a fairly reasonable time should be allowed to relapse before the Government finally gives its sanction. I consider that the period of one month is hardly enough, because it affects not only the merchants who are actually engaged in the sale of the produce, but it also affects a large number of persons weighmen, stockists, etc., etc., who assist in anyway in marketing the produce. You will be pleased to observe also that it affects a large number of consumers

[R. B. Mr. Mukand Lal Puri.]

also and a very large number of growers who are scattered throughout rural areas. It may be that the notification constituting a market area will affect adversely the entire market where growers of that particular area have better facilities for the disposal of their produce. It may be that constitution of such a market will affect property owners in that area. Therefore, it is necessary that we should give every possible facility to persons, who are likely to be affected by this legislation, to make proper representation to the Government. Therefore, the suggestion which I have made in the amendment which stands in my name, is that the period should in no case be less than two months. There may be people who wish, after notification, to give up their trade, there may be others who may like to come in and would like to represent their points of view before the Government. Therefore, no harm would be done if little facilities in that direction be extended.

Mr. Speaker : Question is—

That the following proviso be added—

“ Provided that such period shall not be less than one month ”.

The motion was carried.

Sardar Uttam Singh Dugal (North-West Punjab, Sikh, Rural) :

Sir, I beg to move—

That at the end, the following proviso be added :—

Provided that no such notification shall be issued for the control of the market at Rawalpindi town.

The House is aware that Rawalpindi town is a big fruit market for the fruits not grown in the Punjab province, but in places outside the province. The main object of this Bill is to safeguard the interests of the growers and if this Bill is extended to Rawalpindi, it will affect the trade of that place to a great extent, because the main trade of Rawalpindi town is of fruits coming from Kashmere State, and this Bill is not to apply to any produce which is not an agricultural produce of this province. Therefore, I request that this amendment should be accepted.

Mr. Speaker : Clause under consideration, amendment moved is—

That at the end, the following proviso be added :—

Provided that no such notification shall be issued for the control of the market at Rawalpindi town.

Khan Muhammad Yusuf Khan (Rawalpindi Sadar, Muhammadan, Rural) : Sir, my honourable friend is of opinion that in Rawalpindi town this notification should not be given effect to. My submission is that Rawalpindi, as most of the honourable members know, is one of the biggest towns of the Punjab and is the nearest town to Murree Hills and, no doubt, it is, rather a fruit market. But still I may submit to my honourable friend that as he does not belong to the growers class, he does not know how much agricultural produce is sold in the Rawalpindi market. In view of this I may be permitted to show the absurdity that has been expressed by my honourable friend, with due deference to him, as I have already given notice of an amendment that if Rawalpindi is exempted, then I am of opinion that towns of Amritsar, Lyallpur, Multan, Gojra, Malakwal and Gurdaspur should also be exempted from the application of this measure. With these remarks I oppose the motion.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural) : Sir, the definition of agricultural produce, as it stands, does not include fruits. Therefore, *prima facie* it would appear that the amendment was out of order or at least not a necessary one. But you will find in the definition of agricultural produce there is an additional clause and that says :—

Or any other crop which may hereafter be declared by notification to be agricultural produce for the purpose of this Act.

So that it is possible to add any other kind of produce. One may say, "Well, it is not an agricultural produce but it is horticultural produce." But when a definition is given, the definition can be made comprehensive to include anything. So, that objection does not apply, because it is open to Government to include within the definition of agricultural produce, produce of any kind whatsoever. They can also bring within the definition say, honey, though it is not an agricultural produce, or wool, although it is not a part of the cultivation of the soil. No peasant and no zamindar, whether big or small, has so far tried to grow sheep or goats on his land. It would not be, strictly speaking, an agricultural produce. Eggs can be brought in, poultry can be brought in, because an agricultural produce may be made to mean anything produced not by agriculture but by agriculturists or a produce of any industry which might be followed by agriculturists. Therefore, that objection does not apply. I would support the amendment on another ground also. I am familiar to a certain extent with the existing market in Rawalpindi and with some other markets also in the Rawalpindi district. I know, and gentlemen from Rawalpindi district or that side of the province would agree with me, that Rawalpindi is situated in the midst of a very poor part of the Punjab. Big zamindars are to be found in Shahpur city, Multan city and some in the Central Punjab and some in the Ambala division, though not many, but in the Rawalpindi division so far as my information goes, there are very few big zamindars and it is on the whole a poor part of the province and means of irrigation are not plentiful there. Almost the whole country depends upon rain, so that the produce there is not very great, and there is very little, if anything at all, in the form of agricultural produce which is to be taken to the markets. Therefore, I think that there is a great force in the local patriotism shown by my honourable friend from Rawalpindi when he moves that the town of Rawalpindi should be exempted from the application of this clause.

Sayed Amjad Ali Shah (Ferozepore East, Muhammadan, Rural) : I am not quite in agreement with either my honourable friend the gallant Knight or my friend the mover of this amendment. If he genuinely apprehended any injustice to those people who only import fruit, then he ought to have come forward with an amendment saying that imported fruit from Kashmir in Rawalpindi ought to be exempted from the definition of agricultural produce. But if he wants to get exemption for the whole town of Rawalpindi on this score, then I must say that he is far out and no one is prepared on this side of the House to support this amendment.

Mr. Speaker : The question is—

That at the end, the following proviso be added:—

Provided that no such notification shall be issued for the control of the market at Rawalpindi town.

The motion was lost.

Mr. Speaker : The question is—

That clause 3 as amended stand part of the Bill.

The motion was carried.

Clause 4.

Dr. Sir Gokul Chand Narang : I beg to move—

That in sub-clause (1), line 6, for the word 'a' the word 'the' may be substituted.

The motion was carried.

Sardar Partab Singh : I beg to move—

That in sub-clause (1) second paragraph, line 1, for the word 'From' the word 'After' and line 2, for the word 'or' the word 'and' be substituted.

The motion was carried.

The Assembly then adjourned till 2 p.m., on Tuesday, 29th November, 1938.

PUNJAB LEGISLATIVE ASSEMBLY.

4TH SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Tuesday, the 29th November, 1938.

The Assembly met at the Assembly Chamber at 2 p.m., of the clock. Mr. Speaker in the Chair.

BEATING OF STUDENTS OF MUSLIM HIGH SCHOOL, AMRITSAR BY GOONDAS.

***3591. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state whether it is a fact that the students of the Muslim High School and M. A. O. College, Amritsar, were beaten in the college premises on the 9th October, 1938, by some city *goondas* in the presence of the police on the spot ; if so, the action the police took in the matter?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) :
First part. No.

Second part. Does not arise.

Sardar Sohan Singh Josh : Is it denied that anybody was beaten ?

Parliamentary Secretary : Yes, the answer is quite clear.

Sardar Sohan Singh Josh : The Parliamentary Secretary is misinformed.

CANCELLATION OF PERMISSION GRANTED TO SARDAR SOHAN SINGH JOSH, M. L. A. TO INTERVIEW SARDAR AUTAR SINGH, ETC.

***3592. Sardar Sohan Singh Josh :** Will the Honourable Minister of Finance be pleased to state—

(a) whether it is a fact that Sardar Sohan Singh Josh, M.L.A., got permission direct from the Superintendent, sub-jail, Amritsar, to see Sardar Autar Singh Chhidan, Fauja Singh Bhullar, Baba Sohan Singh Bhakna and Darshan Singh Pheruman on the 4th August, 1938 ;

(b) whether the jailor concerned got that permission cancelled on the same day after half an hour of the grant of the said permission ;

(c) the reasons, if any, for cancelling the permission ?

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

(b) On further consideration the Superintendent of the Jail decided that the interview ought not to be allowed and cancelled the permission.

(c) It was in the discretion of the Jail Superintendent to refuse permission for the interview. I regret that I cannot undertake to give reasons in a case of this type.

Sardar Sohan Singh Josh : Is it a fact that the person who is to arrange for the defence of the accused who is confined in jail is not permitted to see the accused ?

Mr. Speaker : Disallowed.

USE OF UNBURNT BRICKS IN THE CONSTRUCTION OF GIRLS' SCHOOL AT FARIDABAD.

***3595. Chaudhri Sumer Singh :** Will the Honourable Minister of Public Works be pleased to state whether S. Ale Nabi, sufedposh, Faridabad, and a member of the District Board, Gurgaon, informed the Deputy Commissioner, Gurgaon, through the District Inspector of Schools, Gurgaon, that unburnt bricks were used in the construction of a girls' Middle School building at Faridabad, district Gurgaon, and thus public money appeared to him to have been wasted ; if so, the action taken on the information so given?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : A report was made as stated. In point of fact, both burnt and unburnt bricks were used in proportion, which had been previously approved by the Chief Engineer.

RAI SIKHS IN POLICE DEPARTMENT.

***3596. Tika Jagjit Singh Bedi :** Will the Honourable Premier be pleased to state the number of Rai Sikhs, an important section of the Sikhs residing in Montgomery, Ferozepore and Lyallpur districts, and depending for their living on the cultivation of lands, at present employed in the various cadres of the police?

The Honourable Major Sir Sikander Hyat-Khan : The figures are being collected and will be communicated to the honourable member when ready. In the meantime I must make it clear that Government cannot undertake to allocate shares in the services on the basis of castes and sub-castes.

INTERNMENT OF SARDAR JALWANT SINGH.

***3597. Tika Jagjit Singh Bedi :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that Sardar Jalwant Singh Arhti of Arifwala has been interned in a village called Sangat Singhwala in Pakpattan, tahsil and district Montgomery ;

(b) if so, the reasons for which he has been interned?

The Honourable Major Sir Sikander Hyat-Khan : The attention of the honourable member is invited to the answer to starred question No. 3403¹.

BUNGA HAYAT DISTRIBUTARY.

***3598. Tika Jagjit Singh Bedi :** Will the Honourable Minister for Revenue be pleased to state the result of the reading of the gauge at the tail of Bunga Hayat Distributary after 20th September?

The Honourable Dr. Sir Sundar Singh Majithia : The tail of Bunga Hayat Distributary received its fair share of the available supplies in the period 20th September to 15th October.

MOTOR VEHICLE PERMITS.

***3620. Maulvi Mazhar Ali Azhar :** With reference to the answer to my starred question No. 141², asked on 25th June, 1937, will the Honourable Minister for Public Works be pleased to state—

(a) the efforts the Government has made to minimise the delay in endorsing the permits and issuing of the quarterly tokens.

(b) why no such action has so far been taken at Lahore?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Government have recently devised a new form of token which can be issued by licensing clerks without obtaining the signature of the Licensing Officer. In addition the sanctioned strength of the staffs of licensing offices throughout the province has been examined with a view to providing additional clerks where required.

(b) The Lahore district is one of those for which extra staff has been proposed. Since it was necessary to obtain reports from all deputy commissioners in the province a certain amount of delay could not be avoided in working out the scheme for additional staff but every effort is being made to expedite it. The honourable member will doubtless realise that before additional staff can be provided the financial implications will have to be examined in accordance with the usual procedure.

Maulvi Mazhar Ali Azhar : With the staff at present existing why has no action been taken at all at Lahore?

Minister : The question as to staff is only being considered.

Maulvi Mazhar Ali Azhar : So far as the issue of chits is concerned, why is it that not even a single chit has been issued?

¹Page 23 ante.

²Vol. I, page 614.

Minister : New forms have been brought into existence and they would be issued.

RUNNING OF A POLICE LORRY ON MOCHIWALA-JHANG ROAD.

***3621. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that Lyallpur-Jhang road has been declared a scheduled road under Government Notification No. 25165/87-H.-3168, dated 3rd July, 1937, and only twenty, 2-ton buses have been sanctioned to ply on that road with the permission of District Magistrates of Jhang and Lyallpur;
- (b) whether it is a fact that lorry No. 5167 P. C., police daily runs on the said road between Mochiwala and Jhang;
- (c) if the answer to part (b) above be in the affirmative, the sanction under which the said lorry is allowed to run on the scheduled road?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Yes, but the district magistrates were left with a discretion to issue general or special permits from time to time allowing private buses or lorries to use the road.

(b) It is understood that the vehicle mentioned carries the postal mail between Jhang-Maghiana and the canal rest-house at Wer. It is not a police vehicle.

(c) It is presumably operating under a permit given by the District Magistrate, Jhang, but further enquiries are being made.

POLICE CHALLANS.

***3622. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister of Public Works Department be pleased to state—

- (a) the total number of motor traffic cases challaned by the traffic authorities in the months of June, July and August, 1938, separately in each of the districts of Lahore, Amritsar, Sheikhupura, Montgomery, Lyallpur and Jullundur;
- (b) the total number of challans made solely by foot or traffic constables; separately for each district and each month mentioned in (a);
- (c) the total number of challans mentioned in part (a) above which were after scrutinizing not allowed to be put in court in each of the said district;
- (d) the total amount of fine realized on account of motor traffic challans in each of the said district?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The required information is given in the appended statement.

Statement.

District.	Month (1938).	CASES REPORTED.			Amount of fines realized in traffic cases [part (d)].
		Total number of cases reported [part (a)].	Number of reports made by Foot Constables [part (b)].	Number of cases, out of those mentioned in the preceding column, in which it was decided not to prosecute [part (c)].	
1	2	3	4	5	6
					Rs.
Lahore	June	374	167	11	3,327
	July	326	186	16	4,298
	August	326	154	31	3,444
Amritsar	June	70	12	..	2,130
	July	99	8	..	
	August	145	15	2	
Sheikhupura	June	251	11	5	1,632
	July	221	15	1	998
	August	205	10	..	1,526
Montgomery	June	70	19	3	341
	July	90	21	4	1,265
	August	108	54	5	417
Lyallpur	June	28	14	1	113
	July	68	31	2	211
	August	77	31	2	418
Jullundur	June	81	33	..	435
	July	95	15	..	587
	August	92	46	..	447

SUPPLY OF BOOKS TO SARDAR GURMUKH SINGH, A B. CLASS PRISONER.

*3372. **Sardar Hari Singh** : Will the Honourable Minister of Finance be pleased to state—

- (a) whether he has recently received a representation from Dr. Bhag Singh of Desh Bhagat Pariwar Sahaik Committee on the subject of the supply of books to Sardar Gurmukh Singh, a B. Class prisoner, in Central Jail, Multan ;

[S. Hari Singh.]

(b) if answer to (a) above be in the affirmative, contents of the representation ;

(c) action taken in the matter ?

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

(b) The representation was in connection with the literature prisoner Gurmukh Singh was entitled, under the rules, to receive from outside and certain alleged delays in supplying him with books.

(c) Some steps have been taken to eliminate delay in supplying books to him. As, however, the majority of the books hitherto requisitioned by this prisoner have been prohibited literature, some delay in examination is inevitable. Attention is invited to clause (8) of paragraph 576-D of the Punjab Jail Manual which describes the concessions allowed to B class prisoners in the matter of reading material.

Sardar Hari Singh : May I ask the Honourable Minister to name some books which are included in the category of proscribed books ?

Minister : I cannot name any books at the moment but if the honourable member gives notice I shall find them out for him.

Sardar Hari Singh : Are they prohibited for the use of prisoners only or are they proscribed for the general public ?

Minister : I cannot say.

Sardar Sohan Singh Josh : May I know what kind of books are supplied to prisoners ?

Minister : Those which are not open to objection or proscribed and so on.

Sardar Hari Singh : May I take it that no books on political subjects are allowed inside jails ?

Minister : I would not go so far at all.

Sardar Sohan Singh Josh : Are there any authors whose books are banned from jails ?

Minister : I do not think any author as such has been banned.

Sardar Hari Singh : Has the Government issued any list of prohibited books or is the question of prohibition of any book left to the discretion of the jail authorities ?

Minister : The prohibition does depend upon the discretion of the jail authorities who consider whether particular books are suitable for use by prisoners in jails.

Sardar Hari Singh : Does the discretion rest with the Inspector-General of Prisons or with the Superintendent of Jails ?

Minister : I cannot say. The honourable member will have to give notice.

Sardar Hari Singh : Are there any general instructions to Superintendents of jails as to what kind of books should be allowed and what should not be allowed into the jails ?

Minister : I have not seen any general instructions so far. But if the honourable member wishes to probe into these minor details, I can easily enquire for him.

Sardar Hari Singh : Will the Honourable Minister please say whether since he assumed charge of the Jail Department he has issued any instructions to the jail authorities in regard to this matter ?

Minister : I have issued no instructions.

Lala Duni Chand : What is the main test for the selection of books for prisoners ?

Mr. Speaker : That question does not arise.

Mian Muhammad Iftikhar-ud-Din : Is the Honourable Minister prepared to adopt the same principle for prohibiting books into jails which the customs authorities adopt for prohibiting books into this country ?

Mr. Speaker : That question does not arise.

APPLICATION FOR PERMANENT PASS TO USE CANAL ROADS
BY DR. GOPI CHAND.

***3373. Sardar Hari Singh :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that the Honourable Leader of Opposition in the Punjab Assembly some time ago applied to the Government for grant of a permanent pass to use the canal roads in the Punjab ;

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

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) Yes.

(b) The existing rules permit an annual motor permit to be issued to the honourable members of the Assembly for Canal roads lying within their constituencies and for the roads leading to their lands and the headquarters town. Accordingly Doctor Gopi Chand has been informed that under the rules a permanent permit for all canal roads in the province could not be issued but he can be given a casual permit for any canal road in the province whenever required by him.

Sardar Hari Singh : May I ask the honourable member whether any Ministers of Government have a right to have a permanent pass to use the canal roads if they happen to visit any constituency of theirs or to attend any meeting organised by the Unionist Party ?

Parliamentary Secretary : As far as I know the Honourable Ministers are on the same footing as any other member of the Assembly so far as the issue of passes is concerned.

Chaudhri Kartar Singh : Does the Honourable Parliamentary Secretary know if any person can obtain a permanent licence from the Chief Engineer, Irrigation, for the use of canal roads ?

Parliamentary Secretary : Yes, by applying to the officer concerned.

Chaudhri Kartar Singh : I say permanent pass.

Parliamentary Secretary : No.

Sardar Hari Singh : May I ask whether the Ministers when they go on tours and have to use canal roads apply for permits?

Parliamentary Secretary : They have to inform the department concerned.

Sardar Hari Singh : May I ask the Government if they are prepared or if they have ever considered the question of allowing the same right, the same privilege, the same facility to the Leader of the Opposition to tour the province in order to place before the public the opposition point of view as compared with the Government programme and policy, as is allowed to Ministers?

Parliamentary Secretary : May I inform the honourable member that the Honourable Revenue Minister wrote a letter to Dr. Gopi Chand Bhargava stating that he had issued general instructions to all the Superintending Engineers in the Punjab that whenever Dr. Gopi Chand Bhargava applies for a pass for using canal road it should be given to him at once?

Sardar Hari Singh : May I know whether the Government is prepared to go further or has ever considered the question of going further and meeting the demand of Dr. Gopi Chand Bhargava that there should be no necessity for him to apply for a permit?

Parliamentary Secretary : The honourable member must have noticed that the Government have already gone further than the usual rules for permits by issuing general instructions to all the Superintending Engineers that they should issue the pass whenever asked for.

Sardar Sohan Singh Josh : May I know whether this rule applies only to the Leader of the Opposition or to all other members of the Assembly?

Parliamentary Secretary : Only to the Leader of the Opposition.

Lala Duni Chand : Are there any persons who are exempt from the obligation of obtaining a permit?

Parliamentary Secretary : None, except the canal officers whose duty it is to inspect the canals.

INDAR PAL, LAHORE CONSPIRACY CASE PRISONER.

***3374. Sardar Hari Singh :** Will the Honourable Minister of Finance be pleased to state—

- (a) whether Government has recently received a telegram from the wife of Indar Pal, a Lahore Conspiracy Case prisoner, now confined in the Lahore Central Jail, to the effect that the left side of the prisoner is paralysed, that he is still confined to a cell and that his condition is most serious;
- (b) if answer to (a) above be in the affirmative, action taken by Government in the matter?

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

(b) His case is under the consideration of Government. He has been examined by a medical specialist and is reported to be progressing favourably.

CHAUDHRI SIR CHHOTU RAM'S SPEECHES ON THE AGRARIAN BILLS.

***3393. Lala Duni Chand :** Will the Honourable Premier be pleased to state—

- (a) the number of places which the Honourable Chaudhri Sir Chhotu Ram visited with a view to explain the object and purpose of the agrarian Bills recently passed by the Punjab Legislative Assembly ;
- (b) the number of speeches delivered by him on the said subject ;
- (c) the cost of the visits paid by him to different parts of the Punjab ?

Parliamentary Secretary (Sayad Amjad Ali Shah) : (a) No places were visited with the sole intention specified in the question, though it formed one of the important items to which attention was paid at most of the places visited. Visits to departmental institutions such as Veterinary Hospitals, Industrial Schools, Agricultural Farms, Central Co-operative Banks and Unions, study of agricultural and economic conditions, progress of consolidation, cattle breeding, general rural uplift, working of Debt Conciliation Boards and maintenance of contact with the masses also formed part of the programme during these visits.

(b) Approximately 41 speeches were delivered and in most of them reference was made to the agrarian legislation passed recently.

(c) The honourable member is referred to the answer given to part (b) of question No. 3455¹.

Lala Duni Chand : May I know whether the speeches delivered by the Honourable Chaudhri Sir Chhotu Ram have ever been considered by the Government with a view to see whether they infringe or violate any provision of law ?

Mr. Speaker : That question does not arise.

Lala Duni Chand : On a point of order. I want to explain to you to your satisfaction that the question does arise.

Mr. Speaker : What is the object of the honourable member in asking that question ?

Lala Duni Chand : My object is to show that the speeches delivered by him are objectionable and should be considered by the Government.

Mr. Speaker : Then the honourable member should move a substantive motion and criticise his conduct on that motion. He cannot do that by a question.

Lala Duni Chand : May I know whether the speeches delivered by the Honourable Chaudhri Sir Chhotu Ram have been considered at all ?

Dr. Sir Gokul Chand Narang : Is it a fact that any application has been received by the Government for permission to prosecute Chaudhri Sir Chhotu Ram under section 153-A and if so what is the decision ?

Mr. Speaker : Does not arise, disallowed.

Lala Duni Chand : May I know whether the speeches delivered by Chaudhri Sir Chhotu Ram are such that are calculated to create feelings of hostility between the different classes of people ?

Mr. Speaker : It is a question of opinion. Disallowed.

VIVA-VOCE TEST FOR PROVINCIAL JUDICIAL SERVICE.

***3394. Lala Duni Chand :** Will the Honourable Premier be pleased to state—

- (a) if there is a proposal to add the *viva voce* test, with 200 marks, to the subjects already provided for the Provincial Judicial Service Examination ; if so, from when ;
- (b) the objects of this addition ?

Parliamentary Secretary (Sayed Amjad Ali Shah) : (a) A proposal in this sense has been made. The matter is now under discussion between Government, the Honourable Judges and the Public Service Commission.

(b) The advantage of a *viva voce* is that it tests the general capacity of the candidates as well as their intellectual equipment. I must make it clear, however, that Government are far from having reached any final opinion in the matter.

Lala Duni Chand : Is it true that *viva voce* marks are given as a matter of favour to those candidates who belong to the favoured or loyal families ?

Mr. Speaker : Does not arise. Disallowed.

Lala Duni Chand : I would like to read out the main question to you and then get your ruling.

Mr. Speaker : I have read the question.

Lala Duni Chand : My question is whether there is a proposal of add to the marks already allotted for the *viva voce* test ? I understand from the answer that there is such a proposal before the Government. So I want to know what is the object that underlies that proposal, whether it is not a fact that the object in increasing the marks allotted for *viva voce* test is to make it easy for certain candidates.

Mr. Speaker : That question gives rather than seeks information.

Lala Duni Chand : May I know what is the object underlying the proposal to increase the number of marks allotted for *viva voce* test ?

Parliamentary Secretary : I have already answered that question.

Mian Abdul Rab : May I know whether this year a *viva voce* test was held ?

Lala Duni Chand : My question has not been answered.

Parliamentary Secretary : I have already answered that question in my reply to part (b).

Lala Duni Chand : My question was, what was the object that was responsible for the proposal to increase the number of marks that has already been prescribed for *viva voce* test? What is the reason for this increase?

Mr. Speaker : The question is to ascertain the object of increase in the number of *viva voce* test marks.

Premier : The answer is that the matter is under consideration.

Lala Duni Chand : May I know with what object in view is the matter under consideration and what are those considerations that have led the Government to consider the question?

Parliamentary Secretary : Sir, I have already replied to that.

Lala Duni Chand : May I know whether it is true that a representation has been made by the candidates concerned as to the fact that *viva voce* marks have been given more favourably to some and less favourably to others?

Mr. Speaker : That does not arise.

REPORTS OF SPEECHES BY CONSTABLES.

***3395. Lala Duni Chand :** Will the Honourable Premier be pleased to state—

- (a) whether he is aware that Kanwar Shiv Singh, Magistrate, 1st Class, Ludhiana, while acquitting Maulana Habib-ur-Rahman, and his son Maulana Aziz-ur-Rahman of the charges under section 124-A, Indian Penal Code, has drawn the attention of the Government towards the 'injustices' which is done to the public speakers by reports of their speeches by ordinary constables;
- (b) if so, what step the Government propose to take in order to avoid the serious consequences arising from the present practice?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) :

(a) The Magistrate made some comments in his judgment in case *Crown versus Aziz-ur-Rahman* on the possibilities of error by junior and inexperienced police reporters.

(b) The question of increasing the efficiency of police reporters is already under the consideration of Government.

Lala Duni Chand : May I know whether any action has been taken against the constable on whose inaccurate report this gentleman was prosecuted?

Parliamentary Secretary : I want notice.

Diwan Chaman Lal : May I ask whether the honourable member is aware that more than a year ago the Government stated that the matter was still under consideration? Is that a fact or not?

Parliamentary Secretary : It is more a question of training reporters and as I remember, in answer to one question it was stated that in a number of districts trained reporters knowing shorthand had been appointed and that the Government was considering the whole question of increasing the efficiency of other reporters. But it is all a question of funds.

Mian Muhammad Iftikhar-ud-Din : Is it a fact that quite often speeches are written in thanas even before they are delivered by the Congress workers ?

Many voices : No.

Mian Muhammad Iftikhar-ud-Din : Is it a fact that speeches are sometimes sent from the centre here to be reported back ?

Parliamentary Secretary : Not at all.

Premier : My honourable friend is thinking of other province now.

REQUEST OF JANGRAS TO THE HONOURABLE PREMIER TO BE INCLUDED IN THE AGRICULTURIST TRIBES.

***3418. Pandit Shri Ram Sharma :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether he was presented with an address of welcome by the Jangras (Khatris) at Rohtak on 7th October last, in which they requested the Honourable Premier to include their caste in the agriculturist tribe ;

(b) the action proposed to be taken by Government regarding this request ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) Yes an address was presented to the Premier on 7th October, 1938.

(b) The matter will be investigated as promised by the Honourable the Premier in reply to the address.

Pandit Shri Ram Sharma : Has Government any instructions to be followed for the declaration of any class as agriculturists ?

Parliamentary Secretary : Yes, there are special rules.

Pandit Shri Ram Sharma : Is any concession shown on the presentation of addresses by certain class of people ?

Parliamentary Secretary : The rule is not changed.

Dr. Sir Gokul Chand Narang : Will the honourable member please refer to any *qanun* under which classes are notified ?

Parliamentary Secretary : If you give me notice, you will get the *qanun*.

Dr. Sir Gokul Chand Narang : Is the honourable member sure that there is any *qanun* like that ?

Parliamentary Secretary : I am certain about it that there is a *qanun*.

Dr. Sir Gokul Chand Narang : *Qanun* or a *qaida* ? Please let us know if it is a rule or a law.

Parliamentary Secretary : Rules.

Dr. Sir Gokul Chand Narang : Under what law ?

Premier : Law is the Alienation of Land Act, and the rule is under Government instructions and the criterion is the policy of the Government.

Dr. Sir Gokul Chand Narang : Is it not dependent on the sweet will of the Government to notify any class ?

Pandit Shri Ram Sharma : May I know whether those people fulfil the requirements of the rules ?

Parliamentary Secretary : Enquiry is being made whether they are entitled according to the rules. If they do satisfy the requirements of the rules, they will be notified.

Pandit Shri Ram Sharma : Will there be some consideration and concession shown in this matter on account of the presentation of the address and other such loyalties ?

SUM PAID TO *JAT GAZETTE* BY THE DEBT CONCILIATION BOARDS OF ROHTAK AND PANIPAT.

***3427. Pandit Shri Ram Sharma :** Will the Honourable Minister of Development be pleased to state—

(a) the total sum paid to the *Jat Gazette*, Rohtak, by the Debt Conciliation Boards, Panipat and Rohtak, since their inauguration for the notices advertised in the paper ;

(b) the rates allowed by the two boards respectively ;

(c) whether notices for publication were given to any other paper by these two Boards ; if so, the amount paid to them ?

Parliamentary Secretary (Chaudhri Tikka Ram) : (a) Rupees 3,003.

(b) Rupees 2 and Rs. 3 per notice by the Panipat and Rohtak Boards respectively.

(c) The Panipat Board also sent notices to the following papers and the amounts paid to them are noted against each :—

<i>Paper.</i>	<i>Amount paid.</i>
	Rs.
1. The Reformer, Lahore	180
2. The Aggarwal Hateshi, Lahore	24
3. The Advocate, Lahore	94
4. The Sitara-i-Subah, Karnal	956
5. The Himayatul Islam, Lahore	414
6. The Qaumi Daler, Amritsar	186
7. The Beopar Gazette, Lyallpur	30

Lala Duni Chand : Is it a fact that *Sitara-i-Subah* is an officially favoured newspaper ?

Parliamentary Secretary : No.

Diwan Chaman Lall : May I ask whether there is any other paper at Rohtak ?

Parliamentary Secretary : Yes.

Diwan Chaman Lall : May I ask whether that paper has ever received any advertisement from this source ?

Parliamentary Secretary : I shall require notice.

Diwan Chaman Lall : Is it not a fact that that paper with which my honourable friend over there (Pandit Shri Ram) is connected has never received any advertisement ?

Parliamentary Secretary : I should like to inform my honourable friend that the Debt Conciliation Board at Rohtak came into existence only three or four months back.

Diwan Chaman Lall : Has it paid this three thousand or more within these three months ?

Parliamentary Secretary : That sum related to the advertisements sent by the Panipat Boards started about two or three years back.

Diwan Chaman Lall : Is it the only paper which has been patronized by this Debt Conciliation Board at Panipat ?

Parliamentary Secretary : That is not a fact.

Diwan Chaman Lall : May I ask whether it is a fact that the *Jat Gazette* is owned by the Honourable Minister for Development ?

Parliamentary Secretary : No.

Diwan Chaman Lall : Is it a fact that it was owned by him ?

Parliamentary Secretary : Never.

Diwan Chaman Lall : Is it a fact that the Honourable Minister for Development was the principal person who founded this *Gazette* ?

Parliamentary Secretary : Yes.

Diwan Chaman Lall : Was he also the editor of this paper ?

Parliamentary Secretary : Yes, about ten years back.

Diwan Chaman Lall : Is it a fact that he has severed his official connection since taking charge of the Ministry ?

Parliamentary Secretary : Yes.

Diwan Chaman Lall : May I ask whether it is a fact that since this large sum has been paid to this particular paper with which the Honourable Minister was connected that it is not a fit case for investigation for the purpose of finding out whether it is a case of nepotism or not ?

Premier : That is a most impertinent inference.

Sardar Sohan Singh Josh : Is it a fact that the notices in question are not given to the *Haryana Gazette* on the ground that it is a rival to the *Jat Gazette* ?

Mr. Speaker : Disallowed.

Dr. Sir Gokul Chand Narang : Have any instructions been issued by the Government to any Debt Conciliation Boards directing them to send their notices to certain papers ?

Parliamentary Secretary : No.

Dr. Sir Gokul Chand Narang : Is the Honourable Parliamentary Secretary aware of the circulation of the papers whose list he has just read out ? I mean the number of papers sold in each case ?

Parliamentary Secretary : If the honourable member will give me notice, I will supply the information.

Dr. Sir Gokul Chand Narang : Had the Honourable Parliamentary Secretary ever heard the names of all these papers before he framed this answer ?

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

Pandit Shri Ram Sharma : May I enquire on what basis the newspapers are selected for the publication of such notices ?

Parliamentary Secretary : On the basis of their circulation as well as their popularity.

Pandit Shri Ram Sharma : Does it mean that there is no other newspaper in the districts of Karnal and Rohtak with a circulation equal to that of the *Jat Gazette* ?

Parliamentary Secretary : No, Sir.

Pandit Shri Ram Sharma : Why are such notices given to the *Jat Gazette* ?

Parliamentary Secretary : Because it is the most widely read paper in that *ilaga*.

Pandit Shri Ram Sharma : Is the *Jat Gazette* favoured because the Debt Conciliation Boards are under Chaudhri Sir Chhotu Ram ?

Mr. Speaker : Disallowed. The conduct of a Minister cannot be allowed to be criticised by a question. The Premier has more than once offered on the floor of the House that he shall be only too glad to give time, if any member of the Opposition wishes to attack the conduct of a Minister or Ministers. So the honourable member may give notice of a substantive motion, get time and discuss the conduct of one or more Ministers.

Diwan Chaman Lall : May I, on a point of order, draw your attention to the fact that when questions are to be put to Honourable Ministers regarding the conduct of business of the Government we are well within our rights in asking and putting questions with the object of criticising the administration of this Government.

Mr. Speaker : No. The honourable member is referred to May's Parliamentary Practice, pages 248 and 271. (*Hear, hear*).

Diwan Chaman Lall : May I draw your attention to the fact that questions, according to the rules, can only be put regarding the administrative responsibility of the Government.

Mr. Speaker :

"No question can be asked which reflects on the character or conduct of those persons whose conduct, as stated on page 271 can only be dealt with on a substantive motion." (May, page 248).

Pandit Shri Ram Sharma : I do not want to refer to any Minister. What I want to ask is whether the *Jat Gazette* is favoured with notices because it supports the Unionist Party ?

Parliamentary Secretary : Not because it supports the policy of the Government.

Pandit Shri Ram Sharma : Are these notices given to the *Jat Gazette* because it is an organ of the Unionist Party ?

Premier : No, but for the reason that it is more popular.

Pandit Shri Ram Sharma : Can he deny that these notices are being given to the *Jat Gazette* because it is a supporter of the Unionist Government ?

Premier : It is not a crime to give such notices to those newspapers which support the Government.

Pandit Shri Ram Sharma : Has the Honourable Premier described the *Jat Gazette* as a popular paper because it always sings the praises of the present Ministry ?

Mr. Speaker : I disallow that question.

Diwan Chaman Lall : On a point of order. May I refer you to the same page from which you have just quoted in regard to this matter ? You will find at the top of the page regarding the prohibition concerning questions being put which reflect on the character or conduct of those persons whose conduct, as stated on page 271, can only be dealt with by a substantive motion. That is one part of it, i.e., reflecting on the conduct of a particular individual whose conduct can be questioned by a substantive motion. But if you will be kind enough to look at this paragraph and read a little further you will find stated there :—

“Nor can any question be asked regarding the character or conduct except of persons in their official or public capacity.”

All that we are asking now is with respect to their official or public capacity. We are not questioning them with respect to their private capacity.

Mr. Speaker : A question must relate to the public affairs with which the Minister, to whom it is addressed is officially connected or to a matter of administration for which he is officially responsible.

Dr. Sir Gokul Chand Narang : What does this mean ?

“Nor can any question be asked regarding the character or conduct except of persons in their official or public capacity.”

What does it mean ?

Mr. Speaker : It is perfectly clear that when a question is addressed to a Minister or any other member, it is in his official capacity and not in his private capacity. But even in his official capacity he cannot be attacked and criticised by questions.

Diwan Chaman Lall : A no-confidence motion can only be moved in respect of the policy of the Government. It is not a question of bringing in a no-confidence motion. It is merely a question of interpellation with regard to the public capacity of the honourable member. It may happen to be the Parliamentary Secretary in charge of the department. We cannot be debarred from putting interpellations.

Mr. Speaker : The honourable member is referred to rule 20 (9) of our own Rules of Procedure. It runs as follows :—

“(9) it must not refer to the character or conduct of any person except in his official or public capacity, nor the character or conduct of any person which can be challenged only on a substantive motion;”

Therefore, an honourable member cannot ask from Ministers questions which are a direct or indirect attack upon their conduct or character.

Diwan Chaman Lal : The only substantive motion that can be moved is under rule 40, i.e., a no-confidence motion in a Ministry. It will be a motion expressing want of confidence in, or disapproving the policy in a particular respect of a Minister or the Ministry as a whole. But that is not the question at the moment. All that is in question is that interpellations are being put with regard to the official conduct of Ministers.

Mr. Speaker : The conduct of a Minister can be criticised in several ways.

CONVICTIONS AND ACQUITTALS IN MURDER CASES CHALLANED BY THE POLICE IN ROHTAK DISTRICT.

***3428. Pandit Shri Ram Sharma :** Will the Honourable Finance Minister be pleased to state—

- the total number of appeals in the Sessions Court against the convictions in the cases challaned by the police and the acquittals in Rohtak district ;
- similar figures in murder cases and cases relating to serious offences ;
- the reasons for large number of acquittals and the action the Government proposes to take in the matter ?

The Honourable Mr. Manohar Lal : (a) and (b) A statement is laid on the table containing the required information for the period from the 1st October, 1937 to the 30th September, 1938.

(c) The proportion of acquittals does not appear to be unusually high, and no action is contemplated.

STATEMENT.

Total number of appeals against convictions in cases sent for trial by the police.		Acquittals.		Total number of murder and other serious cases committed to Sessions.		Acquittals in these cases.	
Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.
1	2	3	4	5	6	7	8
238	401	51	155	29	73	9	42

REPRESENTATION BY PUNJAB BHATIA RAJPUT ZAMINDARS' LEAGUE.

***3463. Dr. Gopi Chand Bhargava :** Will the Honourable Revenue Minister be pleased to state whether he received a representation on behalf of the Punjab Bhatia Rajputs Zamindars' League on 21st April 1938, and, if so, will he please lay it on the table of the House and state what he proposes to do in the matter?

The Honourable Dr. Sir Sundar Singh Majithia : The honourable member's attention is invited to the reply given to question No. *3281¹.

PRINTING CONTRACT OF CERTAIN TYPOGRAPHICAL FORMS.

***3464. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Development be pleased to state—

(a) the dates when the printing contract of certain typographical forms and other work for certain Government departments, for example, Public Works Department, Irrigation and Electricity Branches, Treasury accounts forms, etc., was given for the years 1937-38, 1938-39 ;

(b) to whom this contract was given ;

(c) whether any tenders were invited before deciding to give the contract to the contractor to whom it has been given ;

(d) the rates and the other terms of agreement of the contract ?

Parliamentary Secretary (Chaudhri Tikka Ram) : (a) 25th February, 1937 and 21st February, 1938 respectively.

(b) To the Civil and Military Gazette Press.

(c) No. The matter has been examined more than once and Government found that on the whole it was advantageous to give this contract to the Civil and Military Gazette Press. They have done the work continuously for over 20 years.

(d) The agreement is a comprehensive one and the rates are given in a long schedule attached thereto. It is available for inspection by the honourable member in the Secretariat office.

Diwan Chaman Lall : Unfortunately, Mr. Speaker, my honourable friend's reply was inaudible. The question is why tenders were not called for in regard to this contract which was given to the Civil and Military Gazette ?

Parliamentary Secretary : I will read out my reply to part (c). It is this—

No. The matter has been examined more than once and Government found that on the whole it was advantageous to give this contract to the Civil and Military Gazette Press. They have done the work continuously for over 20 years.

Diwan Chaman Lall : Is the honourable member aware that in matters of this description there is always a chance of a charge of jobbery being made? So, is he not aware that it is necessary to call for tenders in such cases ?

Premier : Tenders are called wherever it is necessary or it is in the public interest to do so. Where it is not in the public interest to do so tenders are not called for. As regards jobbery my honourable friend is right that there are of course occasions when jobbery and nepotism can take place under such circumstances but it largely depends on the person who administers the department.

Diwan Chaman Lall : May I ask the honourable member whether now he has made up his mind that in future such contracts will be accepted and tenders will be called for so that the public may be aware of the contract and when tenders are received it goes to the lowest tenderer ?

Premier : That is not a supplementary question but if the honourable member will make a request in that behalf outside the House, we can discuss it.

FAILURE OF NAHRI KHARIF CROPS DUE TO SCARCITY OF RAINS IN
FEROZEPORE DISTRICT.

***3524. Sardar Tara Singh :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether he is aware of the fact that due to scarcity of rains this year the *nahri kharif* crops of village Roiana, thana Muktsar, district Ferozepore, are very poor and *chari* and *guara* crops have been totally ruined by *tela* and pest and owing to drought there is a great scarcity of fodder ;

(b) whether it is a fact that the zamindars of the above-named village sent representation to the Deputy Commissioner, Ferozepore, and Sub-Divisional Officer, Ferozepore, for the remission of abiana, if so, whether the Government intends to take any steps to give relief to those zamindars, if not, reasons for the same ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) Yes, the crops are reported to be about average, so could not be styled as totally ruined, and there is no great scarcity of fodder so far. The situation is being carefully watched.

(b) No. A representation for general remission of abiana for the whole tahsil was however made by the Muktsar tahsil Zamindara Association, to the Executive Engineer, Ferozepore Division, Sirhind Canal, who inspected the areas affected, and granted remission permissible under the rules, where necessary.

Pir Akbar Ali : May I know whether there are certain rules that when kharaba is $\frac{1}{2}$ or less than $\frac{1}{2}$ no kharaba will be given ?

Parliamentary Secretary : Yes.

Pir Akbar Ali : May I know that the yield of crops varies from district to district ?

Parliamentary Secretary : Naturally.

Pir Akbar Ali : Then in a district where the average is 8 maunds $\frac{1}{2}$ will be less than 2 maunds and where the average is 4 maunds $\frac{1}{2}$ will be less than 1 maund ?

Parliamentary Secretary : It seems good arithmetic.

Pir Akbar Ali : Is Government of opinion that the kharaba rules are just ?

Mr. Speaker : A question asking opinion cannot be allowed.

REDUCTION IN THE SCALE OF FEES CHARGED BY ASSISTANT SURGEONS.

***3534. Mian Badar Mohy-ud-Din Qadri :** Will the Honourable Minister of Education be pleased to state whether the Government has ever considered the question of reducing the scale of fee, which it is permissible for the assistant surgeons, to charge, from Rs. 5 to Rs. 3 per visit ; if so, with what result ?

The Honourable Mian Abdul Haye : Government have not fixed any scale of fees to be charged by assistant surgeons in their private practice.

PROFESSOR OF ARABIC FOR THE ORIENTAL COLLEGE, LAHORE.

***3535. Mian Badar Mohy-ud-Din Qadri :** Will the Honourable Minister of Education be pleased to state whether or not the Government have ever appointed a professor possessing foreign qualifications on the staff of the Oriental College, Lahore, for teaching Arabic ?

The Honourable Mian Abdul Haye : Government is not concerned with the appointment of the staff of the Oriental College, Lahore, the College being under the University of the Punjab.

TEACHING OF ARABIC IN GOVERNMENT HIGH SCHOOLS.

***3536. Mian Badar Mohy-ud-Din Qadri :** Will the Honourable Minister of Education be pleased to state the number at present of Government High Schools in the Punjab where there exists no arrangement for the teaching of Arabic ?

The Honourable Mian Abdul Haye : Seven.

ACREAGE OF CROWN LANDS DISTRIBUTED AMONG SCHEDULED CASTES.

***3582. Lala Deshbandhu Gupta :** Will the Honourable Minister of Revenue be pleased to state the number of acres of Crown lands distributed so far by sale or otherwise in different revenue divisions to members of Scheduled Castes, notified agriculturists and non-agriculturists, respectively ever since the 1st of April, 1937 ?

The Honourable Dr. Sir Sundar Singh Majithia : I regret that figures are not available as statistics by caste or tribe of Government land are not maintained. The collection of this information will involve an amount of labour and expense out of proportion to the result obtainable. I may inform the honourable member that Government have not had any land to distribute on any appreciable scale since the 1st of April, 1937.

ORDER OF INTERNMENT AGAINST MR. RAM SINGH DATTA.

***3593. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state the reasons for the supersession of the order of internment served on 7th March, 1938 on Mr. Ram Singh Datta of village Viram Dattan, district Gurdaspur, by an other order served on him on 29th September, 1938 ?

The Honourable Major Sir Sikander Hyat-Khan : This was done in the interests of the public safety and peace.

Sardar Sohan Singh Josh : Did the last notice contain an injunction to the effect that he should not communicate with any newspaper ?

Premier : If the honourable member says that this was done I am prepared to accept his word.

Sardar Sohan Singh Josh : Was he forbidden to write to any newspaper to include him in the list of its subscribers ?

Premier : I require notice with regard to that particular detail.

Sardar Sohan Singh Josh : Why did the Government have this brain wave so late ? (*Laughter*).

ARREST OF MR. NAINA SINGH.

***3594. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state—

- (a) the date on and the place from which Mr. Naina Singh of village Dhut, Kapurthala State, was arrested ;
- (b) the reasons for keeping him in Lahore Fort for two months ;
- (c) the date on and the period for which he is interned in his village ?
- (d) whether there is any likelihood of the order being withdrawn at an early date ?

The Honourable Major Sir Sikander Hyat-Khan : (a) On 10th August, 1938, at Lahore.

(b) The attention of the honourable member is invited to the answer to starred question No. 3358¹, Part (a).

(c) He is not interned in his village, but was served with an order on the 9th October, 1938 externing him from the Punjab for twelve months.

(d) No.

WARABANDI IN DIPALPUR CANALS.

***3599. Tika Jagjit Singh Bedi :** Would the Honourable Minister for Revenue please state the programme of *warabandi* of Khairwal, Para and Tehar sub-divisions on Dipalpur Canals after 29th September and whether it was strictly observed ; if not, why not ?

The Honourable Dr. Sir Sundar Singh Majithia : There was no programme of *warabandi* of Hujra, Para and Tahar Sub-Divisions on Dipalpur Canal after 20th September but every endeavour was made to distribute the available supplies as equitably as possible over all channels.

DAMAGE TO CROPS IN NILI BAR AND DIPALPUR CANALS.

***3600. Tika Jagjit Singh Bedi :** Will the Honourable Minister for Revenue be pleased to state—

- (a) whether the Government is aware of the fact that owing to inadequate supply of water from Dipalpur and Nili Bar Canals the crops on these canals have been very badly damaged ;
- (b) if so, whether the Government has considered the question of compensating the zamindars so affected ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : The honourable member is referred to the reply given to starred question No. 3500.¹

Mian Sultan Mahmood Hotiana : Has any remission been given in Nili Bar ?

Parliamentary Secretary : I want notice of the question.

Mian Sultan Mahmood Hotiana : Is the Government prepared to consider the question of remissions ?

Parliamentary Secretary : Reports come to the Government by the 15th of December. Government is, therefore, awaiting the Commissioner's report and will make up its mind on the receipt thereof.

EXTERNMENT ORDERS AGAINST MR. IQBAL SINGH.

***3601. Sardar Sohan Singh Josh :** Will the Honourable Premier be pleased to state—

- (a) the date on which externment orders were issued against Mr. Iqbal Singh of district Jullundur ;
- (b) the date on which these orders were served on him ;
- (c) the considerations that weighed with the Punjab Government for his externment ;
- (d) whether the Government intends to give him some subsistence allowance during his externment ?

Parliamentary Secretary (Sayed Amjad Ali Shah) : (a) 12th August, 1938.

(b) 21st August, 1938.

(c) and (d) The honourable member's attention is invited to the answer to parts (a) and (d) of starred question No. 3362.²

¹Page 116 ante.

²Page 531 ante.

REALIZATION OF ACREAGE RATE FROM PATTI RANOKA OF VILLAGE DAHAR IN PAKPATTAN TAHSIL.

***3608. Mian Sultan Mahmood Hotiana :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that no canal water has been supplied so far to Patti Ranoka of village Dahar in the Pakpattan tahsil;
- (b) whether it is a fact that warrants for the confiscation of property have been issued against the " Pattidars " of the above-named village for the realization of acreage rate ;
- (c) whether Government realizes acreage rates from the owners of land in those ' pattis ' which do not get any water-supply ; if so, the reasons therefor ;
- (d) the amount of acreage rate that the Government is realizing from the ' pattidars ' mentioned in (a) ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) No canal irrigation has been done in this village for the last six years, i.e., since 1982-83.

- (b) Yes ; but the recovery proceedings were suspended last August ;
- (c) Does not arise.
- (d) Does not arise.

Mian Sultan Mahmood Hotiana : Is the honourable member aware that the lambardar of the village was put in the lock-up for failing to pay acreage rate ?

Parliamentary Secretary : I want to point out that the case is under the consideration of Commissioner. Government have built the outlets. The question is yet to be decided if acreage rate is to be charged from all the zamindars irrespective of their taking water from canals or not.

MUSLIM RELIGIOUS HOLIDAYS.

***3612. Khan Muhammad Yusuf Khan :** Will the Honourable Premier be pleased to state—

- (a) whether the Government is aware of the agitation carried on in the Muslim newspapers regarding the Muslim religious holidays ;
- (b) if so, whether the Government has changed its views since the answer to my question No. 1960¹, asked in the Assembly on the 7th March, 1938, regarding these holidays was given ; if not, why not ?

Parliamentary Secretary (Sayed Amjad Ali Shah) : (a) Government have seen certain paragraphs on the subject in the press.

- (b) I have nothing to add to my former reply.

Khan Muhammad Yusuf Khan : May I know whether the Government is aware of the fact that in case there is a sectional holiday to the Muslims, non-Muslim courts open courts and the Muslim public litigants may feel great difficulty and whether the Government is going to remove this grievance ?

Premier : I dare say that there would be an inconvenience in such cases. But if my honourable friend would write to me about it I shall see what to do for removing those grievances.

KILLING OF STRAY DOGS.

***3613. Mian Sultan Mahmood Hotiana :** Will the Honourable Minister of Education be pleased to state—

- (a) whether it is a fact that the Health Officers and Civil Surgeons of some districts in the Punjab have suggested to the Inspector-General of Civil Hospitals, Punjab, that the work of killing stray dogs in villages be entrusted to the doctors in charge of rural dispensaries ;
- (b) whether it is a fact that in several districts in the Punjab no doctor is appointed for killing stray dogs ;
- (c) the decision of the Inspector-General on the suggestion made in (a) and the manner in which he desires to get this work executed ?

The Honourable Mian Abdul Haye : (a) No.

(b) The destruction of dogs is not ordinarily the duty of medical officers. Their duty is to maintain a stock of poison tablets and to issue these on demand to the person appointed by the local body to destroy dogs.

(c) Does not arise.

MURDERS IN PUNJAB

***3614. Mian Sultan Mahmood Hotiana :** Will the Honourable Premier be pleased to state whether it is a fact that the number of murders committed in the province in the year 1937 is larger than that of the murders committed in the preceding year ; if so, the reasons therefor, and the steps he proposes to take in the matter ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) : The honourable member will find the figures set out and analysed in the *Report on Police Administration in the Punjab for the year 1937*. The second part of this question is answered in the Government review which is printed at the beginning of the Report.

Mian Sultan Mahmood Hotiana : Does not the report show that murder cases are on the increase ?

Parliamentary Secretary : Yes, that is correct.

Dr. Sir Gokul Chand Narang : Is the change in the Government responsible for the increase ?

Premier : No, there may be other causes which would be more relevant.

Dr. Sir Gokul Chand Narang : For instance, the speeches of Ministers.

SHORT NOTICE QUESTIONS AND ANSWERS.

CLASSIFICATION OF PIR LAL BADSHAH OF MUKHAD AS B CLASS PRISONER.

Lala Duni Chand : Will the Honourable Minister of Finance be pleased to state whether it is a fact that Pir Lal Badshah of Mukhad, M. L. A., who was recently convicted and sentenced to seven years rigorous imprisonment was originally given A class and that he is now being treated as a B class prisoner ; if so, the reasons therefor ?

The Honourable Mr. Manohar Lal : It is correct that Pir Lal Badshah of Mukhad, M. L. A., was recommended for A class classification by the Sessions Judge, Lahore. As, however, the offence for which he was convicted debarred him from A class treatment under paragraph 1 (1) (c) of section 1 of the rules framed under section 60 of the Prisons Act, 1894, it was not possible to place him in A class. He was, therefore, given B class, which is the highest classification to which he was entitled under the rules.

Lala Duni Chand : May I know whether the Government admits that in view of his position he is entitled to A class ? Which is the rule that prevents the Government from giving him A class ?

Minister : There is no occasion for the Government to admit one thing or another. He was given B class which is the highest classification to which he was entitled under the rules.

Lala Duni Chand : May I know whether it is not a fact that in certain cases persons convicted for murder or for attempt to murder have been given A class ?

Minister : I am not aware of any such person who has been convicted of murder and given A class. The rule is perfectly clear on this point.

Lala Duni Chand : Will the Honourable Minister be pleased to read out that rule under which he takes shelter ?

Minister : The rule is available to the honourable member in the library of the Assembly, but for his benefit I will read it out. It says :—

“Convicted persons shall be divided into three classes, namely, A, B and C. Class ‘A’ will contain all prisoners who are—

.....
(c) have not been convicted of—

(i) offences involving elements of cruelty, moral degradation or personal greed ;

(ii) serious or premeditated violence.....”

Sardar Sohan Singh Josh : May I know whether the Honourable Minister has the authority to waive that rule aside in favour of the prisoner ?

Mr. Speaker : Disallowed.

Begum Rashida Latif Baji : Was that rule not examined when he was first placed in A class ?

Minister : The question of classification arises only after conviction. It is the Government alone that can award the proper classification. The court concerned can only make a recommendation.

Diwan Chaman Lall : Since it is the Government alone that can give A or B class, may I ask the Honourable Minister whether he would be good enough to look into this matter and see, if it is possible, that A class is given to this gentleman?

Minister : The rules as they stand do not permit A class being given to this prisoner, but I shall certainly look into the matter further and again.

Diwan Chaman Lall : May I ask my honourable friend if he has any discretion in this matter?

Premier : My honourable friend may rest assured that this case was considered very sympathetically and we are prepared to re-examine it again sympathetically. But the difficulty is that rules cannot be made for individuals. They can be made for circumstances, for instance, for crimes of violence you cannot make an exception for a person who happens to be well-placed, although he may have been guilty of a crime of violence. That is the difficulty. But I can assure my honourable friend that we would again consider the case sympathetically and would give him the fullest possible facility.

Diwan Chaman Lall : May I also draw the Premier's attention to the fact that this is a case in which the final verdict has not yet been delivered? That has yet to be delivered whether he is guilty of that particular charge or not. In view of that my honourable friend will perhaps reconsider that question.

Premier : That is a circumstance which will be taken into consideration.

Chaudhri Sahib Dad Khan : What class was given to the Mahant of Nankana Sahib?

Premier : I am afraid that is not a supplementary question, but if the honourable member gives me notice I will find out.

Lala Duni Chand : Is the Government aware of the fact that the reversion of this gentleman from A to B is liable to be misconstrued by the public?

Mr. Speaker : Disallowed.

Malik Barkat Ali : Do I understand from the Finance Minister that the recommendation of the court is opposed to the rules on the subject? If so, will he be pleased to draw the attention of the courts to this fact, so that in future they may not make recommendations which are prohibited by rules?

Minister : The courts often make recommendations that Government cannot accept under the rules.

Mian Abdul Aziz : May I ask the Finance Minister whether he gave an intimation to the convict that he was going to be changed from A to B class?

Premier : There is no question of changing.

Mian Abdul Aziz : Is it a fact that the first magistrate who released him gave him A class and no objection was taken at that time? Then again when his bail application was before the Honourable Mr. Justice Blacker, he was recommended for A class but no objection was taken at

that time, also. If that was against the rules, why was no objection taken on those occasions?

Minister : The answer is perfectly simple. The question of classification, so far as the Government is concerned, arises only when a conviction has taken place.

Mian Abdul Aziz : May I ask whether the Honourable Minister knows that his conviction is under sections 307, 314 and 315? As a matter of fact he was not actually concerned in the matter himself personally.

Minister : I know what the prosecution was under and the honourable member himself should know that section 307 deals with attempt to murder, an offence at violence, and that is exactly the section which precludes under the rules the classification of the prisoner into A class.

Mian Abdul Aziz : May I ask whether it is a fact that a petition for consideration was submitted to Government and it has not been dealt with for the last fourteen days?

Minister : That question does not arise.

DAMAGE TO CROPS FOR WANT OF RAIN.

Sardar Sohan Singh Josh : Will the Honourable Minister for Revenue be pleased to state whether his attention has been drawn to the damage done to paddy, cotton and maize crops this year in the Amritsar district; if so, the action he proposes to take to relieve the distress of the people?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : Government is aware that in certain parts of the province difficult conditions have risen owing to want of rain and consequent damage to the crops. The extent of such damage can only be known after the usual girdawari has been completed. The question of relief to be afforded, will then as a matter of course be sympathetically considered.

REMOVAL OF CONGRESS FLAG FROM GOVERNMENT LAND.

Sardar Kishan Singh : Will the Honourable Minister of Revenue be pleased to state whether it is a fact that on 14th November, 1938, the Tahsildar at Jaranwala by a written order sent for Comrade Sehrgul Khan, President, Congress Committee, Chak No. 238/G. B., district Lyallpur, and ordered him to remove the Congress flag from the said Chak and whether it is also a fact that on the refusal of the said Comrade to do so, the Tahsildar ordered the flag to be forcibly removed from its present position: if so, whether the aforesaid Tahsildar has done so at the instance of the Government and if not, the action proposed to be taken in the matter?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : A small *thara* had been constructed in the chank of village 238/G. B., which is Government land, on which a Congress flag was erected. As the land belongs to Government, the Tahsildar called Sehrgul Khan, President, Congress Committee, and asked him to remove the flag by the 21st November. Sehrgul Khan did not refuse to remove it, nor was he forced to do so. The flag on the *thara* cannot, however, be permitted on Government land.

Sardar Sohan Singh Josh : Is the honourable Parliamentary Secretary sure of the fact that the land in question belongs to Government and is not a *shamilat deh* ?

Parliamentary Secretary : Yes.

Diwan Chaman Lall : Is it a fact that the Unionist flag is inscribed on the roof of this building which is a Government building ?

Premier : My honourable friend is mistaken. This is not a Unionist flag. It is a portion of the Punjab Crest.

Lala Duni Chand : Is it a fact that the National Flag has been flying on this plot for the last twelve months ?

Parliamentary Secretary : I require notice of that question.

Lala Duni Chand : Is it a fact that all the proprietors of the village excepting two lambardars were a consenting party to the National Flag flying there ?

Premier : I do not know about the National Flag, but I do know that the Congress flag was flying on Government land which was not permissible.

Diwan Chaman Lall : Is it a fact that during the Viceroy's visit to Lahore, the Unionist flag was flying in the streets of Lahore which belong to Government ?

Premier : It was not the Unionist flag. It was only the Punjab flag which was flying as it is flying now outside this building.

Diwan Chaman Lall : What is the honourable member's colour ?

Premier : Light blue and silver.

Diwan Chaman Lall : Is it not a fact that the light blue and silver flag was flying on the standards in the streets of Lahore at that time ?

Premier : No.

Lala Duni Chand : Is it not a fact that this land is entered in the Government records as *shamilat deh* ?

Parliamentary Secretary : I have nothing more to add, but Government are satisfied that this land belongs to them.

Diwan Chaman Lall : Would there have been no objection if the Unionist flag had been substituted on that particular spot in place of the Congress flag ?

Premier : I have told the House on two previous occasions in answer to this query that the Unionist flag is not a flag which can be flown on Government buildings. It is only the Punjab flag that can be flown.

Dr. Sir Gokul Chand Narang : Is there a Unionist flag ?

Premier : Yes, have you not seen it ?

Sardar Sohan Singh Josh : Have the Government made sure from the records that this land belongs to Government ? If so, what is its *khasra* number ?

AGRICULTURAL PRODUCE MARKETS BILL.

Clause 4—concl'd.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural): I beg to move—

That in sub-clause (1), paragraph 2, lines 3-4, the words 'unless exempted by rules framed under this Act' be deleted.

I move this amendment, because I suspect that these words were introduced in clause 4 by the select committee so that the Government may keep to itself the power of exempting certain people whom it wants to favour and thereby it would be allowed to mete out discriminatory treatment to different persons and create invidious distinctions. I am not quite sure whether that is the object of the introduction of these words in the clause. I simply feel suspicious about the matter and I would like the Minister in charge of the Bill to explain the point. If I am satisfied that the object of these words is not objectionable I will not press my amendment.

Mr. Speaker: Clause under consideration, amendment moved—

That in sub-clause (1), paragraph 2, lines 3-4, the words 'unless exempted by rules framed under this Act' be deleted.

Premier (The Honourable Major Sir Sikander Hyat-Khan): The suspicion of my honourable friend is wholly misplaced. I can assure him that the Government has no such sinister motive as he has attributed to it. Some power for exemption is absolutely necessary in a legislation of this kind for the simple reason that there may be cases where in the interests of equity and fair play some exemption may have to be granted. For instance, there may be a small retail seller about whom there was a discussion yesterday. Therefore, Government must have that power to exempt such people either by rules or bye-laws and to alter such exemptions from time to time in the light of experience gained. That is the only object of the introduction of these words in the clause and nothing more is intended.

Dr. Sir Gokul Chand Narang: In view of the explanation of the Premier I beg leave to withdraw the amendment.

The motion was by leave withdrawn.

Diwan Chaman Lall (East Punjab, Non-Union Labour): I beg to move—

That in sub-clause (1), second paragraph, line 7, for the words 'any place' the words 'any other market' be substituted.

This amendment is only a consequential amendment and seeks to define the area where the sale of produce takes place. The word "place" has nowhere been defined. If this word is allowed to remain in the clause then it would allow anybody to set up a place of business. The object of my honourable friend is that within a particular area no other market should be started. I am sure the intention of the mover of this Bill is also that within that area no other market should be started. They do not want to penalise the places generally. They want only to penalise places which are markets. My amendment seeks to clarify the position and I do not think my honourable friend can have any objection to it.

Mr. Speaker: Clause under consideration, amendment moved—

That in sub-clause (1), second paragraph, line 7, for the words 'any place' the words 'any other market' be substituted.

Premier : I am quite clear as to the amendment. I would have been quite glad to accept the amendment were it not for one point. My honourable friend has not noticed the distinction between 'notified market area' and 'market.' 'Any place' is a wider term. Therefore, from our point of view 'any place' would be the suitable phrase, but I do not know whether it would be suitable from my friend's point of view. You do not want to notify the whole area as a market area if that area is as compact and restricted as possible. If instead of the phrase 'any place' you substitute the word 'market' you would be either forcing the authorities to notify the whole area or you would be providing for evasion by small people to set up just one shop and do his business. That is why the present phrase is better than the word 'market.'

Diwan Chaman Lall : If my honourable friend had understood my explanation he would have realised that there was no difficulty in accepting this amendment even from his point of view. The position is this. What I seek to do by this amendment is to notify a particular area and call it under this law a 'notified market area.' In the notified market area there is a market and that market has been defined as a building, a block of buildings, enclosure or other area which may be so notified in accordance with the rules under this Act. So that even if the word 'market' is used, my friend's objection regarding generality is met, because that word has been defined. Within the notified market area there is another area which is known as the 'market.' All I seek to suggest is that we should be specific, that is to say, not to permit any market to be started within that particular area. 'Place' is a vague term. It means nothing. Whereas 'market' is defined. About the necessity for the definition of 'market' we had a full-dress debate the other day. Having defined the word, why not make use of it in this Act apart from the rules? Why allow that word to be suspended in the air? And I am making use of the term 'market' instead of the word 'place' in order to make the matter clear as would also appear to be the idea of the Honourable Minister. When you want to prevent transactions from taking place in a particular spot that spot is a market. It is not a vague place like a *gully* or a street or a grand trunk road. It is an actual spot where purchases and sales take place. That actual spot is the market and not a place. Therefore, it is in consonance with my honourable friend's own intention that the word 'market' should be substituted for the word 'place.' That is what the amendment means.

Mian Abdul Aziz (Outer Lahore, Muhammadan, Urban) : I do not think there should be any difficulty in the acceptance by the Ministerial benches of this amendment. It is only to remove any misinterpretation or misunderstanding instead of creating any kind of misunderstanding for the future that the substitution of the word 'market' for 'place' is suggested by my honourable friend. I hope the Honourable Premier will kindly consider this and accept the amendment.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural) : I think, Sir, the Honourable Premier is labouring under some misapprehension that my honourable friend to my right is probably in any way trying to pull his leg—that is a vulgar expression—to take some undue advantage. But certainly he is doing nothing of the kind. What he is trying to do is to substitute a term which is well understood and well defined in this Bill for a

word which has not been defined anywhere and which is vague. The difference between the word suggested by my honourable friend and the word that exists here is the same as exists between a known quantity and an unknown quantity, between something definite and something indefinite, between something clear and something vague. From the shake of the learned head of the Honourable Premier it appears that he has not clearly grasped the meaning. I was very reluctant to speak on this because I thought that the Honourable Premier would become more suspicious if I spoke. I will therefore not press the point further.

Pir Akbar Ali (Fazilka, Muhammadan, Rural): I rise to oppose this amendment. Perhaps my honourable friend will agree with me that if the word 'market' is there, then there will be scope for anybody to say that a place is not a market.

Lala Duni Chand (Ambala and Simla, General, Rural): I want to point out the difficulty with which the Government will be confronted in case the clause is worded as it is. There will be great difficulty then in the working of this Act. If you declare any area as notified market area in that case it will apply to every nook and corner in that notified market area, though it may not be your intention to apply the rigour of this law to every part. If this clause is passed as it is it will be within your power to exempt an individual, but it will not be within your power to exempt any part in the notified market area. That will be the difficulty with which you will be confronted. So far as I am able to understand, your idea is not to be confronted with any such difficulty. Therefore, you should be on your guard and be anxious to remove any such difficulties that you will be confronted with in the actual working of the Act. This is one of the proposals by which we want to remove the difficulties. If you do not accept it, you will be faced with difficulties in the working of the Act.

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh): There seems to be some confusion and misunderstanding with regard to the meaning of the word 'market'. There is a market area which the Government will notify and within that area the object of the Bill is that nobody should purchase or sell without taking a licence, so that there should be a regulation of purchases and sales of agricultural produce. Now, Sir, if this amendment is accepted what will it lead to? In the ordinary sense of the word, 'market' means a block of buildings, we call it a mandi in the Punjab. If this amendment is accepted then anybody who may sell outside that particular block of buildings will be free to sell or purchase things without getting a licence and the result would be that you would be destroying the market itself. People will go out of the market and start purchasing and selling with the result that the market itself will be deserted. If the object of the honourable member is that unregulated places might be set up for sale and purchase of agricultural produce and the original market is vacated, then it is all right. But if the object of the Bill is that such transactions ought to be regulated within the notified area, then the word 'place' is perfectly correct. I might inform the honourable mover of the amendment that in the Madras Act of 1933, the word 'place' has been used in a similar clause and not 'market' which he wants to substitute.

Diwan Chaman Lall (East Punjab, Non-Union Labour): I think, Mr. Speaker, the more I listen to the speeches of the honourable Parliamentary Secretary and his supporters, the more I am convinced that my honourable friends have really not understood the purport of this particular section. I do not think they have and I say so deliberately and if proof were needed that they have not understood it the speech of my honourable friend who has just spoken is sufficient to prove that. What exactly is the section or the clause which you are amending? My honourable friend is under some misapprehension that if the word 'place' is not kept there and the word 'market' is substituted, it will be possible for these people to go and open up places outside the area for the purpose of selling and buying agricultural produce. That was his contention, but if the word "place" is kept then they cannot do so. I personally do not see the logic of it. But may I remind my honourable friend to look at it as if it were a circle and let me here draw a circle and let my honourable friend see the circle. This circle is the notified market area and under this section from a particular date of the issuing of a notification or from such later date, as may be specified therein, no person, unless exempted by rules under this Act, shall within the notified market area, that is within this circle which my honourable friend is demarcating for the purpose of notification for the purpose of setting up markets, within this area, which is a wide area—let us imagine that this half of the sector of this Chamber is the circle and call it a notified area—within that notified market area nobody can set up what?—according to me a market and according to my honourable friend a place—for the sale and purchase of agricultural products. If my honourable friend would read it he will see how absurd the word 'place' reads. If I set up a place and my honourable friend the Advocate-General is briefed by me to contest with the authorities this proposition and I say that this is not a place for the sale and purchase of agricultural produce, it is not a market, then many interpretations can be had as to what the word 'place' means. Who is going to lay down the law whether it is a place or not? But everybody knows what a market is and when my honourable friend advanced this argument that within this circle it will be possible to buy and sell agricultural produce if the word 'place' is not kept there, then I submit that my friend has not understood the proposition, because once he notifies this circle as a notified market area, within the bounds of this circle nobody, unless he takes out a licence, can sell or buy agricultural produce, whether you keep the word 'place' or whether you keep the word 'market.' My honourable friend shakes his head. Let me repeat. Within this circle it is not possible to set up whether a market area or a place for the sale and purchase of agricultural produce. All that I want to do is to use a definite word which is defined in this Bill and which has a particular significance in this Bill.

Premier (The Honourable Major Sir Sikander Hyat-Khan): Sir, the word 'market' is defined in clause 2 (d) as a building, block of buildings, enclosure or other area, which may be so notified in accordance with the rules made under this Act. Market is defined here and other area merely gives you an opportunity of declaring a building or a place as a market. My difficulty is that unless you specify market here, that is a place which you have not notified as market, people may set up shops. In that case they will have to declare that a particular building or *kotla* or house is a market

before you can take it. That is my view. Satisfy me on that point and there is no quarrel between me and my honourable friend opposite.

Chaudhri Krishna Gopal Dutt : Sir, I have got a question to ask. Supposing for instance in that area a man sets up a shop and he says that a shop is not a market. There should be something to include that within the legislation. I hope my honourable friend, Diwan Chaman Lal will explain this.

Diwan Chaman Lal (East Punjab, Non-Union Labour) : I have not quite followed the last question, so I will not be able to satisfy my honourable friend. But my honourable friend opposite has raised a difficulty, an important difficulty, but if he sees it from my point of view the difficulty will vanish. One must not confuse a notified market with a notified market area. We see that by a notification we set up a particular area and designate it as a notified market area. The second thing we see is this that within this notified market area nobody shall set up a place for the purchase or sale of agricultural produce. I go beyond this and say nobody shall set up a market for the sale or purchase of produce without a licence. My honourable friend says that the moment I notify a market area a licence becomes necessary in the notified market area. We pointed out this difficulty that as far as a market is concerned you are not notifying it under the Act, you are notifying it only under the rules, but what you are notifying under the Act is a notified market area. Only read this definition and you will see that there is no specific clause of this Act to this effect. My contention is this that the moment you notify a particular area and call it a market area certain things follow. Once you notify then what happens is this—

Premier : Nothing happens.

Diwan Chaman Lal : From that date any person who **wishes** to purchase or sell—

Premier : He can do so.

Diwan Chaman Lal : No, you cannot do that. Then there is no reason or sense in notifying a market area. Then you notify a place. Why a notified market area? The very idea of notifying a market area is to prevent anybody from doing transactions of purchase and sale of agricultural produce without a licence. Once you do that then the next thing follows, namely, that no other person shall set up a rival market in that particular area. This is taken straight out of Bombay and Berar Acts. The Bombay Act, as I explained the other day, specifies that no other rival market shall be set up. This is under section 17 of the Bombay Act. No rival market shall be set up within the notified market area and what I am trying to do is to take you back to your own decision and define your own position that within that notified market area, once you notify it you shall not allow any person to set up any market for the sale or purchase of agricultural produce. That is all that I am trying to do. If that is not the position then why notify a market area. You are notifying a market area only for controlling the sale or purchase of agricultural produce in that area. Within that area there are certain spots or certain markets. These markets are places where the agricultural produce is sold and bought. We say that you have a right to notify within that area certain spots where the sale or purchase of agricultural produce shall not be permitted except under a licence. There is

[Diwan Chaman Lall.]

nothing to prevent you from notifying a market and widening the area of that market. You are not confined to a building or a block of buildings, you can go beyond a building or a block of buildings.

Premier : You cannot go to an individual *kotha* unless you notify it.

Diwan Chaman Lall : With the market you get an individual *kotha*. 'Market' is defined as a building or a block of buildings.

Premier : But you have to notify it.

Diwan Chaman Lall : That is exactly my point. That is how you define it. Otherwise it is a vague term. Otherwise is it a place or not a place? Which lawyer is going to give you a definition that it is a place?

Premier : According to law.

Diwan Chaman Lall : That is just the thing. That is exactly the point. You say, it is a place. But that is a vague term. You say it is a market which you define as a building or a block of buildings or an enclosure. Nothing is there to prevent you—indeed you can stretch the definition of the word market as far as you can even to include everything. There is no difficulty in your including everything that you wish and you can go beyond a market building or premises.

Premier : After notifying it.

Diwan Chaman Lall : Exactly. In any case you have to notify it. If you notify a place you have to specify the area of that place. You are not going merely to say Bhalwal or Phularwan. You have to notify a particular area, otherwise what are people to know whether within that area they can or cannot purchase. You must notify and specify a particular area when you notify a place. What I say is just this: notify a market as such and a market is wide enough for you to rope in any amount of area that you choose within the circle of the notified market area.

Sardar Bahadur Sardar Ujjal Singh : But no notification will be required.

Dr. Sir Gokul Chand Narang : May I put a question to my honourable friend? If you will kindly just refer to these words: 'no person from the date of issue of such notification shall purchase or sell'. Does not that cover everything? Why bother about all these words in three or four lines. You will lose nothing by omitting them. If no one can sell or purchase, it does not matter whether any one sets up a market or not. No one can. These three or four lines are absolutely redundant. They were probably there before these words were introduced in the select committee, viz., the words in italics: 'or purchase or sell such agricultural produce'. If the Honourable Premier has noticed this he would see that they are in italics and they were introduced by the select committee. If these words had been there the previous three or four lines would have been unnecessary. But it did not occur to the select committee that these lines were unnecessary and could be struck out without any loss of the sense of the clause.

Premier : I may be allowed to try to convert my friend, Diwan Chaman Lall. He told us that there is a bigger area and asked us to take this Chamber for instance as the Notified Area. Agreed. You declare a notified

area and then within that notified area, if your amendment were accepted, you will have to notify each time each block or building as a market before you can take action under this clause. My point is that you may notify a market within that notified area. Suppose there is a group of buildings. Somebody else now starts the business of sale and purchase in a *kotha*. It would necessarily mean that I should include that in the definition of the market to enforce this particular provision of the law. There is nothing to prevent me. My object in using the word 'place' is that if it is decided that a certain area—say Chuharkana Mandi—is to be declared a market area, every place would come in the area. You define a market as a "a building, block of buildings, enclosure or other area which may be so notified". According to you it would be necessary every time to notify a particular area where somebody starts or sets up business. My point is that we should be able to avoid that difficulty altogether by saying that within this hundred or fifty yards it will be the market area.

Diwan Chaman Lall: What about those outside a hundred yards?

Premier: Then you will have to extend it. 'Place' would be a better word for defining than the word 'market'. There is no quarrel between my honourable friend and myself so far as the actual meaning of the word is concerned but the only thing worth consideration is as to which word is more suitable. Mine, I think, is more comprehensive and it includes his word which is restricted in the sense that a market place is defined. Otherwise it would have been, I think, quite all right.

Mr. Speaker: Amendment moved is—

That in sub-clause (1), second paragraph, line 7 for the word 'any place' the words 'any other market' be substituted.

The question is—

That the words 'any place' in line 7 of paragraph 2 of sub-clause (1) of clause 4 stand part of the sub-clause.

The motion was carried.

Mahant Girdhari Das (Urdu): I beg to move—

That in the proviso, line 2, between the words "own" and "agricultural" the words "or his tenants" be inserted.

I gave notice of this amendment at an early stage of this Bill. The Hon'ble Premier agreed to accept it.

Mr. Speaker: Amendment moved is—

That in the proviso, line 2, between the words "own" and "agricultural" the words "or his tenants" be inserted.

Premier (Urdu): I have no disagreement with my honourable friend so far as his desire in moving this amendment is concerned. My only objection is as to the wording of the amendment. I would rather have an amendment in the following form—

That in the proviso, line 3, between the words 'produce' and 'or' the words 'or the agricultural produce of his tenants on their behalf' be inserted.

Mahant Girdhari Das: I have no objection to this amendment being adopted.

Mr. Speaker : Clause under consideration, the further amendment moved is—

That in the proviso, line 3, between the words 'produce' and 'or' the words 'or the agricultural produce of his tenants on their behalf' be inserted.

Diwan Chaman Lall : May I ask my honourable friend how he is going to check it up? Is there any possibility of its being checked up? I submit that when we are making a law we might try to make a law that is not easily evaded with a clause like this. The difficulty will arise, because everybody will turn round and say, "I am not selling produce for business purposes". It may be that he may say, "this produce is lying for the last twenty years". There is no possibility of guaranteeing that there will be no evasion. I am only drawing the attention of my honourable friend to this difficulty.

Premier : I quite agree with my friend. We must at the same time give all possible facility to the growers themselves and tenants to sell their own produce. The words "on their behalf" place a moral obligation, if not a strict legal obligation, on those people who want to evade this law.

Dr. Sir Gokul Chand Narang : But I oppose it on another ground. The mover of the amendment has not realised what the result of this amendment, if accepted, would be. The result would be that a new class of banias would spring up in the markets. I mean the banias, who are by caste Jats or some other men, by occupation banias, will go into the markets and say, 'I am selling my own produce and the produce of my tenants on their behalf' and the advantage he will have will be that he will not be required to take out a licence, while people who have been carrying on this profession for generations and whose only source of livelihood is this profession will be placed under a disadvantage which they do not deserve. There would be one class of people who are not landlords either by caste or by ownership of land. They will be required to take out a licence even if they purchase one maund of gram, wheat or other produce, while there may be other gentlemen who are landlords and may be selling their produce worth lakhs to the great detriment of the actual trader in the market. I would, therefore, request Mahant Sahib not to press his amendment at all because he would be doing great injustice to the class of people whose only profession is this and who have been following this occupation for generations, and if he persists then he will give an undue advantage to the people who are not traders but who, in order to take advantage of this amendment, would go occasionally to the market, will purchase produce worth thousands and thousands and make what money they can by being intermediaries between the producers and their tenants on whose behalf they would be pretending to sell the agricultural produce. I would request my honourable friend to withdraw this amendment.

Mahant Girdhari Das (Urdu) : I am afraid that my honourable friend, Dr. Sir Gokul Chand Narang, has not got my point. I will, therefore, try to explain what my object really is. The fact of the matter is that some big landholders have several tenants under them. Sometimes the number of these tenants runs into hundreds and thousands. It is extremely difficult for so many tenants of a particular landholder to carry their agricultural produce individually to the markets and sell there separately. What they do in such circumstances is that they store all their

produce with the landlord and get a receipt therefor. In the end the landholder arranges a number of *gaddas* to convey all the cotton or the wheat, as the case may be, to the market. Thus large quantities of agricultural produce are sold at a time when the rates are more favourable for the tenants themselves. Moreover, this system of selling wholesale quantities of cotton or wheat of different tenants together as one heap, fetches better prices. It is clear that the poor peasants, left to help themselves would not have obtained the same prices which they would now get by storing their produce with the zamindar and selling it together in the markets. Further, it is difficult for the poor peasants to arrange to carry the produce of so many different peasants together because they cannot arrange for so many *gaddas* for the purpose. If they carry it separately and each individual peasant sells his own produce, he cannot get better prices. My honourable friend, Dr. Sir Gokul Chand Narang, says that the zamindars will take undue advantage of this position. But I have explained to him the real position and informed him of the necessity of this amendment. However, if my learned friend points a way out of the difficulty, I may not press this amendment, otherwise I am going to press it for acceptance.

Mr. Speaker : Is the Honourable Premier withdrawing his amendment ?

Premier : Sir, in view of the fact that the honourable mover of this amendment has very ably elucidated the point that I had in mind and which I wanted to explain to the House, I do not propose now to take up any time of the House by making a speech about it. I am entirely at one with the honourable mover of the amendment.

Mr. Speaker : I may point out one thing that an amendment has been proposed by the honourable Mahant Girdhari Das. Another amendment to that amendment has been proposed by the Premier. The first amendment is not before the House. The amendment to the amendment is now before the House. If the amendment to the amendment is first disposed of, either it is withdrawn or rejected, then this question of the withdrawal of his amendment will be taken up.

Diwan Chaman Lall : May I say one word about the amendment moved by my friend, the Premier ? Is it or is it not a fact that the produce, which a landlord gives to the tenant is legally his own, and if it is legally his own where is the necessity of making surety doubly sure ?

Premier : The further amendment by me clarifies the position and makes surety doubly sure. I am afraid, I cannot agree with my honourable friend, Diwan Chaman Lall that probably in view of the definition of grower and the fact that he takes the produce from his tenants as his own, it would not be necessary ; but there may be tenants who do not sell individually. Therefore, we must specifically state it.

Mr. Speaker : What does the honourable member want ? If he has a mind to withdraw perhaps the Premier may be inclined to withdraw his amendment.

Mahant Girdhari Das (Urdu) : I do not intend to withdraw my amendment.

Mr. Speaker : The question is—

That in the proviso, line 3, between the words 'produce' and 'or', the words 'or the agricultural produce of his tenants on their behalf' be inserted.

The motion was carried.

Mahant Girdhari Das : Sir, I beg to move—

That in the proviso, line 3, between the words "produce" and "or", the words "himself or through *bona fide* agent" be inserted.

(Urdu) Sir, my only submission, in this behalf, is that sometimes, the zamindars are not able to carry their own agricultural produce to the markets and have to send it for sale through their servants or other *bonafide* agents. I have moved this amendment with a view to providing facilities to the zamindars so that there may not be any objection to their sending their agricultural produce to the markets for sale through their servants or other *bonafide* agents.

With these few words, Sir, I commend my amendment to the House for acceptance.

Mr. Speaker : Clause under consideration, the amendment moved is—

That in the proviso, line 3, between the words "produce" and "or", the words "himself or through *bona fide* agents" be inserted.

Premier : I accept that amendment.

Dr. Sir Gokul Chand Narang : Sir, it is not much use saying anything here but really this amendment and the previous amendments of this kind are based on the assumption that one class of people are entirely dishonest while another class of people are entirely honest. Now the landlord who acts on behalf of his tenants and takes their produce in large quantities on carts, as the honourable mover just now said, or on an army of mules or camels, is simply a personification of honesty and the tenants will have implicit trust in him. If they have entrusted their produce in his hands they are perfectly safe. It is for you to see whether this presumption or optimism of the tenants would be misplaced or rightly placed. Then this amendment makes the position still worse as the

4 P.M. honourable mover goes another step forward and it is this that sale may be made either by himself or through a *bona fide* agent, which means that a landlord's *munshi* may go and do whatever he likes with his produce and also the produce of his master's tenants. This is the position. If a *munshi* of a landlord can be entrusted with a thousand maunds of tenants' agricultural produce and still it is safe, then I do not see any reason why this Bill should have been brought forward at all, because then you would be substituting a man who is responsible to no one and who is only a *munshi* of a landlord and deals with a hundred carts of wheat and gram, etc., belonging to the tenants and sells them on his own responsibility without being liable to be called to answer by anyone at all. You are thereby defeating the very object of the Bill. You are not only creating discrimination and invidious distinction between one class of people and another class of people, but you are simply defeating the very object of the Bill by allowing people who have no responsibility, no experience and no high sense of morality in any way and no monopoly of honesty, to deal

with the produce of those poor, illiterate, helpless tenants who toil from sun-rise to sun-set in cold and in heat and you leave them at the mercy of the *munshi* and not at the mercy of *arhtis* who are owners of lakhs and who have a reputation to lose. The *munshi* might be getting Rs. 15 a month. He has no stake, no position and no reputation to lose. He may only lose Rs. 15. But by selling 100 carts of agricultural produce he may make an income equal to many years' pay at the rate of Rs. 15 or Rs. 20 a month. That is the sum and substance of this amendment and the previous amendment. I do not know how the Honourable Premier said, without giving any consideration to the amendment, 'I accept the amendment'? He is placing the poor persons in the hands of half-penny two-penny people who may be the *munshis* of landlords, whereas he wants to save them from the hands of the people who are worth lakhs and have a reputation to lose. This is what he is going to do.

Lala Duni Chand (Ambala and Simla, General, Rural): Sir, I am sorry that every conceivable complication is being imported into this Bill. Now it is said that if a landlord sells the produce of his tenants on their behalf, it will not be necessary for him to take a licence. Who will decide this question as to whether a particular person is a *bona fide* agent or not? Suppose a landlord brings a cart load of agricultural produce on behalf of his tenant.....

Premier: My honourable friend has just come from outside and does not know what is going on inside and he started discussing tenants. This has nothing to do with tenants at all.

Lala Duni Chand: Perhaps the Honourable Premier is impatient enough not to listen even to those things which I want to say for his benefit. I give the Honourable Premier an instance. Supposing a landlord brings a cart load of agricultural produce on behalf of his tenants or a *bona fide* agent brings it. After all that produce is going to be sold through a commission agent or some *arhti* and that *arhti* is required under this law to obtain a licence. He cannot sell or purchase that agricultural produce unless he holds a licence. Who is going to decide whether he is a *bona fide* agent or not and who is going to decide that that produce is being brought on behalf of tenants? You are putting him in a peculiar position. There will be no authority or agency on the spot to decide this question. This question must be decided on the spot. What will be the result? This question will be decided if a prosecution is started and in the course of that prosecution this question will be raised. You will prosecute a man for a thing of which he is quite ignorant. That question will become the subject matter of prosecution. I cannot understand how either the growers or anybody else will be benefited. I request the Honourable Premier to see to these complications for which he is responsible. These complications will make it impossible for the smooth working of this Bill. We have got no object. I have only pointed out the difficulties. After all this question ought to be taken into consideration at a particular place where the produce is brought and at the time of each sale and purchase. Who will decide the question that a particular agricultural produce belongs to the tenant and that it has been brought by a *bona fide* agent? I, therefore, submit that our object is to see an Act which is workable and not an Act that will be impossible of being worked.

Lieutenant Sardar Naunihal Singh Mann (Sheikhupura West, Sikh, Rural): Sir, I have heard very carefully the speeches of my honourable friends from West Lahore Division and from Ambala. My experience is this. I am not a big landlord myself, but I know that big landlords and even small landlords, like myself, always keep accounts and we have got regular books. In case we store the produce of tenants we put it down in black and white, and if we send that produce through a mukhtar or agent, to *mandi*, everything is recorded. If this amendment is not accepted it would mean that all the landlords, even though they might be busy otherwise, would personally have to go to the *mandi* to sell their produce. This is the thing which is most essential. (A voice: *munshis* can take out licences.) To-day I have got one *munshi* and I may turn him out after six months, then the other *munshi* will come and first take the licence and then begin his business. That would not be practicable.

The other point which has been raised by my honourable friend is that people might have their own produce and they might go to the *mandi* and then they might say that they are selling it on behalf of certain landlord. These are the things, which, of course, exist everywhere to-day. We have got law for checking crime, but in spite of the deterrent sentences that are being passed by law courts, people are still committing crimes. The Bill provides to punish those people who might play fraud upon the licensees or others and in view of all that, I would say that this amendment must be accepted.

Nawab Sir Malik Muhammad Hayat Khan Noon (North Punjab Landholders) (Urdu): Sir, I have only a few remarks to make with regard to the amendment under discussion. First of all I would submit that when some grain is sent to the market for sale how is it possible for anybody to find out how much of it belongs to the landlord and how much is the share of the tenant. I hope my honourable friend will agree that it is really impossible. Then it was said that the tenants stand to lose under the provisions in their present form. Let me tell you, Sir, that there is no such danger. If you read this provision carefully you will find that it is as beneficial to the tenant as it is to the landlord.

Now, I would draw your attention to another point. My honourable friend to my right is a big landlord and he cannot go to the market himself. Naturally he will send his produce with his servants. It should be borne in mind that the agents are tried people and they cannot be expected to play you false. Moreover, even if they do something which is not quite above board they are sure to be caught. Under these circumstances I am of the opinion that this amendment cannot do any harm either to the landlord or his tenants.

Mr. Speaker: I think it will be better if the amendment reads as follows:—

That in line 2, between the word 'sells' and the word 'his', the words 'himself or through bona fide agent' be inserted.

Premier: Yes, that would be a suitable amendment.

Mr. Speaker: The question is—

That in line 2, between the word 'sells' and the word 'his', the words 'himself or through bona fide agent' be inserted.

The motion was carried.

Parliamentary Secretary (Chaudhri Tikka Ram) : I beg to move—

That in the proviso, line 4, between the words 'produce' and 'for', the words 'as prescribed' be inserted.

Diwan Chaman Lall : The honourable member has just moved his amendment and sat down. He has not shown us the common courtesy of explaining his point to the House. I know he has a majority on his side but he might at least explain himself.

Chaudhri Tikka Ram (Urdu) : Sir, the second part of the proviso runs as follows :—

"Or by a person who purchases any agricultural produce for his private use."

It will be seen that the quantity which any person can purchase for his private use has not been fixed, and this can give rise to doubts and disputes. It is, therefore, necessary that this point may be made absolutely clear and a quantity should be fixed by rules. That, Sir, is the object of my amendment.

Mr. Speaker : Clause under consideration, amendment moved is—

That in the proviso, line 4, between the words 'produce' and 'for', the words 'as prescribed' be inserted.

Diwan Chaman Lall (East Punjab, Non-Union Labour) : Mr. Speaker, I was quite correct when I suggested to my honourable friend that he might take this House into his confidence as to the meaning and significance of the amendment that he was moving. Had he not spoken there was another interpretation that could have been put upon the amendment that he has moved. I now realise the reason why he did not give the benefit of his advice regarding his own interpretation of this amendment, but even as the amendment stands where does the question of quantity come in, may I ask my honourable friend? Either the English language has lost all meaning and significance or else my honourable friend has read into his own amendment something that he had at the back of his mind when he wished to press an earlier amendment which he did not propose on the floor of this House. "Produce as prescribed" means only the type of produce. It does not mean quantity. Where then does the quantity come in? If that is my honourable friend's intention that he wants to read into the clause that quantities should be fixed, where does, I submit, the idea that he is propagating come in?

Chaudhri Tikka Ram : I would like to withdraw my amendment.

The amendment was, by leave, withdrawn.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural) : I beg to move—

That at the end of the proviso the following be added—

'or for retail sale outside the notified market area or purchases from a person who is not a grower or from a grower who is not a member of a notified agricultural tribe.'

This amendment of mine can be divided into three parts. The first exempts a person from taking out a license if he is a retail dealer and the object of his purchase is to sell what he buys outside a notified market area. My reason for it is this. Supposing a petty shopkeeper from a mofussil goes to the market town of Lyallpur or Amritsar and wants to buy, say *gur* worth

[Dr. Sir Gokul Chand Narang.]

Rs. 2. Under the Bill as it stands he will not be allowed to do so even from a shopkeeper there. I submit that this is an unnecessary restriction and hardship. If the petty shopkeepers living in rural areas are not allowed to buy commodities for their small shops in villages from notified market areas, where are they going to buy them from unless they go to the zamindars just when *gur* is prepared or wheat is harvested? If he wants to buy these things after the season he must naturally go to market towns. I would, therefore, submit that so far as this part of the amendment is concerned, it is most innocent and there can really be no objection whatsoever to its being accepted.

Then comes the second part relating to purchase from a person who is not a grower. The object of the Bill is to protect the grower from the improper exactions of the *arhtis*. Now, if the grower has already parted with his commodities, say to a village shopkeeper, and if that poor shopkeeper wants to turn that commodity into cash or wants to purchase after selling that commodity something else which is required for his shop, why should he be compelled to take out a licence if the purchase he made is not from a grower but from a person who is not a grower? This again, I would submit, is a most innocent amendment and does not contemplate any injury to the tillers of the soil or the growers of agricultural produce.

Thirdly, I want to exempt the purchase from a grower who is not a member of a notified agricultural tribe. If the retailer wants to purchase wheat from a *khatri* grower who has got some wheat to sell, why should he be asked to take out a licence. *Prima facie* I should say that a non-agriculturist landlord who has got some produce of his land by cultivating it through his tenants or servants can certainly look after himself and ordinarily speaking he cannot be cheated by another *khatri* or *mahajan*. If you consult any such landlords, they would certainly say that no such licence is needed in their interest. My submission, therefore, is that all these three parts of my amendment are innocent and no reasonable objection can be raised against them.

Mr. Speaker : Clause under consideration, amendment moved—

That at the end of proviso the following be added—

“ or for retail sale outside the notified market area or purchases from a person who is not a grower or from a grower who is not a member of a notified agricultural tribe.”

Amendments 28 to 39 will be discussed together.

Rai Bahadur Mr. Mukand Lal Puri (Rawalpindi Division, General Rural): The House must have noticed that the Bill does not contain any provision excluding from the purview of this Bill the retail purchases and retail sales. From what the Government has so far been pleased to tell the House I take it that it is not the intention of this Bill to bring retail sales and retail purchases of agricultural produce within the purview of this Bill. If that is the intention of the framers of the Bill, then some such provision should be made which would exclude this retail sale and retail purchase. You will observe that notice of such an amendment has been given by Pandit Shri Ram Sharma in amendment No. 30. There are also other amendments.

Nos. 31 to 35, against the names of a large number of members from the Congress benches. An amendment which is a little more comprehensive than these amendments has just now been moved by Dr. Sir Gokul Chand Narang. Whichever amendment Government wishes to incorporate into the Bill, I for one would have no objection. My friend Dr. Sir Gokul Chand Narang's amendment is a little more comprehensive in that it also excludes purchases from a person who is not a grower. Supposing an article is imported. We were told yesterday that most of the fruit in Rawalpindi is not locally grown.

Chaudhri Krishna Gopal Dutt : On a point of order. May I point out that Dr. Sir Gokul Chand Narang's amendment seeks to restrict retail sale outside the notified market area, and not within the notified market area. But the entire Bill is meant for the notified market area.

Mr. Speaker : The honourable member is making a speech. Amendments Nos. 28 to 39 are under discussion.

(Pandit Shri Ram Sharma rose to speak.)

Chaudhri Krishna Gopal Dutt : Which amendment is the honourable member going to move? Unless they are moved how can we know which amendment is under discussion?

Mr. Speaker : All amendments which raise different aspects of the same question may be discussed together on the understanding that they will be moved and put to vote without being discussed.

Chaudhri Krishna Gopal Dutt : Even if they are different as they are in this case?

Mr. Speaker : They are not so different.

Chaudhri Krishna Gopal Dutt : One refers to outside the market area and the other to within the notified market area.

Diwan Chaman Lall : There is a lot of misunderstanding in the matter. I think amendments of a similar nature should be discussed all together. It is immaterial whether a formal amendment is put before the House or not. It is understood that all these amendments are to be discussed. Honourable members who have given notice of the amendments will naturally discuss the general principles underlying them. That is the ordinary procedure.

Pandit Shri Ram Sharma (Southern Towns, General, Urban) *(Urdu)*: I beg to move—

That at the end of the proviso, the following be added :—
“ and also retail sellers and buyers ”.

This section imposes certain limitations on the sale and purchase of agricultural produce and at the end the provision has been somewhat relaxed. It has been provided that in the case of those agriculturists who grow their produce and sell or who purchase for their own private use, the provision will not be applicable. Other sales and purchases will be regulated and licenses will have to be taken out for that purpose. But the question to which I have stood up to draw your attention is this : if this section is allowed to be placed on the Statute Book in its present form, all the retail

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dealers and petty shopkeepers will suffer an incalculable loss. Their business will receive a death blow. They do not ordinarily carry on their business in *mandis*. The area of *mandi* which will be notified under sections 3 and 4 of the proposed Act may be as extensive as a whole district. Petty shopkeepers have their shops on a small scale and their case is quite different from those against whose malpractices in *mandis* Government is going to legislate. In *mandis* hundreds of maunds of produce is bought and sold and it is in *mandis* that malpractices about *dalali*, *tulai*, *dhulai*, etc. are prevalent. Retail dealers buy and sell only in small quantities and they, therefore, cannot be accused of any malpractices arising out of things like *tulai* and *dhulai*, etc. They in most cases purchase at the most ten to fifteen maunds of produce and sell it in seers. They cannot be accused of those malpractices which can be alleged against big *arhtis*. I hope that in the name of humanity and justice these small shopkeepers will be exempted from the operation of this Act. These people earn barely one rupee or eight annas a day. How can they be expected to pay for the licenses and to give other fees? I wonder why the Government has not exempted the retail dealers of their own accord from the operation of this section.

Sardar Sohan Singh Josh : After all these people are *banias*.

Pandit Shri Ram Sharma : If they have not been exempted from the operation of the section simply because they belong to a particular class, it is really unfortunate. It is, I should say, preposterous. But as the Government have not declared in so many words that small shopkeepers have not been exempted on account of their belonging to a particular class, we cannot believe that that is the case. I am sure there are many among the small shopkeepers who belong to other classes also. We are not led by our sympathy to a particular class. We are here to lend our support to the case of all poor men irrespective of their caste or creed. There is no doubt that poor zamindars are in a great majority in the province, but the interests of the poor shopkeepers cannot be entirely overlooked. We have already pointed out that the area to be declared as notified market area should not be so very wide as to cause hardship to the poor zamindar. He should not be compelled to carry small quantities of his produce, wheat or cotton to *mandis* which may be at a distance of, say, twenty miles. But our request has not been acceded to. Now we point out that the attitude of the Government towards the interests of the small shop-keepers is not that of indifference; it is that of open hostility. Some exception has been made in the case of a small zamindar who makes a sale or those who purchase for their own private use. The learned Parliamentary Secretary has brought forward an amendment to that effect. I wish that the Government had paid half as much attention to the case of the poor small shop-keeper.

All I ask is an exemption for the poor small shopkeepers who buy and sell not on a large scale but only on a small scale.

Mr. Speaker : Repetition again.

Pandit Shri Ram Sharma : Sir, my only submission is that the small dealer may be exempted from the purview of this provision and just as exemption is provided in two cases already, it may also be provided for a

third class, namely, the small dealer in retail sale. Here I may quote the proviso given in the Bill—

“ Provided that a licence shall not be required by a grower who sells his own agricultural produce or by a person who purchases any agricultural produce for his private use.”

My suggestion is that at the end of this proviso, the words “ or retail sellers and retail buyers ” be added. I may be permitted to remove one objection that the Unionists may raise against this amendment. They might say that the word “retail” is vague and indefinite. The Treasury benches are in the habit of raising such flimsy objections. But my party is not going to allow them any opportunity of taking shelter behind lame excuses. With a view to avoiding such criticism, I, and, in fact, the whole of my party have offered to the Government to prescribe how much quantity of agricultural produce would go to make a retail sale. Had we not given notice of an amendment to this effect, it would have been open to argue that retail sale would mean selling 50 maunds or 200 maunds or 5 maunds only. Our next amendment in this behalf runs as follows :—

That at the end of the proviso, the following be added :—

“ or by a retail dealer who does not buy or sell more than prescribed quantity.”

It is clear, therefore, that this amendment leaves absolutely no scope for any legitimate criticism against the position that our party has adopted. It is up to the Government to prescribe any reasonable quantity of produce for retail sale. It should not be forgotten that we have moved this amendment in order to obtain exemption from license for the poorer shopkeepers whose businesses will be ruined by the obstructions that the Bill proposes to place in their way. These restrictions may, by all means, be placed on big dealers. But the petty dealers should be saved from the operation of this clause requiring a license. If they are not exempted, they will be robbed of the only means of their livelihood. It may be remembered, in this connection, that the petty dealer carries on this business just to make his both ends meet and not to make big profits. The amendment proposed by the Congress party is very reasonable and makes quite a moderate demand. If this much is not acceded to by the Government, and if the Unionists refuse to do even this little justice, then God save them from the evil consequences of their actions, because I am afraid, “ as they sow, so shall they reap.”

Sardar Sahib Sardar Santokh Singh (Eastern Towns, Sikh, Urban) : Sir, my amendment is quite different from the others, but if you want me to speak at this stage I have no objection.

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Sardar Sahib Sardar Santokh Singh : I am quite at one with the amendments that stand in the name of Dr. Sir Gokul Chand Narang and also some other members of the Opposition. My honourable friend, Chaudhri Krishna Gopal Dutt, who stood up once or twice, appears to be labouring under some misapprehension. If he had read the amendment of Dr. Sir Gokul Chand in conjunction with the proviso he would have found out that it does not refer to a matter of sale outside a notified area. The proviso is to be read along with what appears in the amendment and when so read,

¹Omitted as per the decision of the Assembly—vide the Debates of 30th November, 1938.

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it seems to exempt from the purview of this Bill purchases of agricultural produce which are despatched outside the notified area for sale. Of course we all know that if a man sells or brings outside a notified area he does not require any licence and the question which my honourable friend wants to cover is this that if a man makes purchases merely for sale outside the notified area, he should not be required to take a licence. In other words, if a certain area has been prescribed as a notified market area and if a man makes small purchases from that area for export, he should not be required to take the licence. This is the thing that Dr. Sir Gokul Chand wants to make out. Then the amendment standing in the name of my Congress friends is very innocent and I believe nobody will have any objection to that. Surely it cannot be the intention of the Government to bring within the purview of this Act small retail sellers and buyers. The only question that remains is the fixing of the quantity which can be very easily settled by mutual consultations at 10, 20 or 30 maunds. I do hope that the Government will have no objection to accept these amendments. Now I come to the amendment that stands in my name.

Dr. Sir Gokul Chand Narang : On a point of order. You said that amendments numbers 28—39 would be discussed together, but if the members against whose names they stand wanted to move them separately they may be put to the House after the discussion, but they cannot make a second speech. My submission is that if you would kindly read the amendment No. 37 you will find that it is really an independent amendment. It is a matter which deserves an independent discussion and it should not only be put separately but also discussed separately as an independent motion.

Mr. Speaker : I have no objection.

Premier : Why exclude it? The principle which we are now discussing is the principle of exemption from that proviso. That is also a kind of exemption which my honourable friend wants and it can be put separately and there would not be any difficulty whatever in taking this proviso if the House wants.

Diwan Chaman Lall : May I say one word on this point of order? This particular matter which Sardar Santokh Singh is moving is entirely independent of the other amendments that have been moved. It is a separate subject. This matter should be discussed separately and the right of reply of my honourable friend, the mover, should be assured to him. The difference is this that the other amendments really relate to retail trade and this amendment relates to future transactions and it has nothing to do with the others.

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Chaudhri Krishna Gopal Dutt : I respectfully suggest to you that I mentioned on that very occasion that there was an amendment in my name and I wanted Pandit Shri Ram Sharma to move that and I said I would speak further on that but his amendment had nothing to do with

¹Omitted as per decision of the Assembly—vide the Debates of 30th November, 1938.

this particular amendment. In fact I am not in sympathy with the amendment which is going to be moved. How could I discuss the two amendments together?

Mr. Speaker : If the honourable member will see the Agenda he will find that his name is there. It was for this reason that I called him ; but I did not mean that the other honourable members, in whose names the amendment stands will not have the right to speak. They are welcome to speak if they like.

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Chaudhri Krishna Gopal Dutt : The amendment in question, of which notice had been given by myself, Pandit Shri Ram Sharma and a large number of other friends on this side, is, I consider, the most important amendment of the day. Just as there was the most important amendment with regard to the definition of the word ' Notified Market Area ' which we discussed yesterday, similarly I believe that this amendment is a vital one because if this amendment is not accepted, I believe that the Marketing Bill will become very harassing and a large number of agriculturists also will begin to have misgivings about the desirability or advisability of the present Bill. What was the object with which the Bill was moved in this Assembly? The object was that there was a great disparity between the price paid by the consumer and that obtained by the grower. The other object of the Bill was that there were a number of corrupt practices and malpractices in the market of which *arhtis* mostly were guilty and which should be eradicated. We have already expressed our sympathy with these objects but may I say that unless this amendment is accepted I think that malpractices will increase because when buying and selling has been restricted too much and the totalitarian idea of the State is carried to the extreme length, then I believe that a time will come when these retail dealers in the *mandis* will commit a large number of corrupt practices and the very object of the Bill will be defeated. The primary object was to minimise the middleman's profit and to minimise the discrepancy, the disparity, that existed between the price which was paid by the consumer and that realised by the grower. May I ask the Government or the Honourable Premier, who is to-day in charge of the Bill, as to where the retail dealer comes in? If that is the object of the Bill—that is to reduce that disparity—how does the retailer come in? I fail to understand why the Bill should be applied to the retail dealer who has absolutely nothing to do with the disparity which the Bill attempts to control. That is the one point which I put before the Honourable Premier. The retail dealer has nothing to do with those items which have been mentioned by the Honourable Minister for Development as extraneous charges or unnecessary charges or capitalistic charges and which should be reduced. Why should this sword of Democles of the Markets Bill be hung over the retail dealers? As I said the other day, I am in favour of a Marketing Bill and I am in favour of giving a trial to it. But the difficulty crops up when we are told here in this House that other provinces have got similar Marketing Bills and other countries have got similar Bills. I remember the speech delivered by the Honourable Minister for Development in Simla wherein he said that a large number of foreign countries have got such measures and I challenged that statement

¹⁰ Itted as per decision of the Assembly—vide the Debates of 30th November, 1938.

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even then and I challenge it even now and declare that there is no country in the world which has got a Marketing Bill like this one. In the market committees there would be the representatives of the *arhtis* and there would be the representatives of the growers. Such market committees do not exist in foreign countries. There the growers have got their own organisations and in no other country of the world is retail trade controlled as is sought to be controlled by this Bill. I do not think that it is the intention of the Government to carry the Bill thus far at this premature stage. If we see to-morrow that the Bill has worked very well and that it would have worked better, but for the fact that these retail dealers proved a stumbling block in the way of the successful working of the Bill, I would be the first man to bring a Bill myself so that the nefarious activities of these retail dealers may be controlled. I put another point before the Honourable Premier and it is this. Tomorrow he may find the desirability of adding more items of produce in this Bill, e.g., vegetables and fruits. There is a provision in Clause 1 by which the Government has got the power to add any other produce within the purview of the Bill as the Government may desire. If that is the case and to-morrow Government takes it into its head to bring vegetables and fruits within the orbit of this Bill, then I think that that would lead to a lot of difficulty in controlling that trade so far as its retail part is concerned because quite a handsome business and trade in vegetables and fruits is conducted as retail business and if he sees that on account of this retail trade he cannot apply this Bill to those people, he would find that he will not be able to control the vegetable and fruit markets at all. I know that even at present there might be certain persons who would be willing to include vegetables and fruits in this Bill but I also know that our Government, which is mostly Muslim League ridden, will not at present attempt to include vegetables and fruits because there are a large number of Muhammadans in this province who deal with these vegetables and fruits and if to-morrow the Government takes it into its head to include these commodities in the Bill, the Government will go to the dogs in this province. (*A Voice*: Sir Chhotu Ram is not a Muslim.) Sir Chhotu Ram is a political Muslim in your party. Some people may ask you that if you wanted to eradicate corrupt practices from the various markets in the province then why not check the malpractices prevalent in the vegetable and fruit markets? Why not include vegetables and fruits in the agricultural produce? If you say that other provinces have not included this item in their Acts, I would also suggest to you that other provinces like Bombay or Berar have not controlled all those produces which you have already included in this Bill. But I do not want to create any communal ill-feeling. That is not my object. (*Interruption.*) My object is only to show that if we take into account the Bombay Act or the Berar Act, those two Acts do not seek to control the retail trade. Day in and day out we come and listen that this Bill has been modelled on the basis of the Bombay Act and the Berar Act, but those Bombay and Berar Acts do not seek to control the retail trade at all and to-morrow if we, on account of the stringent attitude which the Government has adopted towards our amendments, oppose this measure, the Government will get up and say the Congress party did not want the Marketing Bill but they

only wanted some loopholes or pretences to fall back upon so that they may clear their position in the eyes of the *arhtis*. I may tell you that we are not afraid of the *arhtis* as the Government thinks. We care for their legitimate interests as we do care for the legitimate interests of the growers. That is not the question but the question is that if the ideal of the State has become so wide and so comprehensive that even retail trade is going to be controlled and restricted at this stage, then I say, God take care of this province, because I think that (*Interruption*) this experiment will not be successful and the Government will be face to face with a large number of difficulties and the time may come when the Government may not be able to overcome those difficulties. I would certainly like to hear what defence the Premier has got as to how the retail traders come into the picture—particularly when a definite quantity is sought to be prescribed, that is to say, that if a certain retailer—a dealer—deals in a specified quantity which is prescribed by the Government, that quantity will not come within the purview of this Bill. In fact there was an amendment in the name of

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Chaudhri Tikka Ram to that effect, but I wonder why he has not moved that amendment. Therein also it was attempted to define as to who were the people who should not be asked to take out a licence. Therein it was stated a person dealing in a minimum quantity as prescribed by Government should not be covered by the Bill. The same idea is working in this amendment. I fail to understand why my honourable friend did not get up and move his amendment. That was I think not a bad amendment at all. In my amendment I have defined as to who should be considered a retail dealer and left the matter of quantity with the Government. There will thus be no ambiguity about the matter, no confusion about the definition of retail dealer. I would suggest to the Government to accept the amendment and prescribe a definite quantity which they consider can form the basis of retail trade. With these words I support my amendment, namely :—

That at the end of the proviso, the following be added—‘ or retail sellers and retail buyers.’

Shaikh Muhammad Sadiq (Amritsar City, Muhammadan, Urban) : Sir, I have heard the speech of my honourable friend with considerable surprise. Now there was no question of communal considerations being involved but my honourable friend says it is a Muslim League Government.

Mr. Speaker : Please speak to the motion.

Shaikh Muhammad Sadiq : I am coming to the motion but I want to reply to the foolish arguments based on communalism as advanced by my honourable friend. Let me go stage by stage. Does the honourable member mean to suggest that all those people who will be engaged in this business belong to the Muslim League party and are we going to allow this statement to go unnoticed? Mr. Speaker, I am prepared to obey your order but I feel it my duty—

Mr. Speaker : The honourable member can demolish the arguments of Chaudhri Sahib.

Chaudhri Krishna Gopal Dutt : I said by adding fruits and vegetables in the Bill and hides and skins and not otherwise.

Shaikh Muhammad Sadiq : First of all I wish to point out that the last remarks made by my honourable friend are no arguments at all.

Mr. Speaker : I request the honourable member to speak to the motion.

Shaikh Muhammad Sadiq : If you will read the amendment you will find that if it is accepted the whole Bill will be reduced to a farce. My friend says, a person who is not a member of a notified agricultural tribe. If we go to the bazar we find Arains, Rajputs, Jats carrying on this profession. Instead of making purchases are we going to ask the shopkeeper as to what his caste is? Is he going to commit an offence that we should cross-examine him like this? Are you going to question him whether he is a member of a notified agricultural tribe? Does any Government allow itself to go to the market and ask the shopkeeper whether he is an Arain, an Arora or anything else? (A voice : Please do not make a reference to the honourable member.) I am not mentioning his name.

Chaudhri Krishna Gopal Dutt : You do refer to me by your hands and the Speaker is not noticing.

Shaikh Muhammad Sadiq : The amendment says : 'or for retail sale outside the notified market area or purchases from a person who is not a grower.' This amendment, if carried, will reduce the whole Bill to a mere farce. If an outsider comes and buys from a licensed dealer I think the Government will accept it. This amendment will nullify the effect of this Bill. When you say if a man is a grower, the result would be that he should not be of a notified tribe. If a man wants to make any purchases should he first enquire and know whether the person from whom he is buying is a member of a notified agricultural tribe? You want to protect a person who is a notified grower but not a person who is a member of a non-notified tribe; but thousands and lakhs of people who belong to the non-notified tribes are carrying on this business. I cannot understand why the idea of a notified tribe got into the head of my honourable friend. I cannot solve this mystery. I therefore beg to oppose the amendment as suggested by Dr. Sir Gokul Chand Narang, because that will give no protection and it will cause endless litigation. Every man will have to take out a licence showing that he is a grower. There will be so many disputes that a certain shopkeeper or a certain buyer did not behave properly and so on. The result would be that like the Criminal Investigation Department we shall have to start a caste investigation department. With these words I oppose the amendment.

Lala Duni Chand (Ambala and Simla, General, Rural) : Sir, I want to place only a few points before the House for a few minutes. I find myself living in the dreamland which has been created by Government for me and others. I simply wonder what the Government is going to do. We know that the purchase and sale of commodities is a perfectly legitimate business and in fact no human being can do without it. They are the very essential requirements of a man but what are they going to do? It appears that this Bill is being improved upon or being extended as if the purchase or sale of commodities is a crime. I am prepared to concede that if there is any class of persons who are supposed rightly or wrongly to be criminals.

or sinners let this measure be made as stringent and as harsh as possible against those people; but I cannot understand the wisdom of applying this Bill to all sorts of people, all sorts of sellers and all sorts of purchasers; even the retail purchasers are not exempted. What does it mean? It means that all the people who are found in a particular place will be required to get a licence. I can well understand if that sale or purchase involves any criminality. I can understand that all the criminals should have been wiped out but I cannot understand why the taking out of licences is being extended to all sorts of people. Apply it to those people from whom the growers have got any fears. Protect the grower as much as you can. Eliminate all dishonest people in the province. I am at one with the Premier in the matter of eliminating all the dishonest elements and making the offence punishable so far as dishonest people are concerned. Make it punishable with imprisonment. But what good can you have by requiring all sorts of people to get licences? Those people will be wondering when they come into the market and are told that they cannot buy a maund of cotton, they cannot buy a maund of wheat they cannot buy a maund of maize unless they have got a license. They would simply wonder and say, 'What kind of Government is this and what kind of law have they passed?' Is there any sense in it? The only consolation that people have got lies in the fact that you are doing impossible things and people will bless you for all these things that you are doing for them. You will discover that it is a great blunder that you are committing. I have not heard of any such law having been passed in any part of the civilised world.

Mian Sultan Mahmood Hotiana (Pakpattan, Muhammadan, Rural) (Urdu): Sir, the Government has brought forward this measure with the object of checking the loot to which zamindars are being subjected in the markets in respect of weighing and fixing the prices of agricultural produce. Now if you exempt the retail sellers from taking licences these people will establish their shops at the gates of the markets as is done in certain cases even now. They will purchase agricultural produce in small quantities from the zamindars coming to the markets and these small quantities will grow so large in the course of time that the object of the Bill will be absolutely defeated.

Then some honourable members have referred to the exemption of fruits and vegetables from the provisions of the Bill. My submission, in this connection, is that so far no one has ever complained that any *arhti* in a fruit market has played such tricks on the growers as are played in the grain markets. There has been no instance of an *arhti* compelling the grower to accept a lower price after half of his commodity has been weighed on the ground that the remainder was of an inferior quality. Thus it is clear that the inclusion of fruit and vegetable in the definition of agricultural produce is not yet called for. I assure my friends that if and when need arises we shall not fail to do the needful by means of an amendment.

Chaudhri Suraj Mal (Hansi, General, Rural) (Urdu): Sir, my honourable friend who represents the towns of Rohtak and Hissar has pleaded the cause of his constituents. He has posed as a well-wisher of the *zamindars* community.

Pandit Shri Ram Sharma : Sir, he is criticising me rather than the amendment.

Mr. Speaker : Please do not be personal.

Chaudhri Suraj Mal (Urdu) : Not at all, Sir. I am not personal. The honourable member was pleased to remark that retail dealers are as poor as the zamindars and, therefore, they should be exempted from taking licences. Now let me mention a certain case by way of illustration.

Dr. Sir Gokul Chand Narang : I would request you to request the honourable member not to go into individual cases either of *banias* or of *jats*, because I tell you that the atmosphere in the province is very much poisoned already and it is such instances which create bad blood. I do not want the atmosphere of the province to be further poisoned. It is already bad.

Mr. Speaker : I agree with the Honourable Dr. Sir Gokul Chand Narang, and request all honourable members to refrain from bringing in tribes, or communities or villagers.

Chaudhri Suraj Mal (Urdu) : I am only developing the point that retail dealers are no better than wholesale dealers.

Rai Bahadur Mr. Mukand Lal Puri : May I know whether this Bill is intended to deal with retail sale?

Chaudhri Suraj Mal (Urdu) : Sir, I was submitting that retail dealers are no better than wholesale dealers and that retail dealers do not take long in becoming wholesale dealers.

Chaudhri Krishna Gopal Dutt : On a point of order. May I point out to you that the clause before us goes beyond the scope of the statement of objects and reasons?

Mr. Speaker : What is the point of order?

Chaudhri Krishna Gopal Dutt : Whether this clause is in order or not, because it covers retail dealers also. There is no provision to debar retail dealers from the purview of this Bill, while in the statement of objects and reasons prices are wholesale prices and not retail prices.

Mr. Speaker : May I request the honourable member to point out any law or rule according to which a Bill cannot go beyond the scope of the statement of objects and reasons? According to Standing Order 34 of the House of Commons the only limitation is relevancy and if any amendment goes beyond the title of the Bill the title is amended accordingly. Our own Rule 92, though not very clear and well-worded is to the same effect.

Chaudhri Krishna Gopal Dutt : I may submit that since this clause does not exclude retail dealers, therefore, it is irrelevant to the statement of objects and reasons.

Mr. Speaker : As stated already the test is relevancy.

Chaudhri Krishna Gopal Dutt : I think this is irrelevant to the statement of objects and reasons.

Chaudhri Suraj Mal (Urdu) : Sir, I was saying when I was interrupted that small shopkeepers need not be exempted from the operation of this clause as they too take a leading part in the loot which is carried on against the

interests of the zamindar by their more wealthy brethren. Moreover, it is these small shop-keepers who become big businessmen in no time. My learned friend the Doctor Sahib has said that big zamindars should not be made to benefit from this Bill. I wonder why he is trying to make distinctions between zamindars and zamindars. Such suggestions can be tolerated when they come from the zamindars. They are not welcome when they come from gentlemen like him. I think it is necessary in the present circumstances that the amendment moved by the learned Doctor should not be accepted.

Premier (The Honourable Major Sir Sikander Hyat-Khan): Sir, I will not take much time of the House. As a matter of fact I will only take a couple of minutes because both the points which have been elaborated in the various speeches were a repetition of an argument or the continuation of the thread started by my friend Dr. Gokul Chand Narang. The first question put forward was in regard to exemption of retail sellers. My honourable friend Pandit Shri Ram Sharma went to the extent of saying that this measure or this clause was beyond '*insaniyat*', whatever he may have meant by it. He also stated that this provision is '*behuda*'. I can use stronger words, but I think he meant that it was absurd. I am not surprised at that, because whatever we try to do in the interests of the poor zamindar whom he wants to benefit is naturally absurd. I am quite reconciled to that position. That is what my honourable friend says when he is here and when he goes to the villages of Rohtak and Hissar he beats a different kind of drum and plays a different kind of tune.

Mr. Speaker: Please be relevant, and do not bring in the personality of the honourable member.

Premier: It is not only Pandit Shri Ram Sharma, but several other people do the same thing.

My friend Chaudhri Krishna Gopal Dutt, I think, started with a disadvantage, because he had rather a heated discussion over a point of order and then he suddenly changed his gear and went on to a speech and said something with regard to fruit trade and vegetable trade. I fully sympathise with what he has said with regard to these two particular trades he has named. There may be other similar trades which would need exemption and protection and perhaps safeguards, so that they may not be adversely affected by provisions of this Act or any other law. I entirely sympathise with him and I am sure he will agree with me that it is not a question of a difference of opinion with regard to that objective or ideal. It is merely a question of method as to how we should give effect to these exemptions. My honourable friend Dr. Gokul Chand Narang wants exemptions for several people. He wants exemptions for retail sellers and also for purchases from a person who is not a grower or from a grower who is not a member of a particular notified agricultural tribe. I think this may all be very laudable from his point of view. As a matter of fact he does not wish in any way to affect the notified agricultural tribes, he merely wants a certain latitude for those people who do not belong to notified agricultural tribes. I think it is a very laudable object, but I am afraid my honourable friend has overlooked the fact that this Act or measure or Bill is not meant in any way to

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protect the notified agriculturists or for that matter the agriculturist or any tribe or class or community. The object or the *raison d'être* of this measure is that it is meant to stop mal-practices in the various market towns and therefore what we have to see to is to make sure whether by the provisions which we have made in this particular Bill we are likely to stop those mal-practices effectively or not. It is immaterial from my point of view whether the transaction is between a notified agriculturist and a dealer, whether it is between a dealer and a non-agriculturist or whether it is between two dealers. It is immaterial so long as we keep that main objective before us, that this is meant more or less to sweep away the abuses which at present are prevalent in our markets.

Chaudhri Krishna Gopal Dutt : So far as wholesale prices are concerned.

Premier : My friend has probably missed my point again. I was answering Dr. Gokul Chand Narang with regard to his amendment. I was merely saying that we do not want to differentiate between any particular classes, but what we want to do is to sweep away those mal-practices or abuses which are prevailing in our markets. That is the objective and we have to see whether the provision as worded now in this Bill, as it has emerged from the select committee, achieves that object effectively or not. That is the main thing we have to consider. So far as the giving of exemption to retail sellers is concerned, as I have already said, it is only a question of method and if my honourable friends have not forgotten the provisions in this very Bill in the previous clause they will find that Government has retained to itself the power of exemption in such cases. My honourable friend says, why retain that power of exemption in the hands of Government, why not put it down in the Act itself? There again my friend is probably more or less thwarting the very object which both of us have in view. Pandit Shri Ram Sharma said it should not be difficult at all to specify a certain kind and quantity of produce. Now if he started incorporating the quantity here, I am almost certain that there would be twenty different opinions with regard to that point. My friend Pandit Sharma may put it at one maund, I may put it at twenty seers, Mr. Deshbandhu Gupta may put it at fifteen seers, and so on and so forth. Therefore, it would be impossible to lay down a reasonable or equitable figure in a House like this. It is for that very purpose that a rule-making power is given to Government in such measures, and I can assure my honourable friends that this matter and other similar problems which my honourable friend is afraid might mean a certain amount of hardship to traders have not been lost sight of. It is for that purpose that we have kept that power with Government and I am sure my honourable friends opposite will agree with me that it would be much more equitable for these exemptions to be left to the rule-making powers of Government, because then we will be able on the one hand to see that the provisions of this Act are not evaded and the object of this Act is not in any way blurred by those exemptions.

Diwan Chaman Lall : I do not want to interrupt the Honourable Member, but I want to ask him one question to make the position clear. Does he mean that under the rule-making power he would name a whole tribe,

a series of persons as retail traders who would be exempted? If he wants to exempt particular persons by name, would he take the census of the Punjab traders and name them?

Premier : My honourable friend is now talking of the whole Punjab. As I was pointing out, we have to see on the one side that the object of this Bill or the main object of this Bill is not blurred by any exemption which would be in any way an obstacle in the achievement of the ideal which we have in view. On the other hand, it would be for the Government to see that the retail seller—(Interruption). I do not want to give way.

Mr. Speaker : Order, order. I think I should bear what the honourable member has to say.

Rai Bahadur Mr. Mukand Lal Puri : Does the Government want to exclude retail trader from the purview of the Bill or will they make a rule to exclude the retail trader? I want to know the policy of the Government in the matter.

Premier : My honourable friend is trying to anticipate. If he had kept his patience he would have had my answer. But it is very annoying to be interrupted. He would have done well to have put his question after I had finished my speech. I am at the service of the House and would be pleased to answer any questions at the end of my speech, but it is very hard and more or less trying if one is put off the rails.

I was pointing out that on the one hand we have to escape the danger of trying to blur the object of this law and on the other we have to see that no genuine cause of grievance is given to the retail seller. It is for that purpose that we have taken the rule-making power. It will be provided in the rules which particular retail seller and up to what extent should be exempted. Now, the advantage of keeping that power with the Government under the rules is this. If we find that a certain type of retail trader or person is abusing the exemption we can amend the rules and withdraw the concession from him. If you once make this a part of the Act, it would mean that it will not be possible to alter it. Supposing a set of retail dealers are dishonest and abuse the exemption given to them. Would you expect me to come to this House and waste its time and public money in order to amend the Act so that that concession can be taken away from those retail dealers? It is not desirable to have a rigid provision made in the Act itself in regard to this matter. It should be made as elastic as possible. Our objective being what it is, we will see that in the rules we try to meet all the various difficulties from the point of view of *bona fide* retail seller. If in the light of experience later we find that those rules or exemptions or limits require re-adjustment we shall be at liberty to do so without troubling this House to make a small amendment in the law with regard to those particular matters. It is for this reason that I would recommend to my honourable friend to allow the provision to remain as it is. I trust my honourable friends will not forget this point when voting on this amendment. After having made these few observations, I do not think I need take any more time of the House.

Diwan Chaman Lall (East Punjab, Non-Union Labour) : I shall be very brief. The real point raised by my friend is this, that he is taking into his hands the power through rules, to notify those persons who should

[Diwan Chaman Lall.]

be exempted from the provisions of this law. The position on this side is that that power which my friend wishes to take into his hands should not be given to him. The classes for whom exemption should be given should be defined in the Act itself. We have got two classes, wholesalers and retailers. The question is whether the retailers also should be roped in and should be asked to take out a licence under this Act. The second point is this. Apart from the retailers, the question is whether an average shopper, whom I will distinguish from the retailer, who does not keep a shop, a person who goes shopping, whether he would also come within the purview of this Act. My honourable friend says 'no'. I have very great doubts. I am almost convinced in my mind that he wishes to rope them also in. I may point out that he will find innumerable and insuperable difficulties in enforcing this law unless now at this moment he defines the particular classes he wishes to exempt. The two important classes that we are concerned with now are the retailers and the average shoppers. Unless these two classes are taken out of the purview of the Bill, it will become an unthinkable absurdity. It will never work.

The third point is this and it is a very important one. There is really no need to issue licences. Who has ever heard in a trade or business of a shopkeeper being issued a licence in order to keep his shop? What my honourable friend could and ought to do is to impose a penalty, a punishment for contravening the provisions of this law. Why should he go beyond the ordinary scope of a measure of this kind and seek to regulate the professions by the issue of a licence to the shopkeeper? You can make a provision that no *arhti* shall levy charges other than those notified according to this law; or, that no *arhti* shall weigh a produce except by the weights and measures issued under the authority of a particular body set up by my honourable friend under this Act. Having done that, if anybody contravenes the provision and levies charges not authorised by this law, he can be punished in accordance with the provisions of this Act. Suppose he uses false weights and measures. Again, according to the provisions of this measure he can be punished. But why does my honourable friend wish to go beyond these two simple measures which can be controlled easily by the market committee and why does he impose a licence upon every person who would be covered by the provisions of this law? If the offence is repeated, you can prevent him from doing his business. You can take power for that, but why should a licence be insisted upon? If this licence is to be insisted on, then my honourable friend can for no conceivable reason revoke the licence. If the licence is revoked, it may be argued that the licensee has the right of appeal. But to whom can he appeal? Not to a judicial officer, but to the collector, an executive authority. Therefore there are obvious dangers in clause 4. I know that my honourable friend desires, and every sane man must desire that all mal-practices that exist in *mandis* should be put an end to. But they can be put an end to in a perfectly straightforward manner by imposing necessary penalties. Why then go beyond the imposition of penalties and arm yourself with executive authority which will enable you to issue licences which can be cancelled? I cannot for the life of me see any necessity for this except the necessity as pointed out by my honourable friend behind me that you want to contro-

the *mandis* and the business in *mandis*. I do not want to cast any reflections, but it is possible for the executive authority which has to issue the licences and cancel them not to act wisely. The market committees as they are constituted may in some cases not do the right thing, may not discharge their duty properly. There is a fear that this power is taken for unnecessary purpose. Therefore I ask my honourable friend, when he is dealing with this particular clause, to remember the three objections that have been raised. If he can convince me on these three points nobody will be happier than myself. I may sum up the position by asking him once again whether he is absolutely sure in his mind that the average shopper who goes and purchases agricultural produce covered by the terms of this Act would not be covered by the provisions of this Act that you may be enforcing on him the necessity of taking out a licence secondly, why a retailer should not be exempted from the provisions of this Act.

I have heard of exemptions under the rules of special individual cases where special exemption is necessary. But I have not heard of exemption of a whole class under rules to be made. (An honourable member: "Why not?") If my honourable friend is convinced that it is an impracticable measure then why not exempt the retailer under the Act. The question is not a retailer but retailers, the question is of the entire community of retailers throughout the province. My honourable friend says, do not forget that this measure will be confined to the *mandi*. I say there is nothing to prevent my honourable friend from extending this measure to the entire province and if he does not extend it to the entire province, it is not going to be of any value—I mean to every *mandi* where transactions of this nature take place throughout the province. The fear has been expressed by my honourable friend that if they take measures in these *mandis* other *mandis* might crop up so that gradually my friend will be forced to go on extending the scope and influence of this measure throughout the province. Well then what is there to prevent my honourable friend from acceding to this proposition that the actual retailer who does ordinary business should be exempted from the provisions of this Act. I want my honourable friend to remember that if he does that now under the provisions of the Act by accepting the amendment moved by my honourable friend then he will be making the measure a practicable one.

One last word, Mr. Speaker. My honourable friend will note the vast difference between his measure and the Bombay measure. In the Bombay measure there was no question whatsoever of penalising ordinary sales and purchases. But there was a question of penalising sales and purchases in the notified markets. Does my friend see the difference? He has gone far beyond a practical scheme and he has prevented, according to this clause of his, the sale and purchase of commodities by anybody in that particular area in those specific items which are covered by this Act. If my honourable friend will look at this section in the Bombay Act he will find, it says:

Wherever the local Government has by notification under section 4 declared any place to be a cotton market no person shall within the limits of such cotton market or within a distance thereof to be notified in the *Bombay Gazette* in this behalf.... and no person shall set up, establish or continue or allow to be continued any market for the purpose of purchase and sale of cotton.

[Diwan Chaman Lall.]

The restriction is that no other market shall be set up. Now what this clause seeks to do is this not only that no place be set up for the purchase and sale of agricultural produce but that there shall be no purchase of such agricultural produce except under a licence. There shall be no purchase or sale of agricultural produce. I am directing my honourable friend's attention to the effect on the two classes. The other class that would be affected is the person who goes and purchases agricultural produce covered by the provisions of this Act. He himself would be under the necessity of taking out a licence and if that is so and a general class is affected by it, then there is no question of exempting that general class by means of rules. If it is justifiable, if it is just, if it is in the interests of that class that that class as a whole should be exempted, then my honourable friend should accept this amendment and exempt the retailer as a class and not allow the provisions of this Act to affect the business of the retailer. If my honourable friend is convinced that the average shopper would be affected then it is necessary for him to move some sort of amendment which would make it perfectly clear that the average man who goes and purchases agricultural produce covered by the provisions of this Act will not be penalised to the extent that he will be forced to go and get a licence before he can sell or buy the agricultural produce covered by this clause. Therefore I submit that my honourable friend should accept this amendment, not only accept it but make this clause clear by exempting those classes who are going to be covered by this clause.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural): When I spoke on this Bill a few days ago I said that the Bill had been made much worse by the select committee. I quoted some instances and now we have another instance which is furnished by the words in italics in paragraph 2 of this clause introduced by the select committee. These words are "or purchase or sell such agricultural produce". These are the words introduced by the select committee. You will see that in the previous lines the prohibition was confined only to the establishment of a market or of a place for the purchase and sale of agricultural produce so notified. It was a reasonable thing because it was intended to prevent the possible evasion of this measure which is being passed into law. It might have been said that if we did not include such a provision in this Bill it would be open to some people who want to evade the law to set up another market, although even that apprehension would be unfounded because of the words which go before these lines. But the addition of these words which have now been put in italics by the select committee has made the position very much worse. As has been so clearly pointed out by my honourable friend on my right, the object is to prevent abuses in the markets and not to fetter the liberty of buying and purchasing. What has been done by means of the introduction of these words is that not only that no market shall be established without a licence from the Government, as the Bill originally provided, but that no one shall be allowed to purchase or sell without a licence within the limits of a notified market area. If no exemptions are made what will be the result? Let us take a *bharpunjah* or a *machhi* whose business is to fry grain, gram or maize and to sell it in small quantities. These people require a maund or two or four maunds

to keep in store and then to parch them and sell them to various persons. Even they cannot buy without a licence. It cannot be said that that amount of grain will be for their private use so that they might come under the exemption. Certainly it is not for their private use. They are following the profession of parching grains and selling them to others. Therefore whatever grain they buy, shall be meant for being parched and being sold in that form, so that they do not come under that exemption and the same is the case with other retail sellers in the market and people who do carry on any business inside the market area but have small shops outside. No exemption is granted even in their favour if they have to go to a market town and want to purchase a few rupees worth grain; they cannot do so without getting a licence. What is the reply of the Honourable Premier to these objections and what is his solution of this difficulty? He says that the solution is provided by the insertion, again by the select committee, of these words 'unless exempted by rules framed under this Act' and he gave us an assurance that the committee did realize the difficulty and that it was to obviate that difficulty that these words were introduced. The Government have taken power to grant exemptions to certain buyers, for instance he said to milkmen. I think by making that declaration he really gave away the whole case so far as his opposition to this amendment is concerned. If this is really the object of the inclusion of these words, then why not accept this amendment straight-away? Are you going to grant exemption to individuals and not to a class, as has been asked by the honourable member on my right? If the exemption is not going to be granted to individuals by name and the intention of the Government is that all retail dealers should be exempted from the operation of this clause, why not accept the amendment and have done with it and remove the suspicion? I am sorry to say but I must say, that the people who are likely to be affected adversely by this Bill have absolutely no faith in the Government or its good intentions. They are suspicious. And you cannot blame them for being suspicious. The whole history of the doings of this Government for the last 18 months was such as has created that suspicion in the minds of the people, therefore they have lost all faith in the *bona fides* of the Government and are not prepared to accept their assurance and particularly their assurance on this point. As I said, when I moved for the deletion of these words 'exempted by rules framed under this law' I referred to the suspicion which exists and many people would even now think that this power which the Government takes by the insertion of these words might be abused and even if it is not abused grossly, it might be abused to the extent that it would be made a means of coercing people either by compelling them to do certain things that the Government wants them to do or compelling them to abstain from doing things which the Government does not want them to do, so that by taking these powers, as they have done, they practically will keep a Damocles sword hanging over the heads of the people who are likely to be affected by this Bill. If these words have been included simply for the benefit of the retail sellers, then let the retail seller get this exemption under the Act itself. Now, the Honourable Premier said we are going to make rules, but, Sir, you know the history of rule making in this province. There is no doubt that there is a provision that the rules when framed would be laid on the table, there is no doubt there is a provision that the rules will be

[Dr. Sir Gokul Chand Narang.]

subject to pre-publication and it is open to a member to bring forward a motion to have those rules considered. But, Sir, you know and I need not point out to any one who knows anything about the procedure of making rules and laws that there is a great deal of difference between the making of rules and the making of a statute. Even if the rules when made by the Government would be placed before the House and even if it is open to the House to discuss them, we have no majority here, we are in a small minority, the rules will be passed, as the Government wants them to be passed. I am sure the Honourable Premier and his supporters will say that the same is the case about the statute, we can pass any Act that we like with the majority that we have got, but still there is a difference. There is no doubt that any Bill can be passed, by the majority of this House and any rules can be passed by the majority in this House but the difference between the rules and the statute is that there is somebody else also who has a say before a Bill is passed into law. While so far as the rules are concerned, they are not subject to anybody's assent or sanction. Therefore the people will be more satisfied if this amendment is accepted and the exemption in favour of the retail vendor is included in the statute itself instead of being left to the rules, because as I have said, the people who are likely to be adversely affected by this measure have unfortunately, most unfortunately, I should say, lost faith and are extremely agitated over what is going on in this province and it is therefore that we prefer that the thing should be included in the Bill itself rather than in the rules.

Premier (The Honourable Major Sir Sikander Hyat-Khan): I have listened to the last few speeches with great earnestness and care especially for the reason that a very able speech was made by my honourable friend Diwan Chaman Lall. But I must say that it was more or less irrelevant although it was very eloquent as usual. I do not know what it was due to. It may be that my logic and my speech was responsible for that provocation so that he might try and again confuse the issue. Dr. Sir Gokul Chand Narang in his speech said that since they had got no confidence, he or his people or his class had got no confidence in the Government, therefore, the whole of this legislation should be in quite a different form. That is what I understood him to say. The other thing was about the Unionists but those remarks were irrelevant. They have taken the time of the House to the extent which I do not think was justified. I will answer my honourable friend Diwan Chaman Lall who put me two questions. He said, "How are you going to eliminate the shopkeeper and the retailer?" That was one of the questions. He said, "Under this provision you can only exempt persons by name and not as a class." Perfectly correct and a very cogent argument no doubt. If that were really, as my honourable friend thinks, true, then I certainly think that it would be necessary to make some amendment either in this Bill or to take further power in the rule itself to meet the point which he has made.

With regard to Dr. Sir Gokul Chand Narang's point, I speak subject to correction, I do not think that they will be affected by the provisions to which he refers and in any case if they are affected, then we must make a provision in the legislation itself or in the rule to see that they are protected—I mean the *bona fide* shopkeepers. My honourable friend concedes

that he does not want to protect those people who come in the garb of shopkeepers and who practically do wholesale trade in the garb of shopkeepers or retailers. My honourable friend Dr. Sir Gokul Chand Narang also said something similar. With regard to the retailer he said, "If a person comes to buy say twenty seers or fifteen seers or a maund of wheat, how are you going to discriminate and how should he come and get exemption and what figure are you going to specify?" I entirely agree that this question will have to be faced but my honourable friend at the same time will concede that there are persons in this world who are not all angels—there are persons who deliberately try to evade the law and that is one of the reasons why my honourable friend has had to get up on his legs to say, "We suspect the *bona fides* of the Government because we do not know what they would do." This Government has done nothing which should in any way disconcert my honourable friend or those of his view of thinking. All that we have tried to do is to protect the honest trader, the honest moneylender, the honest businessman. All that we have done hitherto is merely to penalise and try to pillory—mind you I say 'try to' because we do not know whether we may be successful or not—the person who tries to evade the law made by this Legislature or other Legislatures for the benefit of the poorer class. That is what we have been doing. My honourable friend and other friends in this House will agree with me and will have to admit that attempts have been made from the very beginning to evade the laws that have so far been made. Take for instance the Land Alienation Act. It was enacted in 1901 and from the very next year you find the evasion. You find *benami* transactions, you find some other kinds of transactions, you find several other devices and ruses played with a view to either circumvent that Act or do something else. That is the reason why we on this side of the House are suspicious that whatever we might try to do, howsoever we might tighten the provisions of the Act, we are sure that your brains are clever enough to get out of it and evade the law. (*Interruption.*) I was merely pointing out that their suspicious may be well founded or not. Our suspicions have been well founded as witnessed or evidenced by various amending Acts to the Land Alienation Act. Does my honourable friend deny that we had anxiety to pass that amending Act merely to stop those loopholes and leakages?

Dr. Sir Gokul Chand Narang : He is referring to a matter which nobody has discussed.

Premier : He says that this is not discussed. My honourable friend said, "During the last eighteen months this Government has done several things and we have, therefore, become suspicious." I am answering that during the last few months we have been trying to plug those holes which my honourable friends have been boring into that Act for the last so many years and if my honourable friend is suspicious, other people, who have been more or less ground down by these clever people, have the right to be suspicious. I know that there are honest traders and honest businessmen; honest retail traders and wholesale traders and I also say without fear of contradiction, that there are honest retail sellers. There are honest wholesale sellers. My honourable friend would concede that we must make this law as water-tight as we can possibly do but at the same time not so rigid.

[Premier.]

as to exclude the possibility of giving relief to those people who really deserve it and who on merits justify that. That is the position which we have taken up and it is for that reason that I suggested that we have taken power in this Act to make rules to exempt persons either by name or by class. My honourable friend Diwan Chaman Lall will get the answer to the second part of his question in the amendment, which has been tabled from these benches, to Clause 27. The amendment to clause 27 by my friend Chaudhri Tikka Ram meets his point where we have taken the power to exempt a person or class of persons, so that if you want to exclude dealers or some other retailers you can do so by a stroke of the pen. But that has to be seen and depends on the condition and circumstances of each trade and may be each particular market, *mandi* or town. I have nothing more to say.

Mr. Speaker : Question is—

That at the end of proviso the following be added :—

“ Or for retail sale outside the notified market area or purchases from a person who is not a grower or from a grower who is not a member of a notified agricultural tribe.”

The motion was lost.

Chaudhri Kartar Singh : Sir, I beg to move—

That at the end of the proviso, the following be added :—

“ Or by a retail dealer who does not buy or sell more than prescribed quantity.”

The Assembly divided : Ayes 24 ; Noes 75.

AYES

Bhagat Ram Choda, Lala.
Bhagat Ram Sharma, Pandit.
Bhim Sen Sachar, Lala.
Binda Saran, Rai Bahadur.
Chaman Lall, Diwan.
Gokul Chand Narang, Dr. Sir.
Gopal Das, Rai Bahadur Lala.
Hari Singh, Sardar.
Harjab Singh, Sardar.
Kabul Singh, Master.
Kartar Singh, Chaudhri.
Krishna Gopal Dutt, Chaudhri.

Mukand Lal Puri, Rai Bahadur Mr.
Muni Lal Kalra, Pandit.
Partab Singh, Sardar.
Rur Singh, Sardar.
Sahib Ram, Chaudhri.
Sampuran Singh, Sardar.
Santokh Singh, Sardar Sahib Sardar.
Sant Ram Seth, Dr.
Shri Ram Sharma, Pandit.
Sita Ram, Lala.
Sudarshan, Seth.
Uttam Singh Dugal, Sardar.

NOES

Abdul Hamid Khan, Sufi.
Abdul Haye, The Honourable Mian.
Abdul Rab, Mian.
Abdul Rahim, Chaudhri (Gurdaspur).
Abdul Rahim, Chaudhri (Gurguon).
Afsarali Hasnie, Sayed.

Ahmad Yar Khan, Chaudhri.
Akbar Ali, Pir.
Ali Akbar, Chaudhri.
Allah Bakhsh Khan, Khan Bahadur
Nawab Malik.
Amjad Ali Shah, Sayed.
Badar Mohy-ud-Din Qadri, Mian.

Balwant Singh, Sardar.
 Bhagwant Singh, Rai.
 Dassundha Singh, Sardar.
 Faiz Muhammad, Shaikh.
 Faqir Chand, Chaudhri.
 Farman Ali Khan, Subedar-Major Raja.
 Fateh Jang Singh, 2nd-Lieutenant. Bhai.
 Fateh Muhammad, Mian.
 Fazl Ali, Khan Bahadur Nawab Chaudhri.
 Fazl Din, Khan Sahib Chaudhri.
 Fazl Karim Bakhsh, Mian.
 Few, Mr. E.
 Ghazanfar Ali Khan, Raja.
 Ghulam Mohy-ud-Din, Maulvi.
 Gopal Singh (American), Sardar.
 Gurbachan Singh, Sardar Sahib Sardar.
 Habib Ullah Khan, Malik.
 Hans Raj, Bhagat.
 Harnam Singh, Captain Sodhi.
 Het Ram, Rai Sahib Chaudhri.
 Indar Singh, Sardar.
 Jafar Ali Khan, M.
 Jogindar Singh Man, Sardar.
 Karamat Ali, Shaikh.
 Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.
 Kishan Das, Seth.
 Manohar Lal, The Honourable Mr.
 Muhammad Abdul Rahman Khan, Chaudhri.
 Muhammad Akram Khan, Khan Bahadur Raja.
 Muhammad Amin, Khan Sahib Sheikh.
 Muhammad Ashraf, Chaudhri.
 Muhammad Azam Khan, Sardar.
 Muhammad Faiyaz Ali Khan, Nawabzada.

Muhammad Hayat Khan Noon, Nawab Malik Sir.
 Muhammad Hussain, Sardar.
 Muhammad Jamal Khan Leghari, Nawab Sir.
 Muhammad Nurullah, Mian.
 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 Khan, Khan Bahadur Captain Malik.
 Nasir-ud-Din, Chaudhri.
 Nasir-ud-Din Shah, Pir.
 Nasrullah Khan, Rana.
 Naunihal Singh Mann, Lieutenant. Sardar.
 Pir Muhammad, Khan Sahib Chaudhri.
 Pritam Singh Siddhu, Sardar.
 Ripudaman Singh, Thakur.
 Roberts, Sir William.
 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.
 Sikander Hyat-Khan, The Honourable Major Sir.
 Singha, Mr. S. P.
 Sultan Mahmood Hotiana, Mian.
 Sumer Singh, Chaudhri.
 Suraj Mal, Chaudhri.
 Tara Singh, Sardar.
 Tikka Ram, Chaudhri.
 Ujjal Singh, Sardar Bahadur Sardar.

SITTING OF THE ASSEMBLY.

Minister for Education (The Honourable Mian Abdul Haye): Sir,
 I beg to move—

That this House do meet to-morrow at half past twelve of the clock; that no questions shall be taken and that at half past six of the clock Mr. Speaker shall adjourn the House, without question put.

Mr. Speaker : Motion moved is—

That this House do meet to-morrow at half past twelve of the clock ; that no questions shall be taken and that at half past six of the clock Mr. Speaker shall adjourn the House without question put.

Diwan Chaman Lall : May I ask the Honourable Premier whether he is prepared to sit for the ordinary hours of the meeting of this House? I understood in my talk with him that he wanted to utilise a day and the day would be from 12-30 to 5-0 o'clock and not till 6-30 o'clock. We are prepared that even the question hour should be utilised for this purpose. I submit that it will be desirable that we should sit from 12-30 to 5 o'clock.

Premier : As a matter of fact, I am perfectly willing to accommodate my honourable friend opposite. As I said the other day, we will see how much progress we make to-morrow and then decide what further action is necessary with a view to get through this business. We may have night sittings because we are doing the business at the rate of one clause a day. My honourable friend has suggested that we should make a shorter day to-morrow, (*Dr Sir Gokul Chand Narang :* Not a shorter day but a full day) and that instead of 6-30 we should adjourn at 5 o'clock. I have no objection to sit up to 5 o'clock.

Mr. Speaker : The question is—

That this House do meet to-morrow at half past twelve of the clock ; that no questions shall be taken and that at 5 of the clock Mr. Speaker shall adjourn the House without question put.

The motion was carried.

The Assembly then adjourned till 12-30 P. M. on Wednesday, the 30th November, 1938.

PUNJAB LEGISLATIVE ASSEMBLY.

4TH SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Wednesday, 30th November, 1938.

*The Assembly met in the Assembly Chamber at 12-30 P. M. of the clock
Mr. Speaker in the chair.*

EXPUNGING OF DEBATES.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban): I have to make a request and that is that you should expunge that portion from the proceedings of the 10th November which you think is not in keeping with the dignity of the House. I would request you to take that power and expunge it.

Premier (The Honourable Major Sir Sikander Hyat-Khan): I wholeheartedly welcome the suggestion made by my friend the Leader of the Opposition and I am glad that the suggestion has come. I wholeheartedly endorse what he has said and I think in the interest of dignity of the House we should expunge all those proceedings which do not reflect any credit on the members of the House. I support the suggestion made and I hope you will be pleased to expunge all those portions which are undignified or in any way conducive to create that bitterness which we do not want in this House. (*The House concurred.*) May I add one word? I hope my friend Chaudhri Krishna Gopal Dutt would also like me to state on his behalf that the little episode which happened yesterday may be deleted.

Dr. Sir Gokul Chand Narang: In future no one should indulge in that kind of talk.

Premier: I quite agree.

Chaudhri Krishna Gopal Dutt: I agree with the Premier. The only objection I took was to the tone.

AGRICULTURAL PRODUCE MARKETS BILL.

Mr. Speaker: The House will now resume consideration of the Bill clause by clause. Before Sardar Santokh Singh moves his amendment No. 37, may I draw the attention of the Premier to amendment No. 42 which stands in the name of Sardar Lal Singh. It does not exactly cover the same ground as amendment No. 37, yet I think it should be discussed with No. 37 and, if moved, put to the vote of the House separately.

Premier: Yes.

Mr. Speaker: Both of these will be discussed together.

Sardar Sahib Sardar Santokh Singh (Eastern Towns, Sikh, Urban):

I beg to move—

That at the end of clause 4, the following further proviso be added :—

“ Provided further that a licence shall not be required by the various limited companies commonly known as Chambers which are established in the various markets of the Province, and are dealing in ‘Futures’ and also by persons who have no direct dealings with the growers.”

We have been told over and over again by the sponsors of this Bill that its object is to eradicate the malpractices that exist in the various *mandis* in the matter of purchase and sale of agricultural produce. The Honourable Minister for Development the other day when describing the need of the measure said—

بھاؤ میں دھوکا دیا جاتا ہے۔ غلط بیع استعمال کئے جاتے ہیں۔ ۱۰۰ میں ۲۱ بیعے کھوئے ہوتے ہیں۔ ترازو کافی ڈنگی والے اور پونہچے زہریلے۔ مہتر روپے تو اور چڑھاوا کو پیسے دئے جاتے ہیں۔ پنسیوری سوا پانچ سیر والی خریدنے کے لئے اور پونے پانچ سیر والی بیچنے کے لئے استعمال کی جاتی ہے۔

I have quoted his own words. These were the complaints which this Bill, according to its sponsors, wants to remove. The amendment that I have brought before this House relates to the class of people who have nothing whatever to do with the grower directly or indirectly. As a matter of fact these chambers, in other words these exchanges are the best friends of these growers. Without these chambers the grower will not find it possible to sell his crop, much less get a higher price for it. We should not forget that India is of late more an importing country than an exporting one. It imports more wheat than it exports. It is, therefore, very necessary that stocking facilities must exist and it is these facilities that these exchanges provide in almost all the important markets of the province. Those of us who have read the Viceroy's speech which was published in the papers this morning must have also seen that His Excellency lays a certain amount of emphasis on the exchanges. I will briefly relate to you the functions and the work that these chambers are doing. They allow business in “futures”—business which is guaranteed by them, guaranteed both to the seller and the purchaser. The grower does not come in there; he does not deal directly or indirectly in the “futures.” What happens is that these dealers who buy ready goods in the *mandis* sell through the exchanges forward deliveries simultaneously. Without this they cannot buy and sell to the very large extent that they are now doing. Unless, therefore, there are these hedging facilities and they are there in the shape of future transactions, I make bold to say that the zamindar will not be in a position to sell his crop in the bazaar, because unless there are forward buyers you cannot buy ready and stock. There is no export, as I have said. We are rather importing wheat. If there was export like former years, the position might have been a bit different, but as it is, the zamindar cannot find a buyer for his commodities, unless the dealers are able to sell forward and this they can only do through these exchanges. So, these exchanges are performing a very useful purpose. They are in fact the best friends of the growers. These exchanges, it may not be commonly known, consist of almost all traders that belong to a particular *mandi*. They have their own

set of rules. They have their own arbitration. They deal between member and member, but those transactions are guaranteed by the exchange, that is, all profits and losses that accrue in the course of the dealings are guaranteed by these exchanges. In the words of the Senior Marketing Officer of the Government of India, I may tell you that some of these exchanges—he particularly mentioned the one at Amritsar—have been working reasonably perfectly. I am quoting from memory from the minutes of a meeting of the Joint Development Board where the Senior Marketing Officer said that exchanges at Amritsar and Karachi were working reasonably perfectly. These are the views not of a trader but of the Senior Marketing Officer of the Government of India. Those of us who have had occasions to study the literature that is from time to time issued by the Marketing Officers of the Government of India will have seen, what a great importance is attached by these officials to the working of these exchanges. I may mention that these exchanges do not buy anything directly from the growers. The growers entire part is played and completed, long before these exchanges come into the show. Their transactions are restricted as between trader and trader in the *mandi*, so that any apprehensions re malpractices on the part of broker and *ahrtias* towards growers cannot exist in the case of dealings of these exchanges which as I have said already more than once perform a really very useful purpose and are the best friends of the agriculturists in practice. This Bill has been drafted more or less on the lines of the Bombay Act. Now the very first thing that the Bombay Act has done is to exempt the markets of Bombay and Karachi from the purview of the Act altogether. Let us also not forget that this Bombay Act is a very narrow measure in the sense that it applies only to cotton. Here our Bill applies to several commodities and the Government has further taken power to apply it to other commodities which it may in its wisdom think fit to notify from time to time. That is all the more a reason, why we have to be very cautious in the application of the rigid provisions of this Bill. Only those people should be roped in by this Bill whose transactions are and can be harmful to the growers. Others must be left out of the purview of the Bill. Government having realised this has already taken powers into its hands to exempt persons under the rules, from the purview of this law. As a matter of fact they have already shown their generosity towards one class of people by exempting from this Bill not only the growers and landlords, but even their *bona fide* agents. But that is in respect of only one class of people. What I do wish is that similar indulgence should be shown to other classes too. Otherwise the indulgence that the Government has shown to one class of people will be construed to mean that this measure is one of discrimination. Therefore Government should readily come forward to show the same indulgence to this class of people whom I have referred to, who do and can do no harm to the growers, who do not use bad scales or weights, but who render a good deal of help to the growers by getting for them higher prices.

I may again point out that some markets in this province are really the most important markets. I may tell those who are not intimately connected with trade that Amritsar is at the moment the biggest wheat market not only in this province but in the whole of India. It is doing more business

[S. S. Santokh Singh.]

than the markets of Karachi, Bombay and Calcutta. In Amritsar you can buy and sell lakhs of maunds of wheat without having to pay more than 1½ or two pies per maund for such huge quantities; whereas in Calcutta or Bombay you may have to pay from three to nine pies per maund and even one anna, when buying and selling similar big quantities. That is the position that the Amritsar market has already attained. The business there is done on scientific lines. Its work is appreciated not only by the traders but also by Government officials who are in any manner connected with this trade. So, my submission is that we should not make the rigid provisions of this Bill apply to these useful institutions which are really a pride of the province. I am afraid that if these restrictions are applied to institutions of this kind and the powers of interference and control placed in the hands of people who, as I have said more than once on the floor of this House, are not still acquainted with the elementary knowledge of the business, it shall result to the detriment of the interests of the zamindar himself whom you are out to protect.

I will not take up the time of the House by repeating my arguments or giving further illustrations. All that I wish to impress is that these institutions have nothing to do directly or indirectly with the growers. There need be no apprehension in the mind of the sponsors of the Bill that if these exchanges are left out of the purview of this measure any harm could likely be done to growers. This kind of business is done on very scientific lines. If any restrictions are imposed on the carrying out of this business here while there are no such restrictions in other provinces, the result will be that most of the business of this province will go to Bombay, Karachi and Calcutta and everybody in this province will be a loser thereby. My proposition is really a very simple and innocent one. The House has already shown indulgence to one class of people. I do request that similar indulgence may be shown to these exchanges and to people who have no direct dealings with the growers not so much in the interests of traders, but in the interests of the growers and in the interests of this province as a whole. With these words I commend my amendment to the acceptance of the House.

Mr. Speaker : Clause under consideration, amendment moved is—

That at the end of clause 4 the following further proviso be added :—

“ Provided further that a licence shall not be required by the various limited companies commonly known as Chambers which are established in the various markets of the Province, and are dealing in “ Futures ” and also by persons who have no direct dealings with the growers.”

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General, Urban) : I have given my careful consideration to this amendment and for some time I could not decide as to whether we should support it or not. There are two parts of the amendment. The first is that the futures should not be controlled and the other is that those persons should be exempted from the purview of the Bill who have no direct dealings with the growers. So far as the relations between a dealer and a grower are concerned, there are no two opinions in this House barring a few gentlemen who represent vested interests that they should be controlled. Now there is the question of the relations between a dealer and a dealer and whether they should also be

controlled or not. I believe that conditions are not ripe, circumstances are not favourable to-day for the control of the relations between a dealer and a dealer. But there is another part of this amendment to which I take strong exception and on that ground I oppose this amendment. I have listened carefully to the speech delivered by my honourable friend the mover of the amendment and I regret to say that I have not been convinced by his arguments. The most important argument which he gave was that the business of firms and limited companies was proper, was based on honest lines and was scientific. My information does not go to prove it. I do not accuse all the chambers of dishonesty. But I believe that there are a number of chambers which are guilty of malpractices and dishonest methods which should be checked. Either we are going to have a Marketing Bill or not. One of the chief objects of having a Marketing Bill is to control the corrupt practices and may I point out to you, Mr. Speaker, that the things which he wants to protect are not devoid of dishonest practices? In my opinion although public opinion is not sufficiently alive in this province or any other province and therefore does not realise these "futures" sometimes are a nuisance to the economic life of the province and these futures should be controlled to a certain extent. The honourable mover has given instances of other provinces, that other provinces had not controlled the futures. I say that those Acts were made a long time ago, many years ago. Since then economic students have found out that unless these things are controlled, we cannot really give a better price to the grower. For, Mr. Speaker, you should not forget that it is these people who deal in futures who play with the produce of the poor agriculturist. It is they who control the prices. It is they who swing the pendulum of prices in a province or in a country. If you, Mr. Speaker, study the factors which go to regulate the prices, the ups and downs of prices, you will find that these "futures" have got some part to play in them and so far as this thing is concerned, I say it must be controlled. May I remind the honourable mover that in the report of the Agricultural Commission they clearly point out that the various Marketing Acts in the various provinces are very restricted in their scope and that the scope should be extended in certain respects and I believe that although this particular item was not before them or at least they have not gone into detail, still, if they had gone, they would have certainly advised that futures should be controlled. (*An honourable member*: How?) I have told you that these chambers are not free from dishonest practices. That is one thing and the other is they play with the produce of the agriculturist. (*An honourable member*: Can you give an instance?) You have a large number of friends amongst them and you know what they do from morning till evening. (*Laughter*). I tell you that there are quite a number of such firms or chambers who deal in both these businesses. They deal with dealers as well as with growers. How are you going to create a bar? One particular man may be dealing with a dealer as well as a grower. Do you suggest that one half may deal with dealer and the other half with a grower? How are you going to discriminate? Where are you going to draw a line? I fail to understand. The other thing, the most important point, as I said, is that if they are honest and if they are scientific as the honourable mover has said, then where is the harm in getting a licence? I would really submit to the honourable mover to consider his position before he actually presses his amendment. If he would bring in another amendment wherein he tries to exempt the relations

[Ch. Krishna Gopal Dutt.]

of a dealer and dealer, I would support that amendment. But in this amendment he seeks to exempt all the chambers and those chambers also deal with the growers. I, therefore, cannot support it. If I am assured that these chambers have got nothing to do with the growers then of course I would consider.

Sardar Sahib Sardar Santokh Singh : Nothing whatsoever.

Chaudhri Krishna Gopal Dutt : There are a number of such chambers, such as *ahrtias* and other firms in every *mandi*.

Sardar Sahib Sardar Santokh Singh : Could you name one ?

Chaudhri Krishna Gopal Dutt : In every *mandi* there are firms who deal in futures and who deal with agricultural produce also of the grower. They have got direct relations with the grower. I challenge him to deny this. I know of a large number of people in my own town and may I inform the House that I think I am the one member in this House who has got the largest number of *mandis* in the constituency. There are the largest number of *mandis* in my constituency and I know that in every *mandi* there are a number of people who deal in both kinds of business.

Sardar Sahib Sardar Santokh Singh : There is no chamber at Sialkot.

Chaudhri Krishna Gopal Dutt : When the honourable member used the word "chamber" he has not defined it.

Sardar Sahib Sardar Santokh Singh : I have defined it.

Mr. Speaker : I request honourable member not to interrupt the honourable Chaudhri Sahib. He may be corrected after he has finished his speech.

Sardar Sahib Sardar Santokh Singh : I very rarely interrupt.

Chaudhri Krishna Gopal Dutt : When he used the word 'chamber' and also used the word 'futures', he has not defined the word 'chamber,' he has not defined the word 'futures'. I repeat in spite of the very influential contradiction that there are a number of firms in every *mandi* who deal both in futures and with the grower. How are you going to discriminate ? I also say that these "futures" are in certain respects pure and simple gambling. Such gambling should be controlled. I believe that if there were a really socialist state in which I honestly believe, such things will be controlled and shall be controlled and must be controlled. With these words, I oppose this amendment.

Diwan Chaman Lal (East Punjab, Non-Union Labour) : May I say a word in regard to this ? My honourable friend who has just sat down, unfortunately has not followed either the procedure which relates to a future market or the business of what is known as a chamber doing business in futures, and I am afraid, not having quite followed the exact procedure he has been led into a mistake regarding the arguments that he has advanced. I want my honourable friend the Premier also to note that as far as the futures are concerned or the future market is concerned, they do not deal in ready produce and what my honourable friend is seeking to suggest by his amendment is that if you do not exempt the future market or a limited company

1 P. M.

which deals in futures on behalf of their clients who are not ready growers, but are operators in the future market, they will also be under the necessity of taking a licence to deal in their particular business. What is this Bill meant for? This Bill is meant for regulating weights and measures so that you have to weigh the produce which is ready produce. This Bill is meant to regulate charges relative to the ready produce, this Bill is not meant to regulate the book transactions and a future is always a book transaction. It is not a ready transaction and since it is a book transaction it does not belong to any produce which has to be weighed. I cannot see how my honourable friend would be within his rights in suggesting that a chamber which deals in futures should also obtain a licence. For what purpose; for weighing out properly the produce which he does not touch or for levying charges which he does not levy, because he does not deal in ready produce? There are two kinds of futures. My honourable friend the Minister for Finance is an economist, he knows what a future market is. Lest there are other members of the Assembly who are not aware of the reasons why the future market exists, I might detail for their benefit the types of future markets and the type of transactions that are conducted in future markets. From this it would be perfectly clear to my honourable friend that there is no necessity as far as a future market is concerned that any person dealing in futures should be under the necessity of obtaining a licence. There are two types. One is a pure gambling transaction and the type that my honourable friend behind me objected to, that is to say, here is a merchant who anticipates that the price of wheat will go up, therefore he buys to-day a future two months hence, six months hence, or a year hence, he buys a future in order that he might sell it again if the price goes up. If this morning he buys a future say ten thousand tons of wheat and operates by producing a book transaction and if in the evening the price happens to go up by one pice or half a pice or a quarter pice, he will close the transaction straight away. All that has happened is this, not one grain of wheat has passed hands between the purchase and sale, nor has one grain of wheat come into the market, but the man who has operated in futures has made a profit and the man who sold has made a loss and all that loss and profit is entered in the books of the chamber and the transaction is secured that way. There is another type of future and that future is quite a different one and is called a hedge transaction. A hedge transaction is a most desirable transaction. It is also a gambling transaction, but in a limited sense. It is a transaction which has the sanction in this morning's papers of His Excellency the Governor-General. If my honourable friend will read the speech delivered by His Excellency the Viceroy, he will find that His Excellency has actually praised the hedge transaction as a very necessary thing, necessary for whom? not for the gambler, but for the producer, for the man who grows the produce. I have myself often done a hedge transaction. How have I done it? I will explain to my honourable friend and then he will see the necessity of not bringing in this future market within the ambit of this Bill. I have anticipated sometime that my produce of wheat will be say 5,000 maunds. I have seen three or four months before the harvest is ripe that the price of wheat is about Rs. 8 a maund and the price of wheat three months hence is likely to drop and certainly likely to drop at the time of harvest. I take immediately at that very moment, when I find that the price is favourable to me, a future transaction to the extent of my produce, that is, to the extent of 5,000 maunds and

[D. Chaman Lall.]

if at the time of the harvest I find that price has gone down, I then secure a price of Rs. 3 which was the price at the time of my entering into a hedge transaction. If I find that the price has gone against me, I have got my wheat ready and I do not lose. It is only to stabilize the prices that growers get that a hedge transaction is entered into. A hedge transaction is a necessary transaction. Now it may be that when I had a hedge transaction and bought my wheat at Rs. 3, the price goes up within a month to Rs. 4 a maund and I anticipate that the prices at the time when my harvest is going to be ready will drop to Rs. 2, I immediately close the transaction and I make Rs. 4 a maund on my transaction and if at the time the price drops to Rs. 2 a maund, my Rs. 3 the price of wheat is secured to me. There is a further thing that happens. During the course of transaction I may go on buying or selling, although I am absolutely certain of my minimum price of Rs. 3. All zamindars in other countries indulge in such transactions, but unfortunately in the Punjab we have not got very many intelligent zamindars (*Interruption*). My honourable friend will agree with me that we have not many intelligent zamindars in this province, because they have not had the opportunity and nobody has ever told them. The evidence is here. Here I am telling what a hedge transaction is and I doubt if many honourable members have understood it and know what a future market is. It is therefore necessary that you should not separate the ordinary future transactions from the hedge transactions, because unless there is a future market there can be no hedge transaction and it is necessary that that particular market should be kept outside the ambit of this Bill. My honourable friend will agree that this is not the time to keep out anybody who should be brought in and I would be the last person to suggest that anybody who should be brought in may be kept out.

These are the only two things. My honourable friend would agree with me that there is not the third thing unless there is something at the back of my honourable friend's mind. But there are obviously no other propositions but these two and I do not want anybody who should be brought in and roped in in regard to these two matters. These are not the people who operate on the ready market. These are not the people who have to weigh out the wheat or buy it or sell it. These are the people who are entering into big transactions purely and simply and providing under the present state of affairs—a very wrong and horrible state of affairs I admit—a safety valve for these growers, those producers of agricultural produce who wish to assure to themselves a suitable proportion of their agricultural produce.

Sardar Lal Singh (Ludhiana, Central, Sikh, Rural) : I have not much to say in support of the amendment standing in my name. It is only this that with the progress of co-operative movement in the province there are bound to grow many co-operative marketing societies of growers and if they have not grown so far, it is, I think, due to laxity on the part of the co-operative department. I want to take the future co-operative marketing societies out of the clutches of these licence-taking requirements. If this proviso is not brought on the Statute Book, it goes without saying that all these marketing societies will have to take out licences just as any ordinary shop-keeper and the effect would be that the very people whom we want to benefit would be shackled by this Act. I, therefore, think that the co-operative

marketing societies should be exempted from the condition of taking out a licence for buying and selling agricultural produce.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural): I am really surprised that this amendment should have been opposed by my honourable friend from Sialkot. I shall be quite prepared to be amused by those surprises and to be instructed.

Chaudhri Krishna Gopal Dutt : May be pleasant or unpleasant.

Dr. Sir Gokul Chand Narang : Anything coming from you would be pleasant. To take the amendment seriously, I think that there should have been absolutely no objection to the acceptance of this amendment. I expected that the honourable member in charge of the Bill would lose no time in getting up and saying that he accepted the amendment. He would have thereby saved the time of the House which he is always so anxious to save. But, unfortunately, he does not seem to be decided in his mind so far whether he has to accept it or to oppose it and he would have to hear what other people have to say. My submission is, as has been pointed out by the mover of this amendment, that these chambers are limited companies. They are not ordinary firms which the honourable member from Sialkot seems to have in mind. He said that there are hundreds of firms who deal directly with the growers. There may be thousands. I do not question that. But the question is, how many limited companies—chambers which are limited companies—are there in his constituency the working of which he is aware of? He was, I should say, rather harsh on me when I interrupted him with a remark. I wanted to be enlightened by him and he said, "You have so many friends in these chambers and you know what they are doing everyday from morning to evening." Well, I must say that I am not a speculator, I have not dealt with any chamber at all and with the exception of the honourable mover of this amendment, I am not familiar with any one who is in charge of a chamber, President or Secretary of a chamber or who is doing any extensive business in the chamber and I can assure my honourable friend that the only gentleman whom I know to be dealing in this kind of business is absolutely above reproach and there is nothing in his conduct of business to which any member of this House, far less the honourable member from Sialkot, can object. From the very nature of the thing, there should have been no opposition to this amendment. You know the accounts of these limited companies have to be audited by auditors certified by the Government. Their accounts, therefore, have to be kept in accordance with certain rules and they have to be regularly audited and their balance sheets have to be sent to the Registrar, Joint Stock Companies, and they are governed by the various provisions of the Indian Companies Act, so that a private person may not fudge his accounts or do anything he likes in his books. They are, therefore, in an absolutely special position, whose business must be conducted in accordance with certain prescribed rules and laws and, therefore, one cannot say that they are like ordinary *ahrtias*. You know what they are doing from morning to evening. They are doing the best kind of business in the interest of the grower as the honourable member on my right has pointed out.

Chaudhri Krishna Gopal Dutt : Let them take a licence.

Dr. Sir Gokul Chand Narang : Take a licence for walking on the Mall. There is no harm. Why does my honourable friend not take a licence for wearing his ordinary clothes or doing this or that? Why should a licence be required when it is not necessary? What is the object of this Bill? The object of this Bill, as we understand, is to put proper price in the hands of the grower and to protect him from improper exactions. This is what has been said time after time by the mover of this Bill and by other members of this House who are supporting this Bill. Where does the business of a limited company or a chamber of this kind come in? About a dozen kinds of exactions have been pointed out in the Statement of Objects and Reasons. Does one of them arise in the case of these chambers which are limited companies? Not one of them. They are not concerned with it and generally they do not even see the grain, far from measuring it or weighing it. They do not even look at the grain and this criticism is simply based upon the lack of knowledge—I will not use a harsher word—of the true state of affairs, of the method in which this business is conducted. He said that it is gambling and that these futures are ruining the country and if there were a socialist trade, all future transactions would be prohibited. If that were so, the growers would be ruined. My honourable friend and others of his view should understand that there are two kinds of future business. One is pure speculation where no delivery at all is intended. That business is really not allowed because that would be a wagering contract and in case of dispute no court would allow any specific performance of that contract. That is an elementary principle of law with which everyone, who knows any thing of the law, should be familiar. Therefore, those transactions are not to be taken into consideration here because they are illegal and invalid.

My honourable friend on my right has drawn my attention to a passage in the *Tribune* of to-day. (*Premier*: We have all read it). Then I need not take the time of the House in reading it. (*Chaudhri Krishna Gopal Dutt*: That is in my favour and not in your favour.) If the Viceroy has taken the view which my honourable friend has taken, I would ask him to revise his opinion (*laughter*) as I would ask my friend to revise his opinion. I am not afraid of saying that a Viceroy can make a mistake: he is a human being. Anyhow that is entirely a different matter. We can have our own intelligence and we can bring it to bear on the subject which is before us rather than quote the authority of such a high authority as the Viceroy about which the honourable member may say that there can be two opinions (*laughter*). (*Interruptions.*)

Mr. Speaker : I request honourable members not to interrupt the speaker who is in possession of the House.

Dr. Sir Gokul Chand Narang : I was pointing out that there are two kinds of future contracts. One is in the nature of speculation. These are wagering contracts and are not enforced by courts as under the Contract Act they are considered to be invalid. There is another kind of future transaction not of the nature of a wagering contract. That is a transaction in which delivery is intended to be given and to be taken. In so many cases delivery is actually given and taken or sometimes profits and losses are adjusted as in the case quoted by my friend on my right. You will

agree with me and those who know anything about the transactions will agree that if these transactions are stopped not only will the trader suffer and would be prevented from engaging himself in this kind of business but even the grower would suffer. Even the official members of Government would know that Government at least at one time was anxious that future transactions should be encouraged. If necessary, if I had the power I could quote authority on the point that future transactions should be encouraged. Why, because they raised the prices of agricultural produce (*Chaudhri Krishna Gopal Dutt*: Question) more than anything else. Is not that right? (*A voice*: Stabilise). There you have the corroboration from the Government benches that prices are stabilised and they prevent them from going down. If there were more future transactions as in the hands of moneyed people and intelligent people, wheat could not be sold at Re. 1-12-0 and your kapas could not be sold at Rs. 4-14-0. I do not deal in these commodities and therefore I do not know their prices. In any case I know that the zamindars are not satisfied with the prices now prevailing in the market. So these future transactions do not do any harm to the grower but do a lot of good to them by at least stabilising the prices. This is what His Excellency the Viceroy says in the passage which my honourable friend is pointing out to me. He has made certain recommendations and in No. 3 he says—

The establishment, where possible and advisable of properly regulated forward markets permitting of 'hedging' and thus leading to the mitigation of violent market fluctuations.

This is the result of these transactions. The word 'hedging' probably is not very intelligible to most of my honourable friends on this side. It is nothing but protecting yourself against possible losses by violent fluctuations in the market. Is there anything immoral, is there anything dishonest, is there anything unbusinesslike in it? Even my honourable friend who happens to be a big zamindar would feel the necessity of hedging himself against possible losses. (*A voice*: Is he a big zamindar?) It is not the reverse of a compliment to call a man a big zamindar if he is so. I believe he is a big zamindar certainly. It is only shame to suck the blood of the tenants. There may be big zamindars here present, but you will have to take care of your land after a certain period when the ball which you have set rolling has rolled sufficiently, and the peasantry whom you are pulling up against the sahkars are up against the zamindars in course of time; but we are not concerned with the matter for the present. It may be yet too far but certainly I did not mean any disrespect to my honourable friend if I described him as a big zamindar which I believe he is. The honourable mover of the amendment says that if these chambers were discouraged as for instance the chamber in Amritsar which is doing the largest amount of business, the result would be that this kind of business may shift to Bombay, Karachi or Calcutta. I would not go so far but certainly it may shift to Kapurthala, Malerkotla, Pataudi. There are 36 so-called native states in the Punjab bordering on the various parts of the Punjab and situated like so many islands in the British Punjab. The business would shift from the Punjab to the feudatory states. The states may also follow the bad example set by this province which I think they will not because they are more solicitous about the interests of the growers as well as of the traders than our Government claims to be. Then my

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honourable friend said that there are certain evils even in these chambers which must be removed and their conduct must be controlled. With great respect I requested him to enlighten us as to the evils which he finds in the working of the chambers. Beyond saying 'I had so many friends and I knew what they were doing from morning till evening' he did not tell us anything else. If there are any evils, these evils, let me assure him, are not contemplated by the present Bill; and even if this Bill is passed without the slightest amendment, these evils, if there are any, would not be covered by this Bill at all. This Bill seeks only to remove the evils that exist in the conduct of business, in the relations as between the *ahrtias*, the brokers and the growers. These gentlemen do not come in under any category at all. They stand so much higher than the whole class of the other people, that they are not concerned in the transactions between the grower and the purchaser. Storing goes on in various *mandis* through ordinary *ahrtias* brokers or the growers themselves bring their produce to the big towns and store them in warehouses and take out receipts and their invoices are prepared that such and such *kotha* situated at such and such a place contains five hundred maunds wheat of first, second or third class. I hope I am correct that invoices are prepared and the transactions therefore between the *ahrtias* and the grower concerned are completed before these gentlemen come on the scene, and then what happens? The purchaser says five hundred maunds given to Sardar Sahib's chamber. I want to buy five hundred maunds wheat. He says all right; he turns up his papers and finds that five hundred maunds are contained in such and such *kotha* and he also tells him the rate and asks you to pay so much in advance. The purchaser says, "well if the owner of the *kotha* does not make delivery what happens?" Then Sardar Sahib's chamber says we guarantee either to deliver 500 maunds wheat or pay the amount of damages if a necessity arises. Supposing prices rise and the owner of the *kotha* refuses to give delivery, the Sardar Sahib's chamber would say, 'We are responsible'. Then he agrees and they inform the owner of the *kotha* that they want to purchase 500 maunds of wheat. 'Yes', he says, 'at what rate?' The rate is quoted. If he agrees then the transaction is completed. In the same way if prices fall, the purchaser would not take delivery and if he does not take delivery, Sardar Sahib's chamber would say, 'We are responsible.' So the duty of the chamber is to guarantee to the purchaser and to the seller the completion of the transaction and the payment of profits or losses as the case may be. If the prices rise they are responsible to the purchaser to pay him his profit or to give him the delivery of 500 maunds of wheat or whatever it may be, and if the prices fall and the purchaser refuses to buy, then they are responsible to the seller. This is the transaction. I do not see a word in this Bill which touches such transactions or chambers which have been established in the form of limited companies and which do not deal with growers directly but entirely deal with dealers. Therefore, as they are not covered by any other provision of this Bill at all, why should they be compelled to take out licences? You will see, that the amendment is hedged in by three things. One, that it is a chamber; second, that it is a limited company and the third is that it deals in 'futures.' The word is not 'all' but it is 'and'. Therefore if there is a chamber which is a limited company and which deals in 'futures', it should be exempted

from the provision of taking out a licence. Then the second part of the amendment says :—

“ and also by persons who have no direct dealings with the growers.”

It is really an independent amendment. You may discuss it or not, you may or may not accept it. You may say that there were other amendments of this kind between dealer and dealer and you have not accepted them. Therefore, this question does not now arise. So far as chambers which are in the form of limited companies are concerned, they stand on entirely independent footing and they should, therefore, be exempted from taking out licences.

Dr. Gopi Chand Bhargava (Lahore City, General, Urban) (*Urdu*) : I am neither a zamindar nor a dealer and, therefore, I think I am in a position to judge the provisions of this Bill in the capacity of a disinterested person. The object of this Bill is to save the grower from the malpractices that exist in our markets such as dishonesty in the matter of fixing the prices of the agricultural produce and weighing the commodity as well as of the various trade allowances. Now I wish there was some provision in this Bill for fixing the minimum prices of various commodities. No doubt a reference to this matter has been made in the statement of objects and reasons but there is nothing in the Bill itself. The Bill does not make any mention of fixing the lowest price.

But leaving aside this aspect we have now to see whether the grower is in any manner affected by a transaction between two dealers. If any malpractice in transactions between dealer and dealer does not affect the interest of the grower, I think such transactions need not be brought under this Bill. I submit that the dealer is in no way concerned with these transactions and, therefore, there is no justification for extending the Bill to him.

The Honourable Premier was pleased to remark that we have also to look after the interest of the consumer. But I would submit that when it is admitted that the future transactions tend to stabilize the prices this solicitude for the interest of the consumer does not come into the picture at all. If you are so anxious to safeguard the interest of the consumer you should adopt other methods. These transactions between dealer and dealer have nothing to do with his interest.

A good deal of stress has been laid on the fact that the grower gets only 9½ annas in the rupee for his produce. But that statement does not prove that the grower is robbed of 6½ annas per rupee in the markets. The real causes of this loot are not touched by the Government. Perhaps it dare not touch them. Take for instance the railway freight. Has the Government ever paid attention to the havoc played by freight charges? There is a loss owing to deterioration in quality. Has any arrangement been made to stop it? It may be said that the railways carry fruits, etc. in air conditioned wagons. But does that justify the huge amounts charged as railway freight? May I ask whether the grower is not affected by these charges? If you are really anxious to safeguard the interests of growers you should attend to these things. On the other hand when the grower has nothing to do with the chambers and limited companies dealing in “Futures”, why do you want to rope them in?

[Dr. Gopi Chand Bhargava.]

It is admitted by the Government that the future transactions cause stability in prices. Well, if that is so, it is clear that the grower is benefited by these transactions. Now you want to help the grower and, therefore, you should not penalize the bodies dealing in futures. Do you think it would be in the interest of the growers to stop such transactions or to rope in the companies and chambers by whom these transactions are made? I am convinced and I think no sensible person can deny that it will be an improvement on the Bill to exempt from its provisions the transactions between dealers and dealers.

It may be said that the Government, may be willing to agree to one thing only if we show our willingness to sacrifice a bigger thing. We are not prepared to do that. We want the Government to agree to the bigger one so that the smaller one may be included in the former. We want the Government to put stop to satta gambling which is done not for the benefit of the grower but to so regulate the market prices that the dealers stand to gain. (*Hear, hear*). There will be no harm in putting an end to all fluctuations in the market prices which result in the loss to the poor cultivator. Even the satta gamblers are the losers in the long run. We find that if a satta gambler is a millionaire to-day, he is a pauper the next day. If the Government brings forward a new legislation simply with a view to ending satta gambling once for all, I shall lend my whole-hearted support to such a measure. Then there are two ways of dealing in futures. The first is satta and the second is hedging. If you are of the opinion that hedging goes to the benefit of the grower as it tends to stabilize the prices, you may exclude it. But you must agree to do away with satta and change your amendment accordingly. I think if Government agrees to the next two amendments all these points will be adequately met as dealers include companies as well as chambers. With these words, I resume my seat.

An honourable member : The question may now be put.

Mr. Speaker : The question is—

That the question be now put.

The motion was carried.

Sardar Sahib Sardar Santokh Singh : My task has been made rather easy inasmuch as my honourable friends the member for Labour and the member for Sheikhupura-cum-Lahore have already dealt in the most minute detail with the criticisms and misstatements which I may say, with due deference, that my honourable friend from Sialkot had made in his speech. My honourable friend from Sialkot went for exchange because he thought that they controlled prices. He does not seem to know perhaps that prices are not controlled by any one set of people here or by another set of people there. The prices that prevail from time to time have relations to world prices and are governed by advices from Liverpool and from New York, and every zamindar, you may take it from me, knows every morning what those prices are. My honourable friend made another remark re-exchanges in Bombay which surprised me very much. Probably he is not aware of the fact, that in Bombay they have the East India Cotton Association to control the "futures" business and also the other trade in ready cotton. Perhaps he does not know that there are other association in Bombay,

i.e., Marwari Chamber, Bullion Traders Associations, etc., etc. which are not called chambers but which are engaged in exactly the same line of business which the chambers are doing in this province. He was further confusing himself by comparing these companies or chambers with brokers and *ahrtias* of which hundreds are in existence in every *mandi*. If he had taken the least pains to go into my amendment, he would have seen, and seen it very easily, that my amendment related only to a very narrow sphere. It applied only to limited companies which have been incorporated under the Companies Act.

My friend perhaps has no idea or does not perhaps care to know the charges that are levied by these chambers. Let me tell him that in Amritsar they are charging only two annas for both purchase and sale of a unit of 500 maunds. Let my friend know that. I challenge anyone to say if business could be guaranteed at a lesser charge than two annas for every 500 maunds. This is the charge which the chamber levies for guaranteeing both to the seller and the buyers the due performance of the contract, "futures" contract that may be for delivering six months ahead, and I dare say that nobody on earth could dream of carrying on this business on a lower charge than this.

A great deal of confusion has been sought to be created by repeating again and again that the producer gets only nine annas and six pies out of every rupee paid by the consumer. But little care has ever been taken to study the situation to find out what this figure represents. This figure of nine annas and six pies represents the value of wheat which a man, say at Lyallpur realises after selling it at Calcutta. Most part of the rest of six annas and six pies, my friends may take it from me, goes to railways by way of freight. I may say that five annas and nine pies go out by way of freight. The balance that remains, is only nine pies in the rupee. I had put it plainly the other day to the Minister for Development that if he really wanted to do anything for the farmer he should try to get the freight reduced.

Mr. Speaker : Will the honourable member please confine his speech to the motion before the House ?

Sardar Sahib Sardar Santokh Singh : I am replying to the remarks of the Leader of the Opposition. If you do not want me to do so, I will not pursue the matter any further. It has not been shown by any body that if this indulgence is extended to this class of people, any harm to the grower will be caused. I have already succeeded in proving to the satisfaction of those who keep an open mind on this question that these chambers and exchanges are really doing useful work in the interests of the growers. Without these chambers and exchanges the position of the growers will be much worse than what it is at present. It may be argued that this licensing will mean only a small fee. But my real objection to this licensing is this. This business which has grown so much in importance and which is the envy of other provinces should not be placed for interference and control in the hands of those people who do not understand the A B C of it. That is why I have tried to show at length that the growers are not at all affected by this sort of business that is carried on by these chambers. The much accursed *ahrtia* who buys the goods from the growers may pay the grower less or charge him more. This Bill originally sought to deal with the sins of

[S. S. Santokh Singh.]

omission and commission on the part of *ahrtias* and brokers and of resulting oppression to the poor grower thereby. Thus far and no further should the scope of this Bill go. My position is that by applying these provisions to this sort of business you will be killing the trade of this province to the benefit of other provinces. I do not agree with my friend representing Lahore and Sheikhupura that these exchanges will easily be started in Indian States. It is by far too difficult a thing. It requires years of toil to bring these exchanges to the level which some of them have now reached. I would request the Government to consider this matter calmly and if it finds that without doing any injury to the growers these exchanges can be exempted from the provisions of this Bill, they must be so exempted not so much in the interest of the traders themselves, but in the interests of the Government and of the farmers, because trade and commerce are as much the mainstay of a province as agriculture.

Premier (The Honourable Major Sir Sikander Hyat-Khan): I must, characterise the debate on this amendment as much ado about nothing. Before I get on to the points stressed by the honourable sponsor of the amendment and his supporters, I may draw the attention of the honourable members opposite that all these six or seven speeches that have been delivered from those benches could have been restricted to two, because more or less the same points were repeated over and over again by all the speakers. (*An honourable member* : If you had accepted the amendment all the speeches would not have been made). It is not a question of accepting the amendment. My contention is that two speeches would have sufficed to put forward all the arguments advanced in support of the amendment. All the other speeches were mere repetitions of the arguments. I may inform the House that the debate on this amendment alone has cost approximately Rs. 1,500. If my request for confining the speeches to essential points only and making them brief had been acceded to, I am sure we would have saved a lot of money and time of this House. Most of these amendments, I am again referring to a matter which does not directly concern this amendment, should have been discussed in the select committee. The select committee was a representative body of the House and these questions which we are now discussing are of minor detail and should have been discussed in the select committee. Here only broad questions of principle and policy should be discussed. Otherwise, the House should consider whether it is necessary to constitute select committees at all. Because, if the House is going to examine all the minute details of the Bill, then we need not constitute select committees at all. The whole House may go into committee and thus save the time and cost of select committees and also the duplication of work. However, that is by the way. I hope honourable members opposite will bear my request, a very emphatic but humble request, that we must have consideration for time and money. As I have said, the present amendment has already cost Rs. 1,500. (*An honourable member* : Time is running. Do not waste any more time).

With regard to the amendment itself, as I have said it seems to me to be an illustration of the saying 'much ado about nothing'. My honourable friend Diwan Chaman Lall gave a very interesting discourse with regard to the functions of the hedge market, forward market and also with regard to

the futures. I do not claim to know as much as he perhaps knows about these matters, but I dare say I can also claim to know this much that I know something about this kind of business. If the House will allow me, I shall try to remove one or two misapprehensions. I deliberately use the word 'misapprehension', because it was not out of sheer ignorance that the honourable member did not consider the amendment from the real aspect from which he ought to have looked at it. Everybody knows that forward markets are essential if you want to benefit the trade and commerce of a country. To that effect I made recommendations three years ago which were subsequently embodied in the report of the Reserve Bank. I said that we should try to encourage forward markets and also give them an opportunity of doing these hedging transactions with a view to safeguarding violent fluctuations.

Now forward markets are meant to facilitate hedging transactions and hedging transactions are meant to avoid violent fluctuations both to safeguard the interests of the businessmen as well as the grower. That is the function of the forward market. Now when my honourable friend comes to futures that is where he made a slip or where he did not make that subtle distinction between a forward market and a future market. So far as forward market is concerned, my honourable friend is perhaps aware that there is always in these transactions a delivery somewhere. Otherwise it would be pure gambling. These markets are not gambling markets as my friend, the honourable mover of the amendment, would bear me out, because at every one of these transactions there is delivery of concrete produce in a concrete form. If you want that delivery to be made to you it will be made to you and if it is not made to you that means you are not keeping up to your market.

Diwan Chaman Lall : Possibility of delivery.

Premier : No, no. (*Honourable members :* Contemplative delivery). If there is no delivery it would be pure gambling. Now with regard to the future you cannot with the same definiteness, if I may say so, say that there is not that danger of gambling which can be found in forward sales. I will try to explain. My friend, Dr. Sir Gokul Chand Narang, is shaking his head. (*Dr. Sir Gokul Chand Narang :* How does this Bill prevent that kind of transaction ?) It does not. What I am trying to explain is this. There is a hedging transaction, a perfectly legitimate, a perfectly valid one and I would go so far as to say that it should be encouraged both in the interest of the businessman and the interest of the grower. Then there is the subtle distinction between futures and futures. Where you contemplate delivery the honest delivery will be made if eventually the transaction is closed. (*Dr. Sir Gokul Chand Narang :* Delivery can be insisted on). Yes. And in the other, as my friend himself has said, where, to quote his own words, not one grain of wheat has passed hand, it is there that the danger of gambling comes in, where no grain of wheat has passed. That is what we want to avoid. I hope I have made myself clear that there is a subtle distinction in futures, that there are futures which contemplate delivery behind and there is actual stock somewhere in which case it is not gambling and there are futures where there are no stocks and not one grain passes and where it becomes a satta gambling which we want to avoid both

[Premier.]

in the interests of the grower and in the interests of the business people. It is bound to do a lot of damage to the people who go in for these transactions as they are likely to burn their fingers. My honourable friend, the mover of the amendment, is shaking his head. I will confess that my memory is short. But he will remember that three or four years back there was bankruptcy in Amritsar and practically all the chambers all over the province were almost bankrupt. Now, it has been said that they are limited companies. They are limited companies not from any altruistic motives. They are limited companies because otherwise they cannot gamble to any extent. That is why their liability is limited. My honourable friend does not probably know the history of these chambers. I do not condemn all chambers. I say that there are chambers doing perfectly honest business. But as I have just reminded my honourable friend, three or four years ago there was a great upheaval merely because of this gambling and that is what we want to avoid. My honourable friend said that these chambers should be exempted because they happen to be limited liability companies. But my contention is, as I have said, that unless they are limited companies the liability of the partners or the shareholders would be unlimited and then there is the danger of bankruptcy.

Diwan Chaman Lall : If I may interrupt my honourable friend, the argument is that these chambers do not deal in ready purchase and the Bill deals with produce which is to be weighed and so on. These chambers do not deal with any ready produce. That is the point.

Premier : My honourable friend is now again thinking of those chambers which merely deal in things which do not exist but on paper. Those we want to discourage. My honourable friend will agree that so far as satta is concerned no one in this House will say that it should not be discouraged. Does my honourable friend agree to that ?

Diwan Chaman Lall : My honourable friend has not probably understood. Satta is different from future. Satta is already controlled by laws of this province. Satta goes with gambling. If my honourable friend would permit me to say so, satta is a different thing from the 'future.' That is a wagering contract. Future contemplates every time the passing of actual produce, but never is the actual produce passed until such time when a particular party may find it desirable to hand over the actual produce.

Premier : My honourable friend wants me to go into details and I think I have not the time.

Mr. Speaker : Nor is it necessary.

Premier : Nor have I the inclination to do so. Let me tell my honourable friend that there is very little difference between satta and futures unless those futures are meant to be forward sales. I tell you how. It is only when the prices go down that there is danger of bankruptcy. My honourable friend sitting behind him will tell him and it is only then that the danger comes in because of these paper transactions which you have yourself mentioned. I agree that there are transactions where not a grain passes and it is not contemplated that a grain should pass. That is where it becomes satta. But where there is concrete produce behind, then it is not satta and it becomes pure forward transaction or future. (Dr. Sir Gokul

Chand Narang : Even in this case not a grain need pass at the time of transaction). None. No grain need pass when a transaction is made. But the grain is there behind. There it is always in the back ground. Another point was stressed was that because they are limited companies they should be exempted. Why should they be exempted if they are dealing in that kind of thing? If they are dealing in agricultural produce, why should they be exempted? I do not think that a case has been made out that merely because it is a limited company it should be exempted. Supposing the growers to-morrow form themselves into a limited company—Sardar Lal Singh also suggested that co-operative societies should be exempted, though I do not see why. We do not want to discriminate or differentiate as this Bill is meant to deal with certain malpractices and if these businessmen are not indulging in those malpractices or abuses why should they worry about it?

He should worry about it only if he thinks that there is a danger of his being caught doing something which the law does not permit. If he is not concerned, why bring in this amendment? So far as the question of licence is concerned it will be only a nominal amount and a limited company, a company which is limited, naturally ought to have a fairly large capital behind it. Why should it worry about getting out a licence by paying a nominal amount. We are not going to ask a very huge amount by way of licence fee. Therefore, my contention is that either my honourable friends are misplaced and if they are not then there is no need to exclude these limited companies or co-operative societies or a society of growers or any co-operation or a body which is constituted for that purpose. With these words I regret that I must reluctantly oppose this amendment.

Mr. Speaker : Question is—

That at the end of clause 4, the following further proviso be added—

“ Provided further that a licence shall not be required by the various limited companies commonly known as Chambers which are established in the various markets of the Province, and are dealing in ‘ futures ’ and also by persons who have no direct dealings with the growers.”

The motion was lost.

Sardar Lal Singh : I beg to move :—

Mr. Speaker : The honourable member cannot move his amendment.

Diwan Chaman Lal : Why not? After all, this is a new subject and that is a new amendment. It deals with the co-operative societies and it does not deal with the chambers.

Mr. Speaker : It was decided this morning that this amendment will be discussed with another, but will be put to the vote of the House separately. So, I will put it to vote. Question is—

That at the end of clause 4, the following further proviso be added :—

‘ Provided also that no licence shall be required for selling or buying agricultural produce by a duly constituted co-operative marketing society of growers.’

The motion was lost.

Pandit Muni Lal Kalia : I move—

That the following further proviso be added to clause 4 :—

“ Provided further that the Government may by notification—

(a) exclude from a notified market area, any area comprised therein and defined in such notification ; or

(b) include in any notified area, any area defined in such notification.”

Mr. Speaker : The honourable member is a learned lawyer. May I ask him whether the Government cannot decrease or increase the notified area without there being no express provision to that effect ?

Pandit Muni Lal Kalia : I understand that the Government cannot do it, because a similar provision was made by way of an amendment in the Madras Act. The parent Act on which the present Bill is based is the Commercial crops Market Act, Madras, passed in 1933. Later on, an amending Bill had to be brought in by the Madras Government and my amendment is based exactly on the amendment made in that Act in 1936. There was difficulty in the way of Government. The mover or the minister in charge failed to catch hold of the amending Bill otherwise it would also have been included in the Bill now proposed. Section 4 of the Madras Act was later on amended and that amendment has not been noticed by the Minister-in-charge of this Bill.

Mr. Speaker : The point is that if Government can include a certain area in the market, then can it not exclude it as well ? The principle of law is that what a man can do, he can undo too. So, if the Government can include a certain area, it can exclude it also.

Clause under consideration, amendment moved is—

That the following further proviso be added—

“ Provided further that the Government may by notification—

(a) Exclude from a notified market area, any area comprised therein and defined in such notification ; or

(b) Include in any notified area, any area defined in such notification.”

Parliamentary Secretary (Chaudhri Tikka Ram) : So far as part (a) of the amendment goes the Government has absolutely no objection to accept it, but so far as part (b) of the amendment is concerned such powers already exist in clauses already passed by this House, so it is unnecessary. First part may, therefore, be accepted, and the second part is unnecessary.

Mr. Speaker : I think the amendment will make the clause vague. So, it is out of order.

Question is—

That clause 4 as amended stand part of the Bill.

The motion was carried.

Clause 5.

Sardar Sahib Sardar Santokh Singh (Eastern Towns, Sikh, Urban) : I beg to move—

That for clause 5, the following be substituted :—

“ The Registrar, Co-operative Societies, shall be the authority to grant licence to the persons desired in section 4 (1).”

The Government should have, by this time, made up its mind to define or describe the authority which was to grant the licence under this section. I believe that by this time the Government should not have found it difficult to find out or to describe the authority by whom the licence is to be granted. The idea underlying my amendment is that the office of the Registrar, Co-operative Societies, though directly under the Honourable Minister for Development, is more or less a business concern.

Syed Amjad Ali Shah : On a point of order. What does the honourable member mean by "person desired" ? (*A voice : Described.*) Which person is described in the clause ?

Sardar Sahib Sardar Santokh Singh : I did say, perhaps the honourable member opposite did not hear me, that the words should be "described in section 4 (1)".

Mr. Speaker : Perhaps the proper expression would be "referred to".

Syed Amjad Ali Shah : But nobody is described.

Mr. Speaker : Yes, no one is described. Will the honourable member please proceed with his speech although his amendment, as worded, is defective.

Sardar Sahib Sardar Santokh Singh : If it is not in order, I shall not move it. But to my mind it is not defective. I say that the word should be "described". The word "desired" is a misprint.

Mr. Speaker : May I know whether he wants to substitute the word "described" or "referred to" for the word "desired." In section 4(1) there is no person to be described.

Dr. Sir Gokul Chand Narang : Certainly no amendment can be ruled out on the ground of loose phraseology. The object is perfectly clear.

Mr. Speaker : I have no objection if the language of the amendment is improved and if he wishes to improve it.

Sardar Sahib Sardar Santokh Singh : My submission is that the office of the Registrar, Co-operative Societies, is more or less a business office.

Mr. Speaker : The Registrar, Co-operative Societies, shall be the authority to grant licence to the persons described in section 4(1). Should the word be "described" or "referred to" ?

Sardar Sahib Sardar Santokh Singh : It should be "described". If, however, you think that "referred to" will be more appropriate, I will substitute "referred to" in place of "described". On further consideration I have decided not to move the amendment.

Mr. Speaker : Question is—

That clause 5 stand part of the Bill.

The motion was carried.

Clause 6.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural) : I move—

That in sub-clause (1), line 3, the words "for such period" be deleted.

In order to understand this I would refer the honourable members of this House to the sub-clause itself. This sub-clause says :—

"(1) Any person may apply to the authority specified for a licence which shall be granted for such period, in such form, on such conditions and on payment of such fees as may be prescribed."

I want the deletion of the three words "for such period" and my grounds are that it is not, in the first place, necessary that the grant of a licence should be periodical or for any fixed time, nor should it be necessary to have it renewed from time to time. It is simply imposing a restriction and obligation on the licence-holders and also unnecessarily mulcting them in a certain amount of money periodically. You would probably remember that we opposed a similar provision in the Registration of Moneylenders Bill because there also was a provision like this that licences should be issued for a certain period and we urged that it was absolutely unnecessary to impose this condition on those who are desirous of taking out licences or who are compelled to take out licences. I would ask any member of the Government—I do not know who is now in charge, perhaps one of the Parliamentary Secretaries is doing the duty for the mover of the Bill—whether it is a fiscal measure or a measure of reform. If it is a fiscal measure, you can say that a licence would be issued only for a quarter and after every quarter it should be renewed and it would then bring more money to the Government. If it is not a fiscal measure and it is only intended, as has been repeated *ad-nauseam* in this House, to effect reform in the business of the markets, then my submission is that it is not necessary to have these licences renewed from time to time or to confine them only to a particular period. Even in the case of lawyers, who have enrolled themselves as advocates, it is now no longer necessary to have their licences renewed from year to year. (*Interruption*). Perhaps my honourable friend the Parliamentary Secretary is not an advocate. (*Interruption*) I did not know that he was only a pleader. The High Court has now provided that people can get themselves enrolled if they have been practising at the bar for a period on payment of a particular fee, and once they have enrolled themselves as advocates, it is not necessary to have their licences renewed. So, if they have introduced this reform, why does Government go back on the old system that licences should be renewed every year; and my honourable friend who is a legal practitioner of some sort would know that when licences have to be renewed the legal practitioners are practically under the thumb of the authority which renews the licence. This measure has contributed to the increase in the liberty, prestige and independence of the legal practitioners. If the object, as I have said, is not fiscal it is not necessary to have these licences issued only for a particular period. Then, again, it is possible that the object is simply to keep these poor *ahrtias* and other poor people working in *mandis* under the thumb of some authority that may be nominated to issue licences. The Honourable Premier has just arrived and in one or two sentences I would just tell him what I have been saying. I have moved

the amendment for the deletion of these words 'for such period' from sub-clause (1) of clause 6 and I have been giving grounds in support of my amendment. I believe that the measure is not fiscal and therefore the object is not to make money or add to the revenues of the province. If the object is fiscal and raising of revenue then there is no answer to it; and whatever we might say Government will certainly explore every avenue to raise revenue and then the *ahrtias* must take out licence every year, and perhaps Government might lay down instructions that licences might be renewed every quarter. But I believe, in fact I assume and presume, that the object of this measure is only reform and not raising of money. Then, again, I was going to say that if the object of the measure is this, then the *ahrtias* and other people working in the markets should always be looking up to the authority for the renewal of their licences. Even then, of course, the Government would not change its view; and if that is not the object and no encroachment on the independence of the businessmen in the markets is intended, I do not see any point really in keeping these words in the sub-clause. Once a man takes out a licence he can carry on his business until his licence is forfeited on grounds which are given in the Bill, i.e., if he offends against any provision of law or acts in a manner not in keeping with the provisions of law. Should he be compelled to have his licence renewed from time to time and pay a certain amount of money to the Government for the renewal of his licence? It may be Rs. 5 or Rs. 10. One does not know what it would be. Probably the amount would vary from market to market according to the size and the amount of business conducted in a market. But whatever that may be, I do not see any sense in compelling these poor people to have their licences renewed from time to time. I therefore would submit that these three words may be deleted from the sub-clause.

Mr. Speaker : Clause under consideration, amendment moved is—

That in sub-clause (1), line 3, the words "for such period" be deleted.

Chaudhri Krishna Gopal Dutt (North Eastern Towns, General Urban) : I rise to support the amendment moved by my honourable friend, Dr. Sir Gokul Chand Narang. The honourable mover has said enough, rather more than enough in support of his amendment. His argument, to begin with, was that these three words are unnecessary. I would like to go one step further than my honourable friend and would say that these words are not only unnecessary but that they are also mischievous. The implication of these words would be that the licensee would be at the mercy of the Government and at the mercy of the officials and the authority appointed by the Government to grant licences. We have had very bitter experience of these officials and authorities. This is my main argument. The other argument with respect to the charging of fees for getting every time the licence granted is also bad from the point of view of the grower because the Government will realise and must understand that whatever is paid by the *ahrtias* is not paid out of his own pocket. It is paid out of the pockets of the growers. Therefore the fee should be as little as possible; it should be merely nominal because on renewal of his licence he shall have to pay every time his licence fee. But apart from this there is the political aspect. We have seen that when people have got to take some service from the Government when they have to go before the Government for getting

[Ch. Krishna Gopal Dutt.]

a certain licence, a certain concession or some other thing allowed under the law, that man is harassed by the Government on political grounds. Since the present Government has behaved disgracefully in this matter I would not like to arm the Government with such authority. Therefore, these words should be deleted. The other argument is this that when Government has got the authority to cancel the licence of a licensee at any time they like (of course when it is proved that he is guilty of some corrupt practice, I know that the Government is likely to abuse that power also, but granting that Government is going to be armed with that power of cancelling the licence, when an *ahrtia* has been found to be guilty of corrupt practice), then why keep these words? With these words, I support the amendment.

Lala Duni Chand (Ambala and Simla, General, Rural): I want to put only one point before this House. Whenever a licence is granted for a particular period there could be only one of the two objects in view: either the object will be that under the rule of law the person who has got the authority to grant a licence may not grant the licence. There may be certain rules of law under which the man who wants a licence may not have the right to get the licence. Another object that can be in view is that the object in granting periodical licence is to collect revenue, to collect a certain amount of money every year, every two years or every three years. So far as I understand, in granting a periodical licence for a particular period the object of the Government is not what I have stated. On the other hand the clause as framed shows that every person who wants to get a licence will be entitled as of right to get the licence.

If really this is the object of the law, as is clear from the clause, then in that case there are no reasons why licences should be granted for a particular period. This is not a fiscal measure, the object is not to make money. As there exists neither of these two objects therefore the amendment that has been proposed by Dr. Sir Gokul Chand Narang is eminently reasonable and perfectly fair and should be accepted.

Premier (The Honourable Major Sir Sikander Hyat-Khan): Sir, I did not have the benefit of hearing the whole speech of my honourable friend Dr. Narang. I only came at the fag-end of the speech. His arguments were however reinforced by my honourable friend, Chaudhri Krishna Gopal Dutt and a further support was given by the last speaker, which, unfortunately, I have not been able to follow and which left the matter as it was when Dr. Narang sat down. However, that is neither here nor there.

The two points raised in opposition to this provision and in support of this amendment are (1) that this provision might be turned into a fiscal provision to make money, and (2) that there should be no periodical licences. Another point raised by Chaudhri Krishna Gopal Dutt was that whatever fee is imposed it would, in the normal course of things, pass on to the grower or the producer. I am prepared to concede that what he said was very near the truth, because mostly charges are naturally passed on to the producer. You cannot expect a commission agent, if he is otherwise also restricted by various restrictions, not to pass on all those charges which may be termed as weighman charges, etc. But he forgets that we are going to lay down that charges which these brokers or commission agents would

be allowed to levy would be prescribed and that they will not be able to go beyond that limit. Therefore, his sympathy, so far as the grower or the producer is concerned, I think, was somewhat wasted, because when we had laid down this limit, it would not be possible for a commission agent to pass those charges on to the producer at least directly, but he may do so indirectly. There are several other things which are done indirectly and which one should not forget.

With regard to the main points raised by the honourable mover of this amendment, let me point out to him that the object of the Government is not to make this a revenue paying legislation. It is not the intention of the Government to grow rich by this provision in the Bill which is before us. But at the same time I hope he will agree with me that we must levy at least a fee to the extent that it would meet out-of-pocket expenses at least because, after all, the Government is not a charitable society nor can it afford to throw away money. If it has to run the administration, it has also to find out money for it and it has also to see that the administration of a particular measure does not impose burden on public as a whole unless it is absolutely necessary in the interest of the province or the public to do so. I can however, assure my honourable friend that this measure is not a fiscal measure. But at the same time our object in putting in this provision is that we may be able to prescribe a fee which would cover all legitimate expenses connected with the administration of the Act.

The next argument is with regard to harassment. My honourable friend's fears that the licensing authority or the authority which is appointed to give these licences might put these people to harassment, are also I think misplaced and unfounded for the simple reason that we propose to make a provision in the rules that these licences would be obtained more or less automatically without any formality on paying the amount of fee as we have done in the Moneylenders Act. It would be merely a routine matter. If somebody comes in and pays his fee at the counter and says that he wants a licence according to the rules or bye-laws prescribed under this Act, nothing would prevent him from getting a licence. If there are any other difficulties, I can assure my honourable friend, that we would try to meet them when we frame the rules with regard to the grant of these licences and also with regard to fees. My honourable friend will have noticed that there is a subsequent amendment where a maximum limit has been fixed, which means that in no case the fee will go beyond that limit. I dare say that in certain cases even that limit may be considered oppressive and, therefore, we have got perfect latitude in this Bill to scale the fees, as need be and also to regulate the grant of licences according to the nature of each case or each *mandi* or each trade. Therefore, I hope that my honourable friend will not press his amendment.

Dr. Sir Gokul Chand Narang : Why make it periodical ?

Premier : With regard to period also I would submit that if my honourable friend sees the next clause, there is a provision that in the case of a first offence the licence would not be renewed for a period not exceeding 12 months. But an amendment will be moved where it is said that for a first offence the licence will be suspended for not more than 5 months and for a subsequent offence it will be suspended for not more than 9 months. Therefore, so far as the period is concerned, I can assure him that the period

[Premier.]

will be such as not to harass these people or unnecessarily affect their business or put them to any inconvenience. If you do not make it periodical you will have to pay higher fees and even the period would not be for less than one year in any case.

Mr. Speaker : The question is—

That in sub-clause (1), line 3, the words 'for such period' stand part of the sub-clause.
The Assembly divided : Ayes 64 ; Noes 30.

AYES.

Abdul Hamid Khan, Sufi.	Manohar Lal, The Honourable Mr.
Abdul Haye, The Honourable Mian.	Muhammad Ashraf, Chaudhri.
Abdul Rahim, Chaudhri (Gurdaspur).	Muhammad Faiyaz Ali Khan, Nawabzada.
Abdul Rahim, Chaudhri (Gurgaon).	Muhammad Hayat Khan Noon, Nawab Malik Sir.
Afzaalali Hasnie, Sayed.	Muhammad Jamal Khan Leghari, Nawab Sir.
Ahmad Yar Khan, Chaudhri.	Muhammad Nurullah, Mian.
Akbar Ali, Pir.	Muhammad Saadat Ali Khan, Khan Sahib Khan.
Ali Akbar, Chaudhri.	Muhammad Shafi Ali Khan, Khan Sahib Chaudhri.
Allah Bakhsh Khan, Khan Bahadur Nawab Malik.	Muhammad Yasin Khan, Chaudhri.
Amjad Ali Shah, Sayed.	Muhammad Yusuf Khan, Khan.
Anant Ram, Chaudhri.	Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
Badar Mohy-ud-Din Qadri, Mian.	Muzaffar Khan, Khan Bahadur Nawab.
Balwant Singh, Sardar.	Nasir-ud-Din, Chaudhri.
Bhagwant Singh, Rai.	Nasir-ud-Din Shah, Pir.
Dasaundha Singh, Sardar.	Naunihal Singh Mann, Lieutenant Sardar.
Faiz Muhammad, Shaikh.	Pir Muhammad, Khan Sahib Chaudhri.
Fateh Jang Singh, 2nd-Lieutenant Bhai.	Rashida Latif Baji, Begum.
Fateh Khan, Khan Sahib Raja.	Ripudaman Singh, Thakur.
Fateh Muhammad, Mian.	Roberts, Sir William.
Fazl Ali, Khan Bahadur Nawab Chaudhri.	Sahib Dad Khan, Khan Sahib Chaudhri.
Fazal Karim Bakhsh, Mian.	Shahadat Khan, Khan Sahib Rai.
Ghazanfar Ali Khan, Raja.	Shah Nawaz, Mrs. J. A.
Ghulam Mohy-ud-Din, Maulvi.	Shah Nawaz Khan, Nawab Khan.
Ghulam Samad, Khawaja.	Sham Lal, Rai Bahadur Chaudhri.
Gopal Singh (American), Sardar.	Sikander Hyat-Khan, The Honourable Major Sir.
Gurbachan Singh, Sardar Sahib Sardar.	Sultan Mahmood Hotiana, Mian.
Hans Raj, Bhagat.	Sumer Singh, Chaudhri.
Harnam Singh, Captain Sodhi.	Tara Singh, Sardar.
Het Ram, Rai Sahib Chaudhri.	Tikka Ram, Chaudhri.
Indar Singh, Sardar.	Ujjal Singh, Sardar Bahadur Sardar.
Jafar Ali Khan, M.	
Jalal-ud-Din Amber, Chaudhri.	
Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.	
Kishan Das, Seth.	

NOES.

Bhagat Ram Sharma, Pandit.
 Bhim Sen Sachar, Lala.
 Binda Saran, Rai Bahadur.
 Chaman Lall, Diwan.
 Duni Chand, Lala.
 Duni Chand, Mrs.
 Faqir Chand, Chaudhri.
 Gokul Chand Narang, Dr. Sir.
 Gopi Chand Bhargava, Dr.
 Hari Singh, Sardar.
 Harjab Singh, Sardar.
 Jugal Kishore, Chaudhri.
 Kabul Singh, Master.
 Kartar Singh, Chaudhri.
 Krishna Gopal Dutt, Chaudhri.

Lal Singh, Sardar.
 Muhammad Hassan, Chaudhri.
 Mula Singh, Sardar.
 Muni Lal Kalia, Pandit.
 Partab Singh, Sardar.
 Prem Singh, Mahant.
 Raghbir Kaur, Shrimati.
 Rur Singh, Sardar.
 Sahib Ram, Chaudhri.
 Santokh Singh, Sardar Sahib Sardar.
 Sant Ram Seth, Dr.
 Shri Ram Sharma, Pandit.
 Sita Ram, Lala.
 Sohan Singh Josh, Sardar.
 Sudarshan, Seth.

Pandit Shri Ram Sharma (Southern Towns, General, Urban) (*Urdu*):
 I beg to move—

That in sub-clause (1), line 5, between the words 'fees' and 'as' the words 'not exceeding Rs. 5' be inserted.

Section 6 as it stands in the Bill provides that any person may apply to the authority specified for a licence, which shall be granted on payment of such fees as may be prescribed. It means that the Government retains to itself the power of fixing and prescribing the amount of the fee payable for obtaining a licence. Now, my object in moving this amendment is that a definite limit for the amount of the fee should be fixed. Moreover, the Government would be well advised to clearly and specifically provide in the Bill that the fee for the licence would be charged in such form and on such conditions.

Sayed Amjad Ali Shah : Please, see amendment No. 18.

Pandit Shri Ram Sharma : Undoubtedly a notice of an amendment to this effect has been given by the Parliamentary Secretary but it would be discussed later. Nevertheless, I would submit that the amount which is sought to be prescribed by means of that amendment is an exorbitant one. It is no longer a secret now that the Bill under discussion is a fiscal measure rather than a reformative one. We were under the impression that the Government had framed this Bill with a view to saving the poor grower from the malpractices and abuses of the clever *ahrtias*. But now it seems that the object underlying the Bill is to replete the State exchequer by fixing any amount of fee according to its sweet will. It is, therefore, absolutely essential, at this very stage, that the Government may definitely prescribe an amount which should not prove irksome as well as burdensome to the poor shop-keepers. My object in moving this amendment is that the amount of the licence fee should in no case be allowed to exceed Rs. 5. The Government may have the discretion of fixing it at one, two, four or at the most five rupees but it should not have the power to go beyond that limit. It has been repeated *ad nauseam* by the ministerialists on

[Pt. Shri Ram Sharma.]

the floor of the House that the present Bill aims only at safeguarding the interests of the grower. But it goes without saying that this measure if and when enforced would prove a new source of income for the Government. I do admit that the Government itself is also going to move an amendment to this effect but I may point out here that the amount of Rs. 10 proposed therein is too much. There may be a selected few who are at present making big fortunes in the domain of trade and commerce and thus can easily afford to pay that amount, but hundreds and thousands of petty dealers would find it extremely difficulty to pay that big sum. This amendment clearly shows that the Government is more particular about levying this new kind of taxation on the *mandiwalas* rather than bringing about any reform or improvement in the working and management of the *mandis*.

Furthermore, after the enactment of the Bill, several new *mandis* will be established in various parts of the province, with the result that many new dealers would come in the field. So, a further increase in the number of dealers would mean a further increase in the public revenue. Thus I am sure that this Bill in actual practice would certainly become a fiscal measure. It is generally felt in the province that the Government has brought forward this Bill with a definite purpose of repleting its exchequer. If the Government is in right earnest it should try its best to remove all such mis-apprehensions and doubts from the mind of the public at large. With these words, I commend my amendment for acceptance by the House.

Mr. Speaker : Clause under consideration, amendment moved.

That in sub-clause (1), line 5, between the words 'fees' and 'as', the words 'not exceeding Rs. 5' be inserted.

This amendment and the second part of amendment 21¹ may be discussed together.

Lala Duni Chand (Ambala and Simla, General, Rural): The amendment that has been put forward by Pandit Shri Ram Sharma is exactly the same as mine. I want to subject the rule making power of Government in the matter of fees to a maximum of Rs. 5. The reason is quite apparent. It appears that a large number of persons will be required to obtain licences. In one market area alone the number might go to hundreds and perhaps in some towns to thousands. It is, therefore, necessary that the lowest possible limit should be fixed. It should also be taken into consideration that all the dealers and commission agents do not necessarily make fortunes. Though some of them may derive good incomes, a very great majority of them will be making very small sums and some may not be able even to make one rupee or even eight annas a day. Therefore, they should not be subjected to unnecessary expense particularly in view of the fact that it is the inherent right of every citizen to pursue any calling or trade that he likes. That is one reason why the amendment should be accepted. Another reason is that the Government must understand that every pice that will be paid by the licensees either in the form of fees or in

¹That at the end of sub-clause (1) of clause 6, the following be added :—

' Provided further that such fees shall be merely nominal and shall be kept as low as possible.'

any other form must necessarily come out from the pockets of growers. I may say that even the illegal gratification that will be paid by the licensees must come out from the pockets of growers. (*Hear, hear.*) The Honourable Premier is very solicitous of the interests of growers. He must understand that whatever burdens are imposed upon the dealers will eventually fall on the shoulders of the growers for whom he has got a very tender heart. If all this is going to be a burden on the growers then it follows that the burden should be the least burden which the growers can bear. After all, what are the objects underlying this Bill? To the best of my understanding there can be only three objects in view. One is to grant immunity to the growers from the malpractices of the *ahrtias* or dealers.

Mr. Speaker : I request the honourable member not to discuss in detail the objects of the Bill.

Lala Duni Chand : The object of the Bill is not to secure revenue to the Government. It has been admitted in the course of the debate in this House that this is not a fiscal measure. It is not intended to be a fiscal measure. It is intended only to grant certain facilities to the growers. It is intended to protect them against certain malpractices. It is further intended to grant to them certain conveniences and certain facilities. These being the objects of this measure, I fail to understand why an unusually large sum should be fixed as the licence fee. A dealer or a trader is a shrewd man. He will make all possible calculations before he undertakes the business. He will see who is going to pay the money every six months or every year or every two years. That money he must secure from somewhere. He shall see all the difficulties to which he will be subjected. When he knows that the money has to come from somewhere, being a shrewd man, he will get every pice that he will be required to pay to the Government and to the market committees, from others' pockets. I want to know whether this is the boon which is being conferred on the growers? My honourable friend, the Premier is very anxious to safeguard the interests of the growers. So he must see that the money that he collects for the market committees and other purposes does not come from the growers. If that money is to come from the growers it will mean that the growers will not be able to get the market value. Over and above the market value the grower shall have to pay, may be one or two pice per maund in any case, but now he shall have to pay something extra. He will not be able to get the exact market value. He shall get much less than the market value. I leave it to the Honourable Premier to see whether this is the blessing that he is going to confer upon the grower. So far as I understand, the implications of this Bill are that the burdens and the difficulties of the growers will increase more and more. I hope in view of the submissions that I have made, I think they are understandable submissions—I do not think the Honourable Premier will find it difficult to understand them—he will take them into consideration not because they come from me or from the Opposition but because they are for the benefit of the growers themselves. The Honourable Premier is suffering from a peculiar kind of mentality. He thinks that anything that is said on behalf of the Opposition is said with ulterior motives. (*Premier : No.*) He thinks that every thing that comes from this side has not got *bona fides* about it. I assure him as a member of the Opposition that in any case, so far as this Bill is concerned,

[L. Duni Chand.]

our object is to improve it in every possible way and to have it in the form in which it will be really beneficial to the growers. I understand that one of the members of the Unionist party has proposed that the maximum fee should be Rs. 10. We propose Rs. 5. Even as a matter of compromise I think the figure Rs. 5 should be accepted. In that case he will be giving an assurance to all the numerous licensees who will be required to take out licence that, after all, the Government is not going to impose any heavy taxation upon them. If this amendment is accepted it will be some consolation, some assurance, to the numerous licensees that the object of the Government is not after all to trouble them but only that they want to charge a reasonable fee for having the licence not for any particular period, but a permanent licence or at least one for a considerable period. That consolation my honourable friend should not deny to the licensees. With these words I support the amendment that has been proposed by Pandit Shri Ram Sharma.

Premier (The Honourable Major Sir Sikander Hyat-Khan): I am afraid there is nothing very much for me to controvert. I have already given assurance to this House that this is not a fiscal measure but at the same time I may make it clear for the benefit of my friend, Lala Duni Chand and I again repeat what I said. I said that while we do not want to treat it as a fiscal measure, at the same time we do not want to be out of pocket for the administration of this Act. My honourable friend, Pandit Shri Ram Sharma said, "This Government always say that they want to help the zamindars, but in this particular case it is not a question of helping the zamindars. It is merely putting some more money in their pockets". Let me assure my friend that I have no such intention. I have made it clear that that is not the intention of the Government but at the same time let me impress upon my honourable friends that the proposition which he has put forward might put a considerable burden on the zamindars. There is a grave danger of a certain amount of burden being passed on to the zamindars.

Dr. Sir Gokul Chand Narang: Have you prepared any estimate of expenditure?

Premier: I am coming to that. My honourable friend, Lala Duni Chand said that there may be hundreds of people and thousands of people in certain places. I concede the point and on the basis of that very argument I was going to say that it is for that very reason that we have fixed a maximum, a reasonable maximum, which we consider should not be exceeded in any case, and subject to that maximum, we have to consider whether the level of the fee should be fixed at five rupees, three rupees, two rupees, four rupees or six rupees. It would depend largely on the factor which my honourable friend himself pointed out, i.e., the numerical strength of the people in a market area. If we fix five rupees as the level, we will be able to cover the administrative expenses very safely and it would not be necessary for the Government to go beyond that limit. But, on the other hand, if we find that by fixing the fee at five rupees it would mean an additional expenditure on the provincial exchequer, then naturally, it would be for the Government to consider levying a higher fee so that there may be no burden on the tax-payer outside. That is why we have fixed the

maximum limit at ten rupees and the amendment which is being put forward by the Government benches is to that effect. It does not mean that we are going to charge a maximum fee of ten rupees. It is the maximum below which we can fix the fee according to the circumstances of various *mandi* towns. I do not think that it is necessary for me to further labour that point and I hope I have made it quite clear that there is no intention of charging any unconscionable fee if we can possibly reduce it.

Dr. Sir Gokul Chond Narang (West Lahore Division, General, Rural) : There are only one or two points which have not been made clear by the Honourable Premier. I asked him whether an estimate had been prepared of the expenditure which the enforcement of this measure is likely to entail. Obviously no estimate has so far been prepared. If any estimate had been made, I am sure the Premier would have referred to it. Then he says, "We shall determine the amount according to the number of the people who are likely to apply for a licence." Is any census going to be taken of the people who are going to apply for licences before a scale of licensing fees is fixed? If that is not going to be done, how would they know what income it is going to bring? They can only form a rough estimate as to how many people there would be and before they know exactly how many people have actually applied, they should have fixed the scale. They will certainly fix a scale before they invite people to take licences. Is it not that the fee is to be determined by the number of people who actually apply for the licences? In either case I do not see how the Premier is troubled over this matter. The question is whether ten rupees is not apparently a high fee and I agree with the honourable gentleman on this side that ten rupees even as a maximum is high and rupees five as a maximum is quite reasonable. If the object, again, is not to make money but simply to raise money just to meet the expenditure, then it is not difficult to make an estimate even now. In a place like Amritsar, Lahore or Lyalpur, where there are big markets, it is not difficult to make an estimate and I think it would satisfy the people if the lower maximum is fixed and not the higher one. It has a moral value. It appeals to the imagination. If you fix ten rupees as maximum, people would say—

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They do not clearly understand that the maximum would be ten rupees. So, I think that it has a moral value if you fix the lower maximum instead of the higher one.

Premier : I can answer those two particular points which my honourable friends want me to answer. One is with regard to the estimate. We have not made any estimate of expenditure so far. We cannot for the simple reason that we must know how much money we are going to get by fixing the fee at five rupees or two rupees. As I have said, since we do not want to be out of pocket, the expenditure will be fitted in within the scale which we fix so that the income is more or less equal to the expenditure. We will have to cut our coat according to the cloth. Take, for instance, one small *mandi* of Chuharkana. If we find that the income from that *mandi* by fixing the fee at five rupees is going to be five thousand rupees, the expenditure on the staff which the committee or that body, which will administer that *mandi* will have to engage, will be confined to below five

[Premier.]

thousand rupees. It must be within the scope of five thousand rupees and that is why we have, to be on the safe side, fixed a higher maximum than what my honourable friend has suggested. The principle is the same. We have taken the higher figure so as to meet the emergency in case it is found necessary to fix the fee at five rupees so that we may not to be out of pocket and we may not bring burden on the tax-payer outside. My honourable friend will find that we will be able to achieve that object by fixing the fee at five or four rupees. Government will not go to the highest limit of ten rupees merely for the sake of reaching that limit. I made that quite clear already.

Dr. Sir Gokul Chand Narang : If the Government exceeds the expenditure, then ?

Premier : Now my honourable friend is asking too much. If the income exceeds the expenditure, perhaps later on, when the fees are revised, they could be lowered to that extent. I am told that in Bombay the licence fee does not exceed fifty rupees. So, as compared with Bombay, our fee is one fifth of that fixed in that province. Dr. Sir Gokul Chand Narang gave the instance of a big landlord.

Diwan Chaman Lall : But the landlord does not pay.

Premier : When we are agreed that the principle is the same, I do not think that we should quarrel over this matter. I have told my friend that the maximum will be adjusted according to the needs.

Pandit Shri Ram Sharma (Southern Towns, General Urban.) (*Urdu*): Sir, the Honourable Premier has said that the Government has no intention to make money by introducing this measure. Our objection is that lot of money will go out of the pockets of the people to be affected by the provisions of this Bill. The Government has absolutely ignored this aspect of the question.

Premier : The Government will make no charges; all the charges will be made by the committees.

Pandit Shri Ram Sharma : The Honourable Premier has been pleased to remark that the Government has no intention to make money. But the fact of the matter is that the market committees will serve as the propaganda committees of the Unionists.

Mr. Speaker : Party propaganda should not be discussed.

Pandit Shri Ram Sharma : As a matter of fact I was going to submit that five rupees would be a reasonable maximum to be fixed for the purpose. But the Treasury benches assert that the maximum will not necessarily be charged and that Rs. 10 should not pinch anybody because this sum is only the maximum. If this is the position, why not fix the maximum at Rs. 40 or Rs. 100 or one thousand rupees and say that none should feel uneasy about it as it would be only the highest limit and not the one to be necessarily levied ? After all what is the difference between the view of the Treasury benches and of our party ? They say that the limit should be Rs. 10 and we say that it should be Rs. 5 only. We fear that if the allowances, commissions, or other sums payable to the establishment of the market committees turn out to be more, the Government will levy a higher fees. It is with a view to reducing those expenditures that we want to fix the limit at

Rs. 5 only so that Government may not increase its expenditure in this behalf and then say, "What should we do? We have to meet the administrative charges of the market committees and other necessary charges under the Act." Government will never be prepared to suffer any loss in this connection and legitimately so. That is why we demand that the maximum be lower so that the hands of Government should be tied down so far as the expenditure is concerned. We want that the Government should fix a lower limit so that there may be no objection even if the maximum amount is charged. We are afraid that the Government will levy the maximum fee sooner or later. Those in power often do things like that. It is in order to check this that I strongly press my amendment.

Premier : I notice that my honourable friends opposite are feeling uneasy at my rising to speak again. After all what is it that makes them so restive? I am simply going to mention a few hard facts which have a strong bearing on the point involved in our discussion. It is but fair that when they have levelled certain criticism against us, they should also be prepared to listen to the reply. They have just now expressed this uncharitable view about our proposed market committees that they will be only propaganda committees of the Unionists and that the proposed fee of Rs. 10 is to be levied with a view to establish and run these so-called Unionist propaganda committees. In this respect I want to point out that the Bombay Government have fixed fifty rupees, that is, five times the amount proposed by this Government. Does it mean that the Bombay Government will carry on party propaganda five times as much as the Unionist Government?

Mr. Speaker : Very kindly do not bring in party propaganda.

Premier : Sir, the Opposition have raised this point.

Again, in the Central Provinces the fee in question amounts to Rs. 100 if more persons than one combine to work as brokers. Does it mean that the Central Provinces Government will carry on party propaganda ten times as much as the Unionists who have fixed the fee at Rs. 10 only? (*An honourable member from the Opposition :* It was not the Congress party that introduced the measure.)

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Then have they discontinued it?

Mr. Speaker : Question is—

That in sub-clause (1), line 5, between the words "fees" and "as", the words "not exceeding Rs. 5" be inserted.

The motion was lost.

Chaudhri Tikka Ram : I beg to move—

That in sub-clause (1), line 5, between the words "fees" and "as", the words "not exceeding Rs. 10" be inserted.

The motion was carried.

Mr. Speaker : We now come to amendment No. 21. I think it is out of order, as the member will find, if he refers to Clause 27 (2) (viii) of the Bill; that this subject is dealt with there and that his object can be achieved by the amendment of that item of that sub-clause.

Chaudhri Krishna Gopal Dutt : There are two parts of the amendment. The second part has already been voted upon, and I am referring to the first part.

Sayed Amjad Ali Shah : That is out of order.

Diwan Chaman Lall : May I ask my honourable friend not to lay down the law himself but to inform the Honourable Speaker that in his opinion it is out of order?

Lala Bhim Sen Sachar : But he is promoted.

Sayed Amjad Ali Shah : Mr. Speaker, under Clause 6 any person may apply to the authority specified and under this authority specified we do not have those gentlemen for whom exemption is wanted by my honourable friend from Sialkot. If he will turn to clause 9 (2) he will find stated therein—

“Subject to such rules as the Government may make in this behalf it shall be the duty of the market committee to issue licences to brokers, weighmen, measurers, surveyors and warehousemen for carrying on their occupation in that market area and to renew, suspend or cancel such licences.”

My objection is that according to clause 6 (1) the authority specified does not issue the licence to those people. It is only the market committee which issues the licences to those people and, therefore, it is out of order at this place.

Diwan Chaman Lall : The authority specified may necessarily be the market committee also. How does my honourable friend jump to the conclusion that the authority—

Sayed Amjad Ali Shah : If the specified authority is not the market committee, then?

Diwan Chaman Lall : True, then it means that the Honourable Minister in charge is a lunatic. After all he is going to work this Act and if he wants a particular provision which refers to a specified authority, that specified authority in section 9 is the market committee and it must be the market committee. It is said in section 9 that the market committee shall issue licences to warehousemen and you say that the specified authority shall have the right to issue the licence to warehousemen.

Chaudhri Krishna Gopal Dutt : You mention here the payment of such fees and I want that weighmen, etc., should be exempted.

Dr. Sir Gokul Chand Narang : There is another objection which the honourable mover of this point of order has ignored and it is this. Clause 9 does not precede clause 6. It comes after clause 6 and he cannot shut out any amendment to clause 6 by something that may come in clause 9 or may not come in. He is entirely ignoring the principles of statute-making.

Premier : It will come there.

Dr. Sir Gokul Chand Narang : That is not what he said. He has raised a point of order which means that the amendment cannot be considered at all and should be ruled out on a technical ground if it is out of order. This is certainly not a point of order. How can he say that when we come to clause 9, we shall pass it as it is? We may not pass it. I am speaking theoretically of course and not talking from a practical point of view. I am talking from purely a legal point of view. So that on that ground also this point of order is absolutely out of order.

Premier : May I through you request my honourable friend, Chaudhri Krishna Gopal Dutt that it would be more appropriate if he moves it to clause 9. I think he might defer his amendment. Here of course my honourable friend, Diwan Chaman Lall, as usual, was somewhat impetuous in accusing the Minister concerned of insanity for the mere reason that the words specified authority may mean something besides a market committee. If he had read the Bill carefully he would have found that there can be an authority quite distinct from the market committee. So I think his epithet was not well thought out or well deserved.

Diwan Chaman Lall : I do not doubt the fact that there may be another authority contemplated. In fact it is contemplated that there may be also another authority ; but as far as this particular class is concerned section 9 makes it perfectly clear that the specified authority shall be the market committee. Therefore, it cannot be any other authority specified under the rule : that would be contravening the Act itself.

Mr. Speaker : The question is whether this proviso should be considered at this stage or in connection with clause 9 or clause 27, sub-clause (2), item (viii).

Premier : I would suggest to my honourable friend that it should be considered nowhere (*laughter*).

Diwan Chaman Lall : Mr. Speaker, it would be better as you pointed out quite rightly to refer to clause 27 because clause 27 contemplates the condition under which a licence may be issued. Here my honourable friend is trying to avoid the necessity of having to pay the licence fee.

Chaudhri Krishna Gopal Dutt : We want to make it statutory that the weighmen, etc., shall be exempted from the payment of such fees.

Premier : Let it be discussed now and finish with it.

Mr. Speaker : If that is the sense of the House, the honourable member may move it.

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General, Urban) : I beg to move—

That at the end of sub-clause (1) of clause 8, the following be added :—

“ Provided that weighmen, measurers, surveyors, warehousemen and other menial workers, as may be prescribed, shall not be charged any such fees.”

I do not want to make a lengthy speech in favour of my amendment. Much has been said about the fact that these fees will come out of the pocket of the growers ; but here there is another point. Do you know, Sir, who these weighmen and measurers, etc., are ? If you know them you will agree with me that they are the last persons in the world who should ever be taxed at all. They are very poor. I do not think they earn more than four to eight annas a day. I think it would be against the principle of taxation of any school of thought that these people should be taxed. After all it may not be a fiscal measure but the very fact that the poor fellow shall have to pay Rs. 5, Rs. 6 or Rs. 10 means that so far as he is concerned he is paying it as a tax or a fine by way of punishment for doing his legitimate business. We may differ on the point as to what the amount of fee should be so far as other *ahutias* and licensees are concerned ; but so far as these poor people are concerned this Government which professes to be the friend of the poor should

[Ch. Krishna Gopal Dutt.]

have been the last Government, if their professions were true, to tax these people and to ask for fees from these poor people. The Honourable Premier was just now very anxious to quote from the Bombay or the Berar Act in favour of the fact that they have got higher rates of fees so far as licences are concerned. Let me point out to him that under the Berar Act in the Central Provinces there is no fee for weighmen or measurers. It is clearly laid down in the rules that weighmen shall not have to pay any fee and they shall be granted these licences absolutely gratis. I give this very correct analogy and in the name of this analogy I appeal to Government to accept this amendment.

Mr. Speaker : Clause under consideration, amendment moved is—

That at the end of sub-clause (1) of clause 6, the following be added :—

“ Provided that weighmen, measurers, surveyors, warehousemen and other menial workers, as may be prescribed, shall not be charged any such fees.”

Parliamentary Secretary (Chaudhri Tikka Ram) (Urdu) : Sir, I would like to say a word with regard to the amendment now before the House. In Bombay a fee of five rupees is levied upon weighmen. Here in this Bill a maximum fee of ten rupees is proposed. To say that it would be a burden upon the weighmen is a matter of opinion. Most of them are brokers and shopkeepers as well. It would not be just to make an exception in their case. On the other hand it would be better to levy some fee on them. The scales of fees to be charged from them would be according to their respective positions.

Diwan Chaman Lall (East Punjab, Non-Union Labour) : I would be very grateful if my honourable friend opposite would pay proper regard to the effect of this measure on the various classes. I cannot believe that it can be the intention of my honourable friends opposite to impose what is tantamount to a poll tax upon the labouring classes. By imposing a licence fee on warehousemen, weighmen and others who are described, very wrongly I think by my honourable friend as menial workers—a word that I detest : it ought to be never used—I cannot think that my honourable friend desires to tax that particular class of workers or that he is intending to impose a poll tax on the particular class of workers. On what plea ? The only argument that my honourable friend, the Parliamentary Secretary raised is that in some cases these weighmen may be brokers. I did not hear of any such argument advanced in justification of his opposition to this amendment presented by my honourable friend. He said these weighmen may also be brokers ; but surely if my honourable friend, the Parliamentary Secretary who is in charge of this measure has looked into this Bill carefully and studied it he should know that if he is a broker he will pay the fee no matter even if he is acting as weighman or a warehouseman. But if he belongs solely to that particular class of workers who are described by my honourable friend as menial workers, if he is only that, I fail to see what right my honourable friend has got to tax a class of people who barely earn a subsistence wage. I am prepared to give way to my honourable friend.

Chaudhri Tikka Ram : The word “menial” does not occur anywhere in the Act.

Diwan Chaman Lal : No, I admit, it does not. I made it perfectly clear that my honourable friend has not used it. That is not my charge against him. My charge is a worse charge. My honourable friend over there wishes to rob these particular workers of their livelihood, people who are unable to meet their ordinary expenses. My honourable friend only knows the fact and yet he under the guise of this measure is prepared to tax these people and to impose a poll tax upon them and a tax on their profession. What right or justification has he in doing so? If he is so hard-up for money, let him come forward and tax the Honourable Ministers, who are drawing Rs. 4,000 a month. What right has he to tax these poor labourers who are earning 4 annas a day under the guise of this legislation? I do submit, after due consideration, that my honourable friend will be well advised not to oppose the amendment moved by my honourable friend behind me.

Lala Sita Ram (Trade Union, Labour) (Urdu) : My respectful submission is that the amendment now before the House is highly important as well as useful and the Government should have no objection whatsoever in accepting it. It has been often remarked by the party in power that its object in introducing this Bill is to remove the poverty of the growers as well as of other poor people who are engaged in business and to bring to an end malpractices and abuses alleged to be resorted to by the middleman. I do not believe that the measure under discussion can ever bring any benefit, immediate or remote, to the grower, or to help in any manner either in putting a stop to, or reducing the malpractices so strongly urged by the honourable members opposite. On the other hand, as it has been often repeated, this Bill, in no small measure, will aggravate the difficulties of the poor, besides raising the costs of production. And this clearly forms one of the many instances in support of my contention. Does the imposition of this new tax by way of licence fee, reduce the poverty of the poor, or exhibit the utter callousness of the Government which thus adds to the already crushing burden of the poor labourer?

No body can deny that the average daily income of a labourer working in *mandis* is something like 4 annas per day. Is it not just or equitable to exempt these poor people from the imposition of this new tax? The refusal to accept this simple amendment in the interest of the poor will show that the sympathy of the party in power for the poor is only lip sympathy and nothing more.

Mr. Speaker : The honourable member is repeating the arguments that have already been advanced.

Lala Sita Ram : Facts are facts, and no one can help putting forward patent facts in support of the amendment with the same object. Anyhow I bow to your ruling and leave it here.

Permit me to advance an altogether new argument in support of this amendment. The other day the Honourable Member in charge of the Bill was pleased to remark that weighman, with a flourish of his hand, does great havoc with the commodity and thereby makes big fortunes. It is deeply deplored that the Honourable Minister could see his hands alone, and ignore with indifference the rest. If he had scrutinized with care and sympathy for him, he might have further beheld his utterly pitiable condition at the time and the atmosphere in which he works. His dirty clothes,

[L. Sita Ram.]

dusty eyes, and the irksome job he does, for a paltry return cannot but excite sympathy of any one having the good of the man at heart. He is unmindful of the consequences, and the havoc that is caused to his health. If his lungs are examined by X-Ray the result will painfully tell the tale of what an income of 4 annas a day means to this unfortunate man.

Mr. Speaker : The honourable member is not relevant.

Lala Sita Ram : What I want to drive at is that the labourers usually earn 4 annas a day with the sweat of their brows. If they were made to pay any licence fee, it would hit hard upon them. They cannot afford to part any amount howsoever small out of their paltry income. With these words, I whole-heartedly support the amendment now before the House.

Dr. Sir Gokul Chand Narang (West Lahore Division, General, Rural) : This amendment would not become necessary if the select committee had not made the Bill worse again by the introduction of something new, as would appear from its report. You will see that in clause 4, as it stood originally, there was no provision that brokers, weighmen, measurers, surveyors or warehousemen shall be required to take out licences. All that clause 4, as it stood before it went to the select committee, says is that from the date of issue of such notification no one will be allowed to set up a market without a licence. This is all that was said. These poor labourers were brought in by the select committee. That was why I said that the select committee has been playing havoc with this Bill at every step by making it worse and worse and more and more stringent. You will see, that in clause 9, sub-clause (3), these poor people have been brought in within the purview of this measure. If they were not there, as I have said, no question of such an amendment would have arisen. Now clause 9, sub-clause (3) says—

“No broker, weighman, measurer, surveyor or warehouseman shall, unless duly authorised by licence, carry on his occupation in a notified market area.”

Here we find in sub-clause (1) of clause 6 as follows :—

“Any person may apply to the authority specified for a licence which shall be granted for such period, in such form, on such conditions and on payment of such fees as may be prescribed.”

I am sure it cannot be construed to mean that “on payment of such fees” may mean no fee, because fee must be there and they cannot say “zero fee.” That would mean without licence. So “on payment of such fees” would mean some fee. I would submit that considering the poverty of the class enumerated in sub-clause (3) of clause 9, and in this amendment, really no licence fee should be charged from them. If they are *bhala manas* people, people who can be trusted, no licence should be issued to them. We shall certainly oppose sub-clause (3) when we come to clause 9 that these people should not be included among those who are required to take out licences. I am speaking subject to correction. I should like to hear what the representative of the Government has to say on this point.

Pandit Muni Lal Kalra (Ludhiana and Ferozepore, General, Rural) : The labouring classes which are going to be taxed by this fee are mostly in these *mandis* rural people and *kisans* who are not able to eke out their subsistence from the income they get from the land. It is not the *ahrtias*.

who will pay from their pockets but it will be paid by poor kisans who earn small wages and who cannot support big families. It is for these reasons that this amendment has been moved so that poor classes who come to the *mandis* and markets to earn their livelihood should not be taxed. Moreover, it appears that taxing of such people is beyond the scope of this Bill. The preamble of the Bill as it goes says—

“ A Bill to provide for the better regulation of the purchase and sale of agricultural produce..... ”

And these people are not in any way concerned either with the purchase or with the sale, strictly speaking, but they are only persons who are employed by either sellers or buyers for doing some of the things that are to be done in that connection. So, it is giving a very wide interpretation to the Bill if such persons are also to be taxed.

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

Pandit Muni Lal Kalia : There are two points. The first point is that these labouring classes come from rural areas and most of them are poor kisans and the second point is that these people do not strictly come within the ambit of this Bill because they are neither directly concerned with the purchase nor with the sale of agricultural produce, but they are only persons who are employed for doing some of the things that are connected with transactions in markets. For these reasons I submit that it will be a great hardship if they are also included there and the Government benches should not oppose this amendment merely for the sake of opposing it.

Shaikh Karamat Ali (Nankana Sahib, Muhammadan, Rural) : I admire the eloquence and skill with which my friends opposite have tried to minimise the importance of the weighman. Those of us who have got some experience of the markets will bear me out that this weighman is one of those shrewd and astute labourers who cause a very great damage to the zamindars coming to the markets to sell their commodities. My friends have tried to show that he is a mere petty labourer and earns very little. I appreciate the spirit in which they have classed him as a respectable tribe of labourer rather than a menial. In fact he is a labourer but a labourer of highly mischievous tradition. I should call him as a benchman of the class of people known as brokers or *ahrtias*. He has a great influence and he does everything in such a crooked manner that a poor and simple rustic can hardly detect the mischief. My honourable friend opposite tried to show with the flourish of his hand, that he was eking out his bare subsistence by merely a move of his hands. *(Interruption.)* I agree with my friend that much of the mischief which has been wrought by this weighman is due to the encouragement given by the broker, but that is no satisfaction for the zamindars whose interests suffer an untold loss at his hands. With your permission I want to show to my friends that they are either skipping over this matter for they are not prepared to confront the actual reality as it does exist outside in markets or they do not know it. They should plead their ignorance and remain quiet, and if they do not plead ignorance, then I should tell them that this weighman gets double charges. He gets his fee in cash for the work done by him and also remuneration in kind for the same work. When the chief actor of the stage of markets gets up and begins the distribution of the commodity

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Shaikh Karamat Ali : of the zamindar by handfuls and dolefuls his chance of making money is by tilting of hands and for this pilfering in weight he gets a share at the hands of the *alrtia*.

Dr. Sir Gokul Chand Narang : How much does he earn per day ?

Shaikh Karamat Ali : Very likely he makes about twelve annas or one rupee in cash and over that he is given wheat or a share of any other commodity that is weighed by him.

A voice : How much property have they made ?

Shaikh Karamat Ali : Further, Mr. Speaker, my friends' plea is that he is not an official. I can well see the insinuation made against some of the Government officials but I must submit that anybody who has some chance of exercising his influence on a simple-minded man like a Jat can definitely be called to have stepped into the shoes of an official. I should call those persons who are working in the *mandis* worse than those officials in their ways of extorting money from the simple village folk. But let us examine the case of a man who is absolutely ignorant and simple minded. As soon as he goes to the *mandi* he is asked to sit away at a distance from the shop and also away from the cart full of things that he has brought to the *mandi* and these people surround him, with sweet tongues saying that they are going to look after his interest and do justice to him. But what really happens is that if he has brought a cartful of load of about 40 maunds in weight, it is reduced to 32 or 35 or 36 maunds or in some cases even less than 30 maunds. This is all due to the malpractices of these men known as weighmen. If these people had merely confined themselves to that petty charge for weighing, I do concede the point that there would be no necessity for imposing any such fee on them but the facts are otherwise. Personally I believe that this Bill has been brought in this House with a view to remove the malpractices resorted to by weighmen and their comrades like the measurers and others. The second point raised on the other side relates to the maximum fee prescribed in the section, namely, Rs. 10. They should know that Rs. 10 is merely the maximum.

Mr. Speaker : This point has already been discussed and finished.

Shaikh Karamat Ali : I would say that the weighman, as has been described by my friends opposite, is not such a poor man, is not an ordinary man and is not a man who gets only a few annas a day, but quite a big and substantial fellow as compared with the zamindar who comes from outside with his own commodities to be entrusted to these people. These poor zamindars do not get even four annas per day per head. Most of the zamindars who go to these *mandis* are those who have merely rags on them and lack means even to favourably compare themselves with the weighmen who make more than what actually these people get out of the sale of their whole commodity. If you compare the financial condition of the zamindar with the financial condition of the weighman, who is considered to be a petty labourer, I should say that there is no comparison between these two persons, and all the mischief that is being wrought in *mandis* is mostly due to these weighmen. Therefore, no such amendment should be accepted.

Lala Bhim Sen Sachar (North-Western Towns, General, Urban) (Urdu): Sir, I have often heard that many a man takes to ecstasy and is lost in the

sweetness of his words and becomes oblivious of the hard facts and thus indulges in irresponsible talks.

Mr. Speaker : I request the honourable member not to be personal.

Dr. Sir Gokul Chand Narang : He is only making a general remark. He is not referring to any particular person.

Lala Bhim Sen Sachar : Sir, I was saying that while sitting in this august House it is incumbent on us all to feel our responsibility.

The object in moving this amendment is that a person who earns 8, 10 or 12 annas a day should be exempted from the imposition of this 'penalty'. The Government is requested to desist from extorting the last penny out of the pocket of those who find it extremely impossible to keep their body and soul together. It is no argument at all that every villager is necessarily a poor and pennyless person, and every townsman is rich and rolling in wealth. What a wonderful logic it is. I do not find any sense in it. I may point out to the Government that it should not shut its eyes to these important matters, otherwise this attitude on its part would do great harm to its reputation. It seems that the Government is determined to harass the urban people. We have no objection to your ousting a dishonest weighman altogether from the business. But why do you propose to take out something from the pocket of an honest weighman and thus make his work impossible? My honourable friend, Shaikh Karamat Ali has referred to a poor zamindar who hardly makes four annas a day and goes about half-naked. But who is not willing to have mercy on such a man? Our sympathies are all for him. We wish that you had done something material to relieve his distress. But who cares? The Government is busy finding money to run its top-heavy administration. How can it be expected to provide for the naked and the poor? Further, the question is : whether it is only in the villages that poverty is to be found. Does the poverty of the people disappear as if by a miracle as soon as they set foot in a city. There are poor people in villages as well as in towns. They deserve our sympathies alike. But the Honourable Ministers seem to be busy raising misleading slogans in the villages and contaminating the very atmosphere of the countryside. They have no time to attend to these matters. I am of the opinion that the Government may gladly tax the rich as much as they like. People like me and my honourable friend, Dr. Sir Gokul Chand Narang who are earning thousands as also those who are sitting on those benches may be taxed. I, for one, shall raise no objection. But the Government should bear in mind the all-important fact that the class of poor people exist as much in towns as in villages. If the Government is not prepared to accept the amendment moved by my honourable friend here, I shall be constrained to conclude that it is desirous of harassing the people living in the towns. It wants to establish a sort of control over them and intends to carry through this measure by the force of numbers at its back.

Chaudhri Krishna Gopal Dutt (North-Eastern Towns, General, Urban) : I am surprised at the attitude taken by the Parliamentary Secretary towards this amendment. In fact when I gave notice of this amendment I believed that the Government would readily accept it. My point at present is not that these weighmen should not be made to take out a licence. A major part of the speech delivered by my friend, Shaikh Karamat Ali, who, I am sorry to note, is not now in his seat, was rather irrelevant.

[Chaudhri Krishna Gopal Dutt.]

He admitted that they were poor people, but at the same time he complained that they were guilty of malpractices. I may say that I am at one with the Government in holding that malpractices should be stopped. But here the question is not whether or not weighmen are guilty of malpractices. The question is whether the weighmen's financial position warranted such an amount of fee for licence as has been prescribed in this clause. I may point out to the Honourable Premier and the Parliamentary Secretary that under the Bombay Rules weighmen have to pay only Rs. 5 as licence fee. I may also remind them that in Berar there is absolutely no fee prescribed for them. Again, the Parliamentary Secretary quoted the Bombay Rules. May I remind him of the great disparity that exists between the fee paid by the broker (Rs. 20) and that paid by the weighmen in Bombay (Rs. 5)? Then again, you will have also to take into account the economic condition of the weighmen in Bombay and here. Further these rules were framed many years ago by an irresponsible Government, a Government which was out to squeeze the people, to bleed the people white. That was the main charge against that Government. Now we have autonomy in the provinces and we want responsibility at the centre in order to have control over our purse. At that time we had not got that control. Even then, the irresponsible Government made a difference between the fee to be paid by the broker and that to be paid by the weighman.

Finally, I would say one thing to the Honourable Premier. He must realise and picture to himself the currents of history in other countries. He should realise that it is a dangerous pastime to touch the poor man's pocket. He must also realise that all those governments which had the audacity to touch the poor man's pocket had to go out. I think that the Government here is unconsciously signing its own death-warrant by opposing such an amendment. Here it is not a question of fee, it is a question of the inability of the person to pay it. We thought that under provincial autonomy it would be the rich people who would be taxed and not the poor. But we find that the rich people are not being taxed and that it is the poor who are being taxed. On that score I again ask the Premier to think ten times before rejecting my amendment.

Premier (The Honourable Major Sir Sikander Hyat-Khan) : My honourable friend has made a strong plea for the acceptance of his amendment and I am glad that he did not put forward the argument which my honourable friend, Pandit Muni Lal Kalia tried to put forward and by which he tried to throw dust in the eyes of the other members (*Interruption*). When you raise dust somebody else also must naturally raise some dust though not of the same quantity. When he was trying to base his arguments that these people who would be affected would be poor kisans, it reminded me of the sympathy which a cat has for a pigeon. His sympathy for kisans is of that very kind.

Dr. Sir Gokul Chand Narang : These cats have no wings.

Premier : I am glad that L. Bhim Sen Sachar made a frontal attack and went straight for Shaikh Karamat Ali and I admire him for doing so. After all Shaikh Karamat Ali was not speaking according to the facts, but he did not take shelter behind the word kisan and I am glad he did not,

although outside sometimes he does. But so far as my honourable friend the mover of this amendment is concerned, he has put forward a plea that if we tax these poor people we would be putting a nail in our own coffin. Now, we have got no such intention of taxing poor people. As a matter of fact we want to reduce the burden of taxation on the poor people, we want to tax people who are comparatively speaking better able to stand this burden. (Interruption.) They have been relieving other people of their money, and now when they have to give a certain portion of their money, I do not think they should grudge it, but that is not my intention. As a matter of fact my honourable friend would be well advised if he had accepted the advice of the Chair that this matter should have been raised when we were discussing clause 27, because my friend should have induced, those who have studied the Bill, that Government has taken rule-making power with regard to certain matters and under that we have also got a sub-clause 27 (2) (vii) which reads as follows :

"In particular and without prejudice to the generality of the foregoing power such rules may provide for "

among other things—

"The issue by a market committee of licences to brokers, weighmen, measurers, surveyors and warehousemen, the form in which and the conditions in which such licences shall be issued or renewed, and the fees to be charged therefor."

Chaudhri Krishna Gopal Dutt : That is for giving licences.

Premier : No. That does not mean that we should charge a big fee. It may be only a nominal fee. So far as Bombay is concerned, the figure was quoted. It is Rs. 50 but here my honourable friend knows that we are much more considerate than the Bombay Government or whichever Government fixed that fee. There the rate s for an ordinary licence is Rs. 50 and of a broker it is Rs. 20.

Lala Duni Chand : Do you know that brokers in Bombay are millionaires ?

Chaudhri Krishna Gopal Dutt : What is the difference then in your coming into power ?

Premier : I am merely quoting instances and it does not mean that I am going to follow them. Here we have fixed the limit of Rs. 10 whereas in Bombay it is Rs. 50. It means that we will have to fix a fee below Rs. 10 for others. In Berar Government has this authority under the rule-making power. In the Central Provinces they have also given this power to the committees. My honourable friend, if he will read rule 54, will find—

"These licences shall remain in force for one year only but may be renewed on the payment of such fees as the committee with the previous sanction of the Commissioner may from time to time prescribe."

Now, let me read rule 55. It is this—

"Until and unless another scale of fee is prescribed, the following fees shall be charged."

That means that only the committees prescribe the fees. These are Rs. 20 for a broker per annum and for each weighman nil. But it is only transitional rule, meant to apply only till the committee fix the fees. It is only for the first year and it is an annual fee. But that does not mean that we are going to follow Bombay or Berar and levy a high fee or any fee on weighmen. My honourable friend's amendment is somewhat general and includes other menial workers. There are no such things as other menial

[Premier.]

workers. He has enumerated people who are working in *mandis* and there is no question of levying any fee on these workers if there are any. But with regard to weighmen about whom he is so very anxious, let me assure him that under rule 27(2)(viii) full consideration will be paid to the circumstances before a fee is levied over these people. We can lay down that a committee shall not go beyond a certain figure, but perhaps it would help my honourable friend to understand my position and to withdraw his amendment if I were to promise him—(Interruption by Lala Bhim Sen Sachar). My friend says 'No' without hearing me.

Lala Bhim Sen Sachar : I only said 'Oh' on your promise.

Premier : He is always in the habit of pre-judging people, because people who do not want to hear others' arguments always pre-judge. I was going to state that I would be prepared to add when we reach clause 27 (2)(viii) after the words 'shall be issued or renewed' the word 'the fees if any to be charged therefor'. It means that committees shall have power not to levy any fee, not even a nominal fee, if they do not want it. The present amendment as it stands is also very general and vague.

Mr. Speaker : Question is—

That at the end of sub-clause (1) of clause 6, the following be added :—

"Provided that weighmen, measurers, surveyors, and warehousemen, as may be prescribed, shall not be charged any such fees."

I am omitting the words 'other menial workers'.

The Assembly divided : Ayes 30, Noes 83.

AYES.

Bhim Sen Sachar, Lala.
Chaman Lall, Diwan.
Duni Chand Lala.
Faqir Chand, Chaudhri.
Girdhari Das, Mahant.
Gokul Chand Narang, Dr. Sir.
Gopi Chand Bhargava, Dr.
Harjab Singh, Sardar.
Jugal Kishore, Chaudhri.
Kabul Singh, Master.
Kartar Singh, Chaudhri.
Kishan Singh, Sardar.
Krishna Gopal Dutt, 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.
Rur Singh, Sardar.
Sahib Ram, Chaudhri.
Sampuran Singh, Sardar.
Santokh Singh, Sardar Sahib Sardar.
Sant Ram Seth, Dr.
Shri Ram Sharma, Pandit.
Sita Ram, Lala.
Sohan Singh Josh, Sardar.
Sudarshan, Seth.
Uttam Singh Dugal, 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, Chaudhri.
Akbar Ali, Pir.
Ali Akbar, Chaudhri.
Amjad Ali Shah, Sayed.

Anant Ram, Chaudhri.
 Ashiq Husain, Captain.
 Badr Mohy-ud-Din Qadri, Mian.
 Bhagwant Singh, Rai.
 Dassundha Singh, Sardar.
 Faiz Muhammad Khan, Rai.
 Faiz Muhammad, Shaikh.
 Farman Ali Khan, Subedar-Major
 Raja.
 Fateh Jang Singh, 2nd-Lieutenant
 Bhai.
 Fateh Khan, Khan Sahib Raja.
 Fateh Muhammad, Mian.
 Fazl Ali, Khan Bahadur Nawab
 Chaudhri.
 Fazal Din, Khan Sahib Chaudhri.
 Fazal Karim Bakhsh, Mian.
 Ghazanfar Ali Khan, Raja.
 Ghulam Mohy-ud-Din, Maulvi.
 Ghulam 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.
 Harnam Singh, Captain Sodhi.
 Het Ram, Rai Sahib Chaudhri.
 Indar Singh, Sardar.
 Jafar Ali Khan, M.
 Jalal-ud-Din Amber, Chaudhri.
 Jogindar Singh Man, Sardar.
 Karamat Ali, Shaikh.
 Khizar Hayat Khan Tiwana, The
 Honourable Nawabzada Major.
 Kishan Das, Seth.
 Manohar Lal, The Honourable Mr.
 Mubarak Ali Shah, Sayed.
 Muhammad Akram Khan, Khan
 Bahadur Raja.
 Muhammad Amin, Khan Sahib
 Shaikh.
 Muhammad Ashraf, Chaudhri.
 Muhammad Fiayaz Ali Khan, Nawab-
 zada.
 Muhammad Hayat Khan Noon,
 Nawab Malik Sir.

Muhammad Jamal Khan Leghari,
 Nawab Sir.
 Muhammad Nurullah, Mian.
 Muhammad Raza Shah Jeelani,
 Makhdumzada Haji Sayed.
 Muhammad Saadat Ali Khan, Khan
 Sahib Khan.
 Muhammad Sadiq, Shaikh.
 Muhammad Sarfraz Khan, Chau-
 dhri.
 Muhammad Sarfraz Khan, Raja.
 Muhammad Wilayat Hussain Jee-
 lani, Makhdumzada Haji Sayed.
 Muhammad Yasin Khan, Chaudhri.
 Muhammad Yusuf Khan, Khan.
 Mushtaq Ahmad Gurmani, Khan
 Bahadur Mian.
 Muzaffar Ali Khan Qizilbash, Sardar.
 Muzaffar Khan, Khan Bahadur
 Captain Malik.
 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.
 Ranpat Singh, Chaudhri.
 Riasat Ali, Khan Bahadur Chau-
 dhri.
 Ripudaman Singh, Thakur.
 Roberts, Sir William.
 Sahib Dad Khan, Khan Sahib Chau-
 dhri.
 Shahadat Khan, Khan Sahib Rai.
 Shah Nawaz Khan, Nawab Khan.
 Sham Lal, Rai Bahadur Chaudhri.
 Sikander Hyat-Khan, The Honour-
 able Major Sir.
 Singha, Mr. S. P.
 Sultan Mahmood Hotiana, Mian.
 Sumer Singh, Chaudhri.
 Tara Singh, Sardar.
 Tikka Ram, Chaudhri.
 Ujjal Singh, Sardar Bahadur Sardar.

Mr. Speaker : The question is—

That sub-clause (1) of clause 6 as amended stand part of the clause.

The motion was carried.

Parliamentary Secretary (Chaudhri Tikka Ram) : I beg to move—

“That in sub-clause (2), line 1, between the words ‘Government’ and ‘may’, the words ‘or an officer not below the rank of a gazetted officer specially empowered in this behalf’ be inserted.”

Mr. Speaker : Clause under consideration, amendment moved—

“That in sub-clause (2), line 1, between the words ‘Government’ and ‘may’ the words ‘or an officer not below the rank of a gazetted officer specially empowered in this behalf’ be inserted.”

Pandit Muni Lal Kalia (Ludhiana and Ferozepore, General, Rural) : Clause 6, sub-clause (2) is a reproduction of clause 4, sub-clause (2) of the Madras Act and in that Act you will find that this power is given to the Collector of the district and in the Central Provinces Act this power has been given to the marketing committees. In this case, the sub-clause, as it is worded, does not only appear to be vague, but it is very wide, because the words are that the Government may on being satisfied that there has been a breach of any of the conditions specified in a licence by an order in writing cancel or suspend, etc., etc. In this case the power of the Government is not in any way restricted. It may be that even on the report of a police constable or an informer that such and such trader or a businessman is either taking part in Congress movement or is not otherwise desirable from the Unionist Party's view or is in any way dangerous to the Government, reports which may be made to Government behind the back of the person concerned Government may be fully satisfied and on such satisfaction alone his licence may be cancelled. It is for this reason that this power has been restricted and there are only two agencies to which this power should be given. My amendment proposes that this should be on the unanimous report of the market committee. It may be pointed out that some objection may be taken to the use of the word unanimous on the ground that invariably reports are anything but ‘unanimous’ and there is always some difference of opinion and therefore no case will go to the Government in which action may be taken, but I submit that the case is not like this. The market committees as they are now being constituted or as it is the intention of the Government to constitute, will be wholly nominated and even those who will be taken from the panels will also not have courage to go against the wishes of the Government, so that in committees like these which are entirely nominated and upon which the Government can entirely rely, it should not be thought that there will be any difference of opinion or that unanimity will not be obtained if it is so desired. It is only when a market committee is constituted of elected members that the elected members might exercise their votes independently and a difference of opinion might arise. But in a case like this where a committee is entirely nominated the Government can safely depend upon these that they can have a unanimous report whenever they so desire or whenever the Government wants to declare any person as an undesirable and whose licence it wants to cancel. With regard to the amendment moved by my honourable friend, Chaudhri Tikka Ram, it is not at all necessary because it may be said that the committees would be nominated and therefore there is no need to override that committee with another officer. The case would have been different if the committee were even partly elected. In that case Government may sometime like to look to their own interests and may appoint a person like this, a gazetted officer, but in a case like this where the entire committee is a nominated body, I

think Government's amendment is wholly redundant and unnecessary and uncalled for and only tends to show the apprehensions of the Government that it does not depend even upon the persons whom it nominates itself. This only shows lack of faith in their own men. This is the main item on which there is so much controversy whether the members of the committee should be elected or nominated. When the Government is bent upon having nominated committees, there is no necessity for taking action on the report of a gazetted officer. This will do great harm because in a case where the members of the committee do not want to take any action and think that no action is called for, the officer may move in the matter and it is a matter of common experience that a report by a petty Government officer is given greater weight than the authenticated reports by public men and bodies. It will introduce diarchy. Therefore, this is only a pretence or a white-wash; this does not, otherwise improve the position. It would have been much better if the responsibility had been laid on the Government. But by the amendment moved by our honourable friend, Chaudhri Tikka Ram the Government wants to avoid a certain responsibility and wants to show that the Government has taken action on the report of a gazetted officer. We do not think that there is any difference between the Government and its gazetted officers, because these poor men have to follow the dictates of the Government in power and we know what sort of orders are being issued from day to day. My submission is that this amendment is most harmful and will make the operation of the Act more strict and it will also put the traders and other persons to a greater risk. With regard to the second part of my amendment, I want that the matter should be left to the market committee, because it is after all their affair and they must be watching from day to day the acts of the persons against whom action is to be taken. They must depend on the report of the market committee or the person on the spot, for they are the best judges with regard to the conduct of the persons against whom action can be taken or whose licences are to be cancelled. With these words I oppose the amendment moved by Chaudhri Tikka Ram and support the amendment standing in my own name, namely—

"That in sub-clause (2), lines 1-2, between the words "satisfied" and "that", the words "on the unanimous report of the Market Committee" be inserted."

Premier (The Honourable Major Sir Sikander-Hyat Khan): My honourable friend, who has just sat down, wants in the first place that the committee should decide the thing and in the second place that it should be the unanimous decision of that committee. My honourable friend said that occasions may arise when the committee itself, under which these people may be working, or individual members of the committee may have personal grudge. It was for that reason that we wanted to take this particular power out of the hands of the committee. The committee will be left only to regulate matters in which they cannot in any way oppress the people working under the committees. They will only see that the law is properly administered. But where the question of punishment is concerned, I think, it is only proper that the punishing authority or the authority which decides the punishment should not be the committee itself which in this case would be the complainant. That is one reason. Even for the sake of argument if we concede that the committee would be in a better position and it might

[Premier.]

be easier for it to settle the disputes and inflict punishment, then again by incorporating the word unanimous, it merely tends to mean that there should be no punishment. Just like the Executive Officers Act, where you cannot punish a person unless you get a seven-eighths majority, in this case even if one member says that there should be no punishment although the remaining 15 may be perfectly sure that he is guilty of a breach of some condition he cannot be punished. My honourable friend wants a unanimous report which would be a thing unheard of. Even in the highest tribunal it is the majority view which prevails as in the Supreme Court and the Privy Council; but in this case he wants a unanimous decision. But that again is irrelevant, because I have explained to my honourable friend that we have taken this particular matter out of the purview of the committee for the simple reason that there may be no injustice and nobody may be victimised on account of any personal bickerings, personal differences or parties. With these words I oppose the amendment.

Diwan Chaman Lall (East Punjab, Non-Union Labour) : May I say a word in regard to this matter. The argument that my honourable friend has advanced would be a very valid, very proper and very great argument, but unfortunately the scheme is not a little different. My honourable friend's objection is that we do not want to empower these committees with the power of punishment. If that be so, why is it that my honourable friend in Clause 9 is empowering these market committees to inflict punishment? There seems to be some strange logic in this case. Clause 9, sub-clause (2) says—

Subject to such rules as the Government may make in this behalf, it shall be the duty of the market committee to issue licences to brokers, weighmen, measurers, surveyors and warehousemen for carrying on their occupation in that market area and to renew, suspend or cancel such licences.

Mr. Speaker, the trouble is this that we are taking matters step by step. I admit that my honourable friend's arguments are perfectly correct; but he cannot blow hot and cold at the same time. He cannot say that *qua* this particular matter the power of punishment shall not be given to the market committees but *qua* these poor weighmen, surveyors and warehousemen power shall be given to the committees to punish. What are the duties that my honourable friend wants the committees to do? He will see that the mover of this amendment is suggesting to place the power of suspending licences in the hands of the market committees exactly the same power which my honourable friend himself has given *qua* another class of persons to the market committees. Why this differentiation? Is it because they are not rich brokers? Is it because they are just poor men who act as weighmen, measurers, surveyors and warehousemen carrying on their occupation in the market areas? Is it because of that distinction? If it is not because of that distinction, I do submit that there is logically nothing in the arguments advanced by my honourable friend which should prevent him from accepting the amendment, that is to say, instead of leaving the power to punish in the hands of one individual, it may be a gazetted officer, as my honourable friend the Parliamentary Secretary wants, leave it in the hands of the committee which knows the local conditions. After all the committees are going to be set up. If that scheme is satisfactory

according to my honourable friend, then he should have the same confidence in that committee. Surely he cannot have incompetent committees for regulating the markets. He must have committees of the nature which my honourable friend wants, namely, committees in which he can have confidence; and if he has confidence in the committees *qua* the regulation of the markets, why should not the committees also have the power of suspending a licence or fine a person who is found guilty of neglect of law? People who know the market conditions and the local conditions should deal with cases, and if there is any person who has any enmity against the complainant, surely the market committee knowing the local conditions would be better aware of it than the officer who comes into the district on transfer a few days before the complaint is filed. He does not know the local conditions and even according to the scheme of my honourable friend he will not be able to assert a judicial verdict and will be merely acting as an umpire without any rules to guide him and without any reference to the procedure that he might adopt in laying down the rules. Therefore, I submit that instead of having one dictator who would do whatever he wishes according to his own sweet will unguided by rules and in this respect unguided by the Civil Procedure Code to take evidence on oath, it would be much better if the committee which is a local committee and knows the local affairs, should have the power and authority to suspend a licence. I submit that it is only a question of, which is the best procedure. After all my honourable friend has a duty to perform and that duty is to inspire confidence in the class of people which is going to be affected. Let us begin by inspiring confidence in the class which is going to be roped in by this Bill no matter whether they are warehousemen, weighmen or brokers. Any body connected with the working of the scheme should have confidence inspired in him. My honourable friend should be quite sure that he is inspiring confidence in the minds of the people and if he is not sure of that confidence I do submit that it would be much better proposition if my honourable friend substitutes this one gazetted officer for a tribunal or a court which can deal with the matter and failing that the proposition which my honourable friend has put before the House, which will come up later, will be discussed. I will continue my speech the next day.

Premier : I am sorry that I provoked that speech. As a matter of fact, if I had known that my honourable friends were going to take that line of argument, I would not have spoken. However, all these things are in the game.

Diwan Chaman Lall : Sir, I have not yet finished.

Premier : I am not making a speech. I just want to say that in view of the fact that we have made very little progress, I may warn the House that we will have to sit on another off-day also and I would warn my honourable friends that we will have at least two night sittings, if not more. (*A voice :* Why do you warn us ?) I warn my honourable friends opposite so that they may get out of their engagements, if any.

The Assembly then adjourned till 2 p.m., on Thursday, 1st December, 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年1月9日 星期一

PUNJAB LEGISLATIVE ASSEMBLY.

4TH SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Thursday, 1st December, 1938.

The Assembly met at the Assembly Chamber, at 2 P. M. of the clock. Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS.

RELIEF MEASURES FOR FAMINE IN HISSAR, GURGAON, ROHTAK AND KARNAL.

*3615. **Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Revenue be pleased to lay on the table of the House a statement showing the measures taken by the Government to relieve the famine conditions prevailing in districts of Hissar, Gurgaon, Rohtak and Karnal separately?

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

Diwan Chaman Lall : May I ask my honourable friend if this is going to be the least definite figure?

Premier : My honourable friend perhaps wants the Parliamentary Secretary to answer a question which is not possible for him to answer. Does he mean to say that the famine has ended?

Diwan Chaman Lall : What I mean is this, how much money so far has been actually spent by the Government?

Parliamentary Secretary : The original question is that a statement be laid on the table and I am laying the statement giving every detail.

SCARCITY IN THE SOUTH-EASTERN DISTRICTS OF THE PUNJAB.

Measures taken by the Punjab Government to afford relief to the peasantry and their cattle.

1. Land Revenue and taccavi have been remitted and suspended as detailed below :—

LAND REVENUE.

Rabi 1938.

Serial No.	Name of district.	Remitted.	Suspended.
1	2	3	4
		Rs.	Rs.
1	Hissar district	87,000	30,000
2	Rohtak district	1,000	63,000
3	Gurgaon district	4,72,000	2,63,000
4	Karnal district	3,000	2,000
	Total	5,63,000	4,13,000

Kharif collections are not yet due.

[Raja Ghazanfar Ali Khan.]

TACCABI.

From March to October 1938.

Serial No.	Name of district.	Remitted.	Suspended.
1	2	3	4
		Rs.	Rs.
1	Hissar district	17,896	1,80,875
2	Rohtak district	3,551	2,869
3	Gurgaon district	21,952	1,65,562
4	Karnal district .. ..	..	1,113
	Total ..	43,399	3,50,419

Taccavi allotments to the following extent have already been made :—

				Rs.
1.	Hissar district .. ..	..	..	9,85,000
2.	Rohtak district .. ..	..	..	71,000
3.	Gurgaon district .. ..	..	..	2,00,000
4.	Karnal district .. ..	..	..	85,000
	Total ..	..	..	13,41,000

It is proposed to allot Rs. 27,20,000 more to these districts during the current financial year.

2. *Fodder*.—A sum of rupees five lakhs has been allotted for two months for the present for the specific purpose of distributing fodder taccavi for plough animals and cows in the Hissar district.

3. A Fodder Adviser was appointed on the 5th September, 1938, for the scarcity-stricken districts to assist in the supply and distribution of fodder, which is being imported in large quantities by rail at concession rates. The Fodder Adviser has been given a special staff consisting of naib-tahsildars, kanungos, mukaddams, patwaris, etc., to control the issue of fodder from dumps which have been opened for the distribution of fodder in these districts.

Import of fodder is controlled both by official and non-official agencies from a large number of railway stations on the North-Western Railway and some foreign lines, i.e., the Bombay Baroda and Central India Railway, the Great Indian Peninsula Railway, the East Indian Railway and the Bikaner State Railway. There are 33 receiving stations in the Hissar district, 11 in Rohtak, 16 in Gurgaon and 9 in Karnal district.

Dépôts have been opened in the districts affected where zamindars are able to obtain fodder taccavi. By the end of October, 1938, the following quantities of fodder were imported into the four districts :—

Hissar.	Rohtak.	Gurgaon.	Karnal.
Mds.	Mds.	Mds.	Mds.
3,11,800	10,900	28,100	1,000

The share of the freight chargeable to the Punjab Government, on account of the concession in freight granted to importers of fodder, amounted to a little more than Rs. 61,600 up to the 31st October, 1938.

It is estimated that this concession will cost the Punjab Government something like ten lakhs during the period of the scarcity.

In the case of the Hissar district the condition making a Revenue Officer's certificate necessary for the import of fodder, was waived.

The Bombay Baroda and Central India Railway, which was not accepting loose bhoosa from certain stations, has permitted this on the representation of the Punjab Government.

Terminal tax has been reduced by the Gojra Municipal Committee in Lyallpur district from Rs. 7-2-0 per wagon load of bhoosa, to Rs. 1-6-0 per wagon load, for consignments booked to Hissar district for Messrs. Bashehar Nath Khanna and Sons of Lahore, Government has signified its approval of this concession.

4. *Concentration Camps for animals.*—Government has sanctioned the establishment of a concentration camp at Hissar for the maintenance during the scarcity period of cows and young stock of good quality, including heifers and bulls, to be purchased by Government in the district from those who cannot feed them. The owners will have the option of repurchasing at the sale price at the close of the camp. This camp will accommodate animals up to the maximum limit of 7,000 and involve an expenditure of Rs. 3,27,900 during the remaining months of the current financial year.

A similar proposal is under consideration to provide for the maintenance of 2,000 head of cattle in the Government Cattle Farm at Hissar. This according to the Director, Veterinary Services, is likely to cost Rs. 1,43,300 of which Rs. 94,000 will be required during the current year.

5. *Stud Bulls.*—A sum of Rs. 12,000 has been sanctioned for the maintenance of stud bulls in the Hissar district.

6. *Test Works.*—A sum of Rs. 1,20,000 has been allotted for test works in Hissar district, where eleven such works are in progress. The opening of more test works has been sanctioned. For Rohtak district Rs. 20,000 have been allotted for opening two test works in the Jhajjar tahsil.

7. *Wage scale.*—The scale of wages prescribed under the Punjab Famine Code has been raised in the case of class I labourers from Re. 0-1-4 to 0-2-0 per diem, with a corresponding increase in the wages of other classes of labourers.

8. *Labourers.*—During the week ending the 12th November, 1938, 133,640 persons were employed on test works in Hissar district—an average of more than 19,091 per diem.

9. *Gratuitous relief.*—In Hissar district a sum of Rs. 5,000 has also been sanctioned for gratuitous relief.

10. *Spinning Centres.*—A sum of Rs. 25,000 has been allotted for the purpose of spinning centres at suitable places in the Hissar district. So far 21 centres have been opened to provide work for women, including *pardah nashin* ladies. A fresh scheme for spinning centres has now been sanctioned which will involve a further expenditure of Rs. 1,70,000. Twenty more spinning centres will be started under this scheme.

11. *Supply of drinking water.*—In some of the villages, where there is scarcity of drinking water for cattle, the village ponds have been filled with canal water. Sixty such ponds have been filled in Hissar district and eleven in Rohtak district. Such water has been obtained from the Sirhind Canal British and Patiala State water-courses and from the Western Jumna Canal British water-courses. The Patiala Government has been most sympathetic and their officers have done all in their power to help the Punjab Government in getting water to the ponds for which the Punjab Government is extremely grateful to His Highness the Maharaja of Patiala.

Some people objected to canal water passing through their channels for these ponds. Orders have been issued to tahsildars asking them to persuade these people in the canal irrigated areas to allow the use of their water-courses for filling these ponds in barani villages so as to supply water for the use of cattle, etc.

12. *Seed taccavi.*—The Agricultural Department is arranging for seed taccavi.

13. *Abiana remissions.*—Besides full remission on fodder crops in the districts of Hissar, Rohtak and Karnal, including Delhi province which are served by the Western Jumna Canal, Government have sanctioned full remission on cotton in the Hissar district and half remission, where necessary, in Rohtak and Karnal districts. The Government have further reduced by one half (from Rs. 2-8-0 to Rs. 1-4-0) the abiana rate for the fodder crop (rabi 1938-39) which has been or is now being sown. This is intended to encourage the sowing of fodder crops. Moreover, the Government have sanctioned, as a special case, the assessment of oats sown during rabi 1938-39 on the whole of the Western Jumna Canal including Delhi province, at the reduced fodder rates of Rs. 1-4-0 per acre. Apart from this, the question of sanctioning half remission

[Raja Ghazanfar Ali Khan.]

on the cotton crop irrigated by non-perennial channels of the Sirhind Canal in the Hissar district is also under the consideration of Government. The United Provinces Government have agreed to a joint field to field inspection of crops on the Agra Canal in the Gurgaon district in order to estimate damage done, with a view to granting *khara* remission.

It is roughly estimated that the total cost of ordinary and special abiana remissions, excluding any remissions that might be sanctioned on the rice crop, will amount to over Rs. 9.5 lakhs.

The total cost of all these measures of relief, including commitments for the current year but excluding land revenue suspended, comes to about Rs. 78,91,000.

ASSESSMENT OF FODDER CROPS FOR ABIANA.

***3616. Sardar Ajit Singh:** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that the *Makki*, *Jwar* and *Gawara* sown as fodder, if sown in the same land in the same season is assessed for abiana as many times as the fodder crop is sown, whereas the same crop if left unharvested for the full season to get mature and watered for whole season is assessed only once;
- (b) whether it is a fact that the quantity of water used for irrigation purposes in both the cases is the same;
- (c) the land revenue in both the cases is charged only once;
- (d) if the answers to (a), (b) and (c) above be in the affirmative, why the abiana is assessed for the second or third time for the same land in the same season?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): (a) Yes.

(b) No.

(c) No.

(d) Does not arise.

FAILURE OF DESI COTTON CROP.

***3617. Sardar Kartar Singh:** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether Government is aware that the *desi* cotton crop has failed this year throughout the province and particularly in Lyallpur;
- (b) if so, what are the reasons for the failure of this crop;
- (c) whether Government has considered the question of giving relief to growers of *desi* cotton and, if so, the manner in which this relief is intended to be given?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): (a) Not in all districts, but in some of them such as Hissar, Gurgaon, Karnal, Ambala, Ferozepore, Amritsar, Sialkot and Gujrat. In the Lyallpur district it has nowhere failed totally, but in most parts the number of bolls is very small and the outturn poor.

(b) Partly failure of the monsoon and partly low river supplies; also tela in one or two districts.

(c) Yes. Full remission of abiana has already been given in the Hissar district, and half in certain areas of Rohtak and Karnal districts, where necessary. As regards the other districts, including that of Lyallpur, the matter is under consideration, and suspension of land revenue, or remissions of both land revenue and abiana, where found necessary, will be allowed, to meet the situation.

Chaudhri Sumer Singh : How much remission has been granted to the Gurgaon district?

Parliamentary Secretary : I am afraid I cannot give figures district-wise because that was not the question.

Diwan Chaman Lall : May I know whether the honourable Parliamentary Secretary has received any report with regard to the Shahpur district?

Parliamentary Secretary : Reports are received in the Financial Commissioner's office on 15th December every year and it is only after the receipt of those reports that Government decides how much remissions or suspensions are necessary in a particular area.

Diwan Chaman Lall : May I take it then that after seeing the report from the Shahpur district on due date, the honourable member will look into this matter and see if any remission is necessary?

Parliamentary Secretary : The question relates only to *desi* cotton.

Chaudhri Kartar Singh : Will the Parliamentary Secretary please state the steps the Government are taking to meet the situation that has arisen on account of damage done to crops for want of rain and consequent fall in prices?

Mr. Speaker : This question does not arise from the answer given.

Chaudhri Sumer Singh : Has this Government represented the case of Gurgaon to the United Provinces Government?

Parliamentary Secretary : Not once but many times.

Chaudhri Sumer Singh : Has this Government approached the United Provinces Government in connection with *kharaba*?

Parliamentary Secretary : I require notice.

LIST OF PERSONS PROHIBITED FROM INTERVIEWING PRISONERS.

*3618. **Sardar Kishan Singh :** Will the Honourable Minister of Finance be pleased to state—

(a) whether it is a fact that black lists are maintained in the jails of the Punjab of certain persons including some Members of

[S. Kishan Singh.]

the Legislative Assembly who cannot interview prisoners for political reasons ;

- (b) whether the aforesaid black lists were prepared by the present Ministry or by the previous Government ;
- (c) whether it is proposed to discontinue the practice of maintaining these black lists ;
- (d) whether it has come to his knowledge that inconvenience is caused to some respectable persons including some Members of the Legislative Assembly who are unable to see their relatives in jails as under-trials or convicted for crimes involving moral turpitude on the ground of their names having been entered in the black lists ;
- (e) whether it is or it is not a fact that these lists contain the name of Sardar Kishan Singh, M.L.A. ?

The Honourable Mr. Manohar Lal : (a), (b) and (e) This has been answered in the reply given to Question 3590¹, put by the honourable member for the Amritsar North (Sikh) Rural constituency.

(c) It is not proposed to make any change in the existing arrangements.

(d) I regret that I cannot undertake to divulge the contents of such confidential instructions.

Sardar Kishan Singh : Did the Government make any change in the two lists maintained by them ?

Minister : A full answer has already been given in reply to question No. 3590¹ some days back ; I said then that the present instructions were first issued substantially in their existing form in 1931.

Chaudhri Kartar Singh : Will the Government please state if they are prepared so to amend the rules as to permit the honourable members of this House to have interviews with the prisoners.

Mr. Speaker : Is this a supplementary question ?

Chaudhri Kartar Singh : This is a supplementary question. Will the Government please state if they are going to change their policy in order to enable the honourable members of this House to have interviews with prisoners ?

Mr. Speaker : It is a request for action. The next question.

INTRODUCTION OF PROHIBITION IN LYALLPUR DISTRICT.

***3619. Sardar Kishan Singh :** Will the Honourable Finance Minister be pleased to state—

- (a) whether, in accordance with a resolution passed by the Legislative Assembly, the Punjab Government has selected any districts for introducing prohibition in it, by way of experiment ;

- (b) whether the Lyallpur district board recently requested the Government to introduce prohibition in the Lyallpur district; if so, whether it is proposed to do so, if not, the reasons therefor?

The Honourable Mr. Manohar Lal : (a) The matter is still under consideration.

(b) Yes, a resolution to this effect was passed by the Lyallpur district board. The matter is one for Government to decide.

NOTICE IN TRAFFIC CASES.

***3623. Maulvi Mazhar Ali Azhar :** With reference to the answer to my starred question No. 194,¹ asked on 25th June, 1937, will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that notices of prosecution are still issued to offenders in motor traffic cases on blank papers without entering the sections and rules contravened;
- (b) whether such cases mentioned in part (a) above have been referred to Assistant Inspector-General of Police, Traffic, by the Punjab Motor Union, if so, what action the Government has taken in the matter?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) Instances of the issue of irregularly prepared intimation forms still come to notice from time to time, but these are now very rare.

(b) Only one complaint of this kind seems to have been referred to the Assistant Inspector-General of Police (Traffic) by the Punjab Motor Union. A copy of the letter was forwarded to the Senior Superintendent of Police, Lahore, for necessary action. I may add that orders have been issued to the inspectors of all the mobile patrols that they should impound any irregularly prepared intimation forms noticed by them. All such cases are then referred to the Superintendent of Police concerned for action against the issuing officer.

MOTOR LORRY STANDS.

***3624. Maulvi Mazhar Ali Azhar :** Will the Honourable Minister of Public Works be pleased to state—

- (a) the total number and situations of public motor lorry stands in Lahore, Amritsar, Gujranwala, Lyallpur and Sialkot, separately;
- (b) whether the lorry stands on public places in cities mentioned in part (a) above have been authorised by the registering authorities concerned or auctioned by local bodies concerned?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) and (b) A statement is laid on the table.

[Minister for Public Works.]

Statement.

Name of the place.	Number of stands on land owned by the State or by a local body.	Situations of the stands.	Whether authorised by the Registering Authority and/or auctioned by the Local Body.	REMARKS.
1	2	3	4	5
Lahore --	25	<p>6 Stands outside Lohari Gate.</p> <p>1 Stand near the Railway Chowk.</p> <p>2 Stands outside Delhi Gate.</p> <p>1 Stand near Mela Ram's tank.</p> <p>1 Stand on the Empress Road.</p> <p>2 Stands in the Landa Bazar.</p> <p>1 Stand on the Brand-reth Road.</p> <p>4 Stands outside Shah-almi Gate.</p> <p>1 Stand near Naulakha theatre.</p> <p>3 Stands outside Mori Gate.</p> <p>1 Stand on the Hospital Road.</p> <p>1 Stand on the Ravi Road near Chhota Ravi.</p> <p>1 Stand in Hira Mandi.</p>	<p>None of these stands has been authorised by the Registering Authority or auctioned by the Local Body.</p> <p>All these stands are operated by private persons, who have taken the land on lease.</p>	
Lyallpur --	2	<p>1 Stand outside Rail Bazar.</p> <p>1 Stand outside Kutcherry Bazar.</p>	<p>Neither authorised by the Registering Authority nor auctioned by the Local Body.</p>	
Gujranwala --	None			
Amritsar --	4	<p>1 Stand on the Circular Road outside Chatwind Gate.</p> <p>1 Stand on the Circular Road outside Rambagh.</p> <p>1 Stand outside Hall Gate near the Railway foot-bridge.</p> <p>1 Stand at Khoti Ahata.</p>	<p>All authorised by the Registering Authority.</p>	
Shikot --	10	All on Railway Road	<p>Two stands are auctioned by the Local Body. The others are on land leased by private persons.</p>	

MONOPOLIES FOR PLYING MOTOR VEHICLES.

*3625. **Maulvi Mazhar Ali Azhar :** With reference to the reply to my starred question No. 140,¹ asked on 25th June, 1937, will the Honourable Minister of Public Works be pleased to state—

- (a) the names of those roads on which monopolies have been withdrawn so far ;
- (b) the roads declared scheduled in the current year and names of persons or bodies to whom monopolies of those roads are given ;
- (c) whether the Government has considered the question of abolishing the system of road monopolies, if so, with what result ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : I regret that the answer to this question is not ready.

CONVERSION OF AVAGAT MIDDLE SCHOOL INTO A GOVERNMENT HIGH SCHOOL.

*3629. **Sardar Kishan Singh :** Will the Honourable Minister of Education be pleased to state whether the District Board, Lyallpur, recently passed a resolution recommending to the Government to convert Avagat Middle School into a Government High School ; if so, the action Government proposes to take in the matter ; if no action is intended, the reasons therefor ?

The Honourable Mian Abdul Haye : Yes.

Government does not intend to take any action in the matter as the necessity of a high school at Surjanpura (Avagat) has not been established.

REPRESENTATION OF SCHEDULED CASTES IN THE DISTRICT BOARDS, JULLUNDUR AND HOSHIARPUR.

*3635. **Seth Kishan Das :** Will the Honourable Minister of Public Works be pleased to state—

- (a) when the elections to the District Boards, Jullundur and Hoshiarpur will take place and also the basis on which nominations to these boards are intended to be made ;
- (b) whether Government propose to increase the number of nominated seats for the scheduled castes on the aforesaid district boards on the basis of their population in those districts ; if so, the number of such seats as will be allotted to the members of the scheduled classes, districtwise ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) The next elections to the district board of Hoshiarpur will be held in February, 1939, and to the district board of Jullundur in February, 1940. Nominations will no doubt be made when the time comes on the basis of the usual formula as to population and voting strength.

(b) No.

EXPERT FOR LEATHER INDUSTRY IN THE PUNJAB.

***3636. Seth Kishan Das :** Will the Honourable Minister of Development be pleased to state—

- (a) whether it is a fact that the Government has acquired the services of an expert in leather tanning from some other province with a view to promoting the leather industry in the Punjab ;
- (b) whether the above-mentioned expert has toured the province ; if so, whether he has discussed the problem of leather industry with any society or any member of the scheduled classes ;
- (c) whether the above-named expert has put forth any new scheme in this connexion ; if so, whether he will be pleased to lay a copy of that scheme on the table of the House ?

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

(b) (i) Yes.

(ii) It is understood that this is so.

(c) The report is awaited.

REPRESENTATION OF SCHEDULED CASTES IN MUNICIPAL COMMITTEE,
JULLUNDUR.

***3637. Seth Kishan Das :** Will the Honourable Minister of Public Works be pleased to state—

- (a) when the elections to the Municipal Committee, Jullundur, will take place and also the basis on which the nominations are intended to be made to that committee ;
- (b) whether it is intended to increase the number of nominated seats for the members of the scheduled classes on the above-mentioned municipal committee on the basis of their population in that municipality ; if so, the number of seats proposed to be reserved for them ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) In April next. The usual formula as regards population and voting strength will no doubt be followed. The first consideration will, of course, be the interests of the committee itself.

(b) No such proposal is at present under consideration. The claims of the scheduled castes will, however, as usual be considered when nominations are being made.

CROWN LANDS.

***3375. Sardar Hari Singh :** Will the Honourable Minister of Revenue be pleased to state the total area of Crown lands in the Punjab so far given away by way of (i) reward grants ; (ii) military grants ; and (iii) sale ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : The collection of this information would require on amount of time and labour out of all proportion to the results obtainable. I regret that Government does not feel justified in calling for this information.

Diwan Chaman Lall : May I ask the Honourable Minister to indicate to the House as to whether this information can be made available for the House ?

Parliamentary Secretary : If the honourable member will kindly read the question, he will find that no period is prescribed since when the Crown lands were given. The question does not say whether it relates to the lands given during the Sikh period or the Mughal period or any other period. Therefore it is impossible for the Government to collect all the figures.

Mian Sultan Mahmud Hotiana : May I enquire whether the Government is prepared to consider the advisability of giving such grants to the poor ?

Parliamentary Secretary : That does not arise out of the original question.

Diwan Chaman Lall : May I ask whether he will inform the House whether any reward grants or military grants have been made since this present Government came to power ?

Parliamentary Secretary : As far as I know no such grants have been made since this Government came to power.

Diwan Chaman Lall : Is it a fact that no rewards in the shape of jagir have been given since this Government came to power ?

Parliamentary Secretary : No jagirs have been given.

Diwan Chaman Lall : May I ask whether the jagirs to be considered as reward grants have been given since Government came to power ?

Parliamentary Secretary : This question relates to Crown lands.

Diwan Chaman Lall : If jagirs are given by this Government, they must come from Crown lands, they cannot come from my honourable friend's lands.

Mr. Speaker : There appears to be some confusion. Jagirs are not now given in the shape of land. Therefore, a reward grant is different from a jagir.

Sardar Hari Singh : May I ask whether the practice of giving reward grants has been discontinued by the present Government ?

Mr. Speaker : This does not arise out of the answer given.

Sardar Hari Singh : In how many districts of the Punjab do reward grants and military grants of Crown lands exist ?

Parliamentary Secretary : I have already stated that Government regretted that they did not consider it very desirable to collect this information which would require a lot of labour and the Government felt that the result would not be justified.

Sardar Hari Singh : Are these figures already not on record ?

Diwan Chaman Lall : Is this Government absolutely certain that since this Government came to power no rewards have been given ?

Parliamentary Secretary : I am certain that no reward grants have been given since this Government came into power.

Lala Deshbandhu Gupta : Is the question of fresh grants under consideration ?

Parliamentary Secretary : I have no knowledge about it.

Lala Deshbandhu Gupta : Have any lists been prepared ?

Parliamentary Secretary : I have no information.

HAZARA SINGH AND BACHANT SINGH, BABAR AKALI PRISONERS.

***3376. Sardar Hari Singh :** Will the Honourable Minister of Finance be pleased to state—

(a) the present state of health and weights of Babar Akali prisoners Hazara Singh and Bachant Singh ;

(b) the date when their release is normally due ;

(c) what Government intends to do in view of their bad health and the long period of incarceration already undergone by them?

The Honourable Mr. Manohar Lal : (a) and (b)

Name.	Present state of health.	Weight.	Normal date of release.
1	2	3	4
1. Hazara Singh ..	Owing to his suffering from leprosy he is in indifferent health.	114 lbs., i.e. 8 lbs. above his weight on admission to jail.	25th June, 1941.
2. Bachant Singh ..	Good	114 lbs., i.e., 29 lbs. above the standard weight.	9th June, 1945.

(c) The question of their release is under the consideration of Government.

Chaudhri Kartar Singh : Is the honourable member aware of the fact that there are no arrangements for the treatment of leprosy in any jail of the Punjab ?

Minister : My information is that he is receiving appropriate treatment for leprosy in the particular place where he is, and I have said so more than once on the floor of this House.

Lala Duni Chand : Has the Government ever considered that it will be an act of grace and response to Congress opinion to release the remaining two or three Babar Akalis who have already undergone most part of their sentences ?

Minister : I have said that the Government is considering the question of their release.

Sardar Hari Singh : When may we expect the result of that consideration ?

Minister : I could not give any precise date.

Dr. Shaikh Muhammad Alam : Since when has this question been under consideration ?

Minister : For some time. I could not specify a date. I said at Simla that the question of the release was under consideration, but there were circumstances which did not allow of their release immediately.

Dr. Shaikh Muhammad Alam : It was under consideration in Simla session, but since when ?

Minister : I have also stated that I do not know the precise date.

Dr. Shaikh Muhammad Alam : Can the honourable member give the approximate number of months and years ?

Minister : The honourable member can calculate for himself.

Dr. Shaikh Muhammad Alam : Cannot the Honourable Minister calculate for me ?

Minister : I shall not help you in that elementary process.

Diwan Chaman Lall : How long does it take for him to work up his compassion for a political prisoner as compared with his compassion for a criminal ?

Minister : I never admitted that these are political prisoners.

Lala Duni Chand : What advantage has the Government in view in keeping a leper prisoner in jail ?

Minister : The real question is in keeping a prisoner under restraint who has committed a serious offence.

Diwan Chaman Lall : Is it a fact that the Honourable Minister did release a prisoner who had committed a very serious offence from the moral point of view, but why cannot he work up his compassion in this case ?

Minister : The cases are not parallel.

Diwan Chaman Lall : Is it because he is a political prisoner and the other is not ?

Minister : I do not admit that the Babar Akalis are political prisoners.

CHANAN SINGH, A STATE PRISONER.

***3377. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that he has received a representation from the father of Chanan Singh, a state prisoner, confined in Lahore Central Jail, stating that he interviewed the prisoner in the jail on the 25th August last and found him suffering from a throat disease and praying that either the prisoner be released or private treatment be allowed in the interest of his health ;

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

Parliamentary Private Secretary (Sayed Amjad Ali Shah) :

- (a). Yes.

[S. Amjad Ali Shah.]

(b) The prisoner was examined by a specialist at the Mayo Hospital on the 5th August. The specialist recommended removal of the tonsils. At the prisoner's request the operation was delayed, and was finally carried out on the 14th October. The latest report shows the prisoner to be now in very good health.

Lala Deshbandhu Gupta : When was the latest report received ?

Parliamentary Private Secretary : After the question was tabled.

Diwan Chaman Lall : How long has this prisoner been in prison ?

Parliamentary Private Secretary : I am afraid that does not arise out of the question.

Diwan Chaman Lall : Does not the Government consider it advisable to release this prisoner ?

Parliamentary Private Secretary : That does not arise.

Diwan Chaman Lall : Will the case of this prisoner be considered on the same ground as the Honourable Finance Minister said the other day, that is, on the ground of compassion ?

Parliamentary Private Secretary : That is a request for action.

Diwan Chaman Lall : Do I take it that this prisoner has not been produced before a court and no charge prepared against him ?

Parliamentary Private Secretary : May I draw attention to the question ?

GRANT TO PRIVATE AIDED SCHOOLS.

***3396. Lala Duni Chand :** Will the Honourable Minister of Education be pleased to state—

(a) whether there is any proposal under consideration that the private aided schools will in no case get the grant beyond a specified sum regardless of the amount that they might earn under the rules ; if so, what is that amount ;

(b) how this proposal will affect the private aided schools ?

The Honourable Mian Abdul Haye : Proposals for the revision of grants-in-aid to aided schools are under consideration.

Lala Duni Chand : Is it a fact that several well-established schools have been reduced to a state of poverty on account of the grant-in-aid having been reduced considerably ?

Minister : Grant-in-aid has not been reduced recently.

Lala Duni Chand : Is it not a fact that several inefficiently run schools are being given grant-in-aid while the efficiently run schools are being denied grant-in-aid ?

Minister : I repudiate that charge.

Lala Duni Chand : Is it not a fact that owing to the policy of stinginess of Government several schools are in danger of being closed down ?

Minister : No policy of stinginess has so far been adopted by Government. The grants-in-aid paid to-day are on the same scale as they were a couple of years ago.

Lala Duni Chand : Is it not a fact that complaints have been made regarding discrimination in the matter of grants-in-aid ?

Minister : Yes, certain community has made a representation that although that community is 56 per cent in the matter of population it is getting less than 20 per cent. by way of grant-in-aid.

Lala Duni Chand : Is it not true that some schools are now getting one-third or one-fourth of what they used to get before by way of grant-in-aid ?

Mr. Speaker : This has been answered.

Dr. Sir Gokul Chand Narang : What is the number of schools run by the community which has made the complaint ?

Minister : I have not got the figures in my hand.

Malik Barkat Ali : In view of the fact that a community which forms 56 per cent of the population gets only 20 per cent. of the grant-in-aid, is the Honourable Minister prepared to do justice to that community in any shape or form ?

Minister : That question is being favourably considered. I may point out that the amount of grant-in-aid that is to be paid from the Government revenue must necessarily be with reference to the private enterprise of that community.

COPYISTS.

***3397. Lala Duni Chand :** Will the Honourable Minister of Revenue be pleased to state—

- (a) if it is a fact that orders have been issued for reduction of the strength of copyists both English and Vernacular in the Punjab ; if so, the number of copyists that will be brought under reduction ;
- (b) whether any maximum amounts have been fixed beyond which a copyist will not be allowed to earn regardless of the copying fees charged ; if so, what will be the minimum and maximum amount paid to the copyists per head ;
- (c) whether Government is aware that there exists a feeling of great dissatisfaction over the proposed changes among the copyists all over the province ; if so, the action the Government intends to take in the matter ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) The answer to the first part of the question is "Yes"—regarding the second part of the question, it appears that about 165 copyists are to be reduced or absorbed. It is not known how many will actually be reduced and how many absorbed. Enquiries will be made from all deputy commissioners.

(b) The maximum and minimum amount fixed is Rs. 50 and 25, respectively.

[Raja Ghazanfar Ali Khan.]

(c) Government is not aware of any dissatisfaction among copyists. Deputy commissioners will, however, be asked to report and if it is found that any just grievances exist, Government will consider the question.

Lala Duni Chand : What does Government propose to do to provide for those copyists who have been thrown out of employment.

Parliamentary Secretary : I have already said that Government will consider how to redress the grievances.

Dr. Shaikh Muhammad Alam : When will it consider?

Parliamentary Secretary : As soon as reports are received from deputy commissioners.

Dr. Shaikh Muhammad Alam : When are the reports expected to be received?

Parliamentary Secretary : They have been called for and I am sure they will be received in a short time.

Lala Duni Chand : Does the Government consider that the pittances allowed to these copyists are sufficient even for bare maintenance?

Parliamentary Secretary : Yes.

Lala Duni Chand : Is it not Rs. 15 in one case and Rs. 25 in the other?

Parliamentary Secretary : I have said that the maximum is Rs. 50 and the minimum Rs. 25.

Lala Duni Chand : Is it not a fact that the vernacular copyists are being given Rs. 15 a month, as a fixed amount?

Parliamentary Secretary : I have already stated that the maximum salary paid is Rs. 50 and the minimum Rs. 25.

Dr. Shaikh Muhammad Alam : Is it then wrong to say that the minimum these copyists get is Rs. 15?

Parliamentary Secretary : Yes, that is entirely wrong.

ANGLO-VERNACULAR AND VERNACULAR MIDDLE SCHOOLS IN AMBALA.

***3398. Lala Duni Chand :** Will the Honourable Minister of Education be pleased to state the number of anglo-vernacular middle schools and vernacular middle schools, respectively, maintained by the District Board, Ambala, and the number of such schools which are to be converted into anglo-vernacular ones?

The Honourable Mian Abdul Haye : No anglo-vernacular middle school is maintained by the District Board, Ambala. The number of vernacular middle schools maintained by the District Board is 25 (including seven schools with optional English classes). There is no proposal to convert any of these schools into anglo-vernacular ones.

Lala Duni Chand : Is it true that there is a demand for converting the vernacular middle schools into anglo-vernacular middle schools? If so, how far has the Government conceded that demand?

Minister : Usually when I go on tours, very frequently such requests are made. But the primary duty of a district board is to provide for vernacular education. The finances of many of the district boards do not permit of English classes being opened.

Lala Duni Chand : Is it within the knowledge of the Honourable Minister that vernacular middle schools in Ambala district are in a very bad condition financially?

Minister : They could not be in a bad condition.

Lala Duni Chand : Is it not a fact that the teachers of these schools are not paid their salaries every month?

Minister : If the honourable member brings any case to my notice I shall be delighted to look into it.

QUALIFICATIONS FOR NOMINATIONS TO DEBT CONCILIATION BOARDS.

***3429. Pandit Shri Ram Sharma :** Will the Honourable Minister of Development be pleased to state—

(a) whether there is any age consideration in the case of nominations to the Debt Conciliation Boards;

(b) the age of the eldest member of the Hissar Debt Conciliation Board;

(c) whether before nominating a person as member of a Debt Conciliation Board, his financial liabilities are ascertained, if not, why not?

The Honourable Chaudhri Sir Chhotu Ram : (a) No.

(b) 60 years.

(c) Yes.

Pandit Shri Ram Sharma : Is there any age limit for the members of the Debt Conciliation Board?

Minister : I have already stated that there is no restriction.

Pandit Shri Ram Sharma : Are only those people appointed as representatives of debtors in the debt conciliation boards who are themselves over head and ears in debt?

Minister : I have already stated that freedom from indebtedness is one of the considerations that is taken into account.

Malik Barkat Ali : Will the Honourable Minister for Development kindly state the considerations on account of which he considers it unnecessary that members of these conciliation boards should be appointed by the Public Service Commission?

Dr. Shaikh Muhammad Alam : Is it because there is no confidence in the Public Service Commission?

Minister for Development : No, Sir.

Lala Deshbandhu Gupta : Is it to keep the patronage in the hands of the Minister?

Speaker : Disallowed.

Pandit Shri Ram Sharma : What are the special considerations which weigh with the Government in the matter of making appointments to the conciliation boards ?

Minister : If my friend gives a notice of that question I will lay on the table the instructions which have been framed for the selection of members provided they are not confidential.

Lala Deshbandhu Gupta : Is it a fact that most of the members of the conciliation boards are themselves considerably in debt ?

Minister : No.

Lala Deshbandhu Gupta : Has the Honourable Minister made enquiries on the point ?

Minister : I make enquiries as a matter of course.

Lala Deshbandhu Gupta : What is the result of those enquiries ?

Minister : I have already stated the result.

Lala Deshbandhu Gupta : May I know what it is ?

Minister : I cannot go further.

Malik Barkat Ali : May I know if the Government has at all framed any rules for guiding the Honourable Minister in making selection for the membership of these conciliation boards ?

Minister : Yes, instructions were framed and issued to local officers.

Malik Barkat Ali : Will the Honourable Minister please place on the table of the House the instructions that have been issued ?

Minister : I have already stated that if notice is given I will place those instructions on the table of the House provided they are not confidential.

Lala Deshbandhu Gupta : Is he in a position to say that the members of these conciliation boards are not in debt ?

Minister : I am.

KHARABA ENTRIES IN HISSAR DISTRICT.

***3430. Pandit Shri Ram Sharma :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the names of the villages where *Kharaba* is continuously entered in the revenue papers ever since 1929-30, in Hissar district;
- (b) the number and names of villages in district Hissar which are very badly hit by the failure of rains during the last *Kharif*;
- (c) the help already rendered or intended to be rendered by the Government to the above-mentioned villages ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) A statement¹ is laid on the table.

(b) Five hundred and twenty-two. A statement is laid on the table.

(c) Ten famine test works are in progress since the middle of September and five more are being opened immediately. Twenty-one spinning centres have been opened for the relief of *purda nashin* women. There are ten

¹Kept in the Assembly Library.

fodder dumping stations from where zamindars get fodder on *taccavi parchis* and three more dumps have been started from the third November. Rupees 12,000 have been sanctioned by Government for the maintenance of stud bulls and measures are being taken to safeguard breeding stock. Full remission of *abiana* on fodder and cotton crops has been granted and the question of granting suspensions and remissions of land revenue and *taccavi* is under consideration.

Pandit Shri Ram Sharma : Is it a fact that the spinning centres which were opened for helping the *purda nashin* women had to be kept closed for about one month or so soon after their opening ?

Parliamentary Secretary : I have no knowledge of this fact. If the honourable member wishes me to make enquiries I will do so.

Khan Sahib Chaudhri Sahib Dad Khan : How much cotton has been supplied to the spinning centres ?

Parliamentary Secretary : Government have no hand in such matters.

Khan Sahib Chaudhri Sahib Dad Khan : Is the Government aware that cotton is not supplied regularly to the spinning centres ?

Parliamentary Secretary : Government is not aware. But if my honourable friend desires I will certainly make enquiries into it and if cotton is not being supplied in sufficient quantities arrangements will be made to supply it in sufficient quantities.

APPOINTMENTS MADE AND EXTENSIONS AND PROMOTIONS GIVEN BY THE HONOURABLE MINISTER OF DEVELOPMENT.

***3431. Pandit Shri Ram Sharma :** Will the Honourable Minister of Development be pleased to state—

(a) in how many cases appointments were made and promotions and extensions were granted directly by him without or against the recommendations of his subordinate officers in the departments under his control ;

(b) the names and ranks of such officers who were appointed or given promotions and extensions and the special reasons for the action taken in the case of each of them ?

The Honourable Chaudhri Sir Chhotu Ram : Communications from heads of departments containing their advice to a Minister are confidential documents. It is, therefore, regretted that the information desired by the honourable member cannot be given.

Pandit Shri Ram Sharma : The recommendations of the subordinate officers may be confidential. But is it also a confidential matter as to how many appointments or extensions have been made by the Honourable Minister direct ?

Minister : If the honourable member gives a fresh notice of this question I will consider whether I should or should not reply to it.

Pandit Shri Ram Sharma : May I draw the attention of the Honourable Minister to the wording of my question—'in how many cases appointments were made and promotions and extensions were granted directly by him without or against the recommendations of his subordinate officers in the departments under his control'?

Diwan Chaman Lall : Is it a fact that the question contained this statement, namely information being sought as to in how many cases appointments were made and promotions and extensions were granted directly by the Honourable Minister for Development? The question is how many cases the Honourable Minister dealt with.

Minister : The question of promotion does not arise.

Diwan Chaman Lall : May I ask my honourable friend to read the question once again? The question is "in how many cases appointments were made and promotions and extensions were granted directly by him without or against the recommendations of his subordinate officers in the departments under his control"? *Without*, that is to say directly by the Honourable Minister for Development. There is no question of giving notice. The notice is already there. The Honourable Minister can say that he does not know.

Minister : In every case of promotion reports are made by heads of departments. Those reports are taken into consideration and promotion is made by the Minister concerned generally in accordance with those recommendations, but he may go against those recommendations in special cases.

Dr. Shaikh Muhammad Alam : Do I understand that no promotions are made directly by him? Does his answer imply that in no case has any promotion or extension been made directly by the Honourable Minister without recommendation from the department?

Minister : No promotions are made or extensions granted without a reference to heads of departments.

Diwan Chaman Lall : Will the Honourable Minister answer the question on the paper regarding the appointments? The question is in two or rather three parts, appointments, promotions and extensions. What appointments have been made by the Honourable Minister direct?

Minister : No appointments have been made direct in the sense that all reference to the local authorities was dispensed with.

Diwan Chaman Lall : May I ask, why is he quibbling with this question? If he has made any appointments direct, why does he not say so? Is it because he is ashamed of telling it before the House?

Mr. Speaker : The honourable member should not have used an undesirable word.

Diwan Chaman Lall : May I refer you, Mr. Speaker, to the Honourable Minister?

Mr. Speaker : I request Diwan Sahib to withdraw the word "ashamed."

Diwan Chaman Lall : If you think the word 'ashamed' undesirable, then I will say, is the Honourable Minister afraid of giving the information?

Mr. Speaker : Please withdraw that word.

Diwan Chaman Lall : I have said so. If that does not correctly characterise the Honourable Minister's conduct, may I know from him if he is afraid of giving this information on the floor of this House?

Minister : I am not.

Diwan Chaman Lall : Then why does he not give it?

Dr. Shaikh Muhammad Alam : What does he mean by 'reference to local authorities'? What we want to know is whether the reference directly emanates from him or it comes from the lower ranks?

Minister : Recommendations are always called for in the first instance from the local authorities.

Diwan Chaman Lall : Is it a fact that the Honourable Minister is trying to take shelter under this little quibble?

Minister : I am not in the habit of taking shelter behind anything.

Mr. Speaker : That question is disallowed.

Diwan Chaman Lall : Will the Honourable Minister now give the information on the floor of the House?

Pandit Shri Ram Sharma : Is it a fact that in reply to a question the Honourable Minister said that he himself gave an extension to Baldev Singh of the Veterinary Department without any reference having been made to him?

Mr. Speaker : The honourable member gives rather than seeks information.

Dr. Shaikh Muhammad Alam : In how many cases were appointments made against the recommendations of the lower staff.

Mr. Speaker : That question has been asked over and over again. The next question.

Pandit Shri Ram Sharma : I want to know if my question has been answered or not.

Mr. Speaker : I disallow any more supplementary questions, as it is my duty to see that the time of the House is not taken by a few questions only.

Pandit Shri Ram Sharma : May I explain?

Mr. Speaker : No explanation is needed.

Lala Duni Chand : On a point of order. May I know whether the Honourable Speaker will exercise his discretionary power to refuse further supplementary questions in a case where it is inconvenient or extremely uncomfortable for the Minister to answer those questions?

Mr. Speaker : I request the honourable member to withdraw the insinuation against the chair.

Lala Duni Chand : I meant no insinuation.

Dr. Sir Gokul Chand Narang : We are unable to hear what is going on as the honourable member from Amritsar is talking very loudly.

Mr. Speaker : This is a serious matter and I request the honourable member to withdraw the insinuation.

Lala Duni Chand : There is absolutely no insinuation and I withdraw it.

ARRANGEMENT FOR TEACHING QIRAT IN ORIENTAL COLLEGE, LAHORE.

***3537. Mian Badar Mohy-ud-din Qadri :** Will the Honourable Minister of Education be pleased to state whether there exists any arrangement in the Oriental College, Lahore, for teaching *qirat* (recitation) of the Quran; if not, why not?

The Honourable Mian Abdul Haye : No arrangement exists in the Oriental College, Lahore, for the teaching of *qirat* of the Quran-i-Sharif. The college prepares students for the High Proficiency, Honours and M.A. Examinations in Arabic, and *qirat* is not one of the subjects for these examinations.

CLOSING OF THE GOVERNMENT INTERMEDIATE COLLEGE, GUJRAT.

***3538. Mian Badar Mohy-ud-Din Qadri :** Will the Honourable Minister of Education be pleased to state whether the Government have recently received any representations from the people of Gujrat district urging upon the Government to close down the Government Intermediate College, Gujrat; if so, the action taken or proposed to be taken on those representations?

The Honourable Mian Abdul Haye : Representations on the subject have been received, and are engaging the attention of Government. No definite decision has, however, been arrived at yet.

FINANCING OF PRIMARY SCHOOLS.

***3539. Mian Badar Mohy-ud-Din Qadri :** Will the Honourable Minister of Education be pleased to state why the Government does not take steps to finance primary schools in preference to middle schools?

The Honourable Mian Abdul Haye : Government is already spending large sums of money on primary education. The honourable member will be interested to know that there are 352 high schools, 195 anglo-vernacular middle and 2,926 vernacular middle schools and 5,858 primary schools for Indian boys in the province, and that all middle schools have primary departments.

Dr. Sir Gokul Chand Narang : What is the number of primary schools for one thousand children of school-going age?

Minister : I am afraid I did not calculate it.

Dr. Sir Gokul Chand Narang : I am not asking this question simply for the sake of asking a question, but is there any information in the Education Department regarding the number of children of school-going age?

Minister : We have, but I do not carry it in my head.

EMPLOYMENT OF BULLOCKS ON OIL PRESSES IN CENTRAL JAIL, LAHORE.

***3602. Sardar Sohan Singh Josh :** Will the Honourable Finance Minister please state—

- (a) whether it is a fact that 6 bullocks were employed on oil presses in the first week of July 1938 in the Central Jail, Lahore ;
- (b) whether it is a fact that 2 of them died and 4 fell ill in the same week ; if so, the reasons thereof ?

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

(b) Yes : from diarrhoea and tympany.

Sardar Sohan Singh Josh : Was it not due to the fact that the oil presses were too heavy for them to work ?

Minister : It is very difficult to pursue a small matter like this, namely, the illness of six bullocks, but if the honourable member is so inquisitive and wants some precise information I shall get it for him if he gives notice.

Diwan Chaman Lall : May I ask him to remember that it is not a small matter—this cruelty to animals. After all they are dumb creatures and my honourable friend should show sympathy to them.

Minister : No cruelty can be presumed. These animals were suffering from diarrhoea.

Diwan Chaman Lall : My honourable friend wants to know whether the charge of cruelty can be sustained or not. Will he make further enquiries ?

Minister : Why should it be sustainable ? I have already given the answer that no such charge can be sustained, but if the honourable member wishes to pursue the matter further I shall look into the matter provided he gives notice.

Sardar Sohan Singh Josh : Can I enquire from the Honourable Minister if it is a fact that immediately before employing these bullocks, orders had been given not to employ any men, and that is why bullocks were employed for this too heavy a job ?

Minister : This is more than I know.

STRIKES IN THE MUSLIM HIGH SCHOOL, AMRITSAR.

***3603. Sardar Sohan Singh Josh :** Will the Honourable Minister for Education be pleased to state—

- (a) the number of students who went on strike in the Muslim High School, Amritsar, in the last month ;
- (b) the causes of the strike ;
- (c) the names of the students arrested during the strike ;
- (d) the terms of the compromise ; if any ?

The Honourable Mian Abdul Haye : (a) About 100 boys.

(b) The strikers demanded (1) that Kh. Muhammad Umar, Head Master, who had resigned his post be recalled, and (2) that Dr. Muhammad Bashir, Secretary, School Managing Committee, be made to resign his post.

[Minister for Education.]

(c) (1) Wabeed-ud-Din, X class.

(2) Manzoor Ahmad, IX class.

(d) The terms of the compromise were that—

(1) If Kh. Muhammad Umar applies for reappointment, the Anjuman will consider his application very sympathetically.

(2) Dr. Muhammad Bashir will not act as Secretary for the Muslim High School but will remain Secretary for the remaining two schools run by the Anjuman.

Sardar Sohan Singh Josh : May I ask the Honourable Minister to say if these boys were released in accordance with the terms of this compromise or they were released otherwise?

Minister : My honourable friend evidently knows more than I do. If he wanted that information he should have put the question on paper.

NON-OFFICIAL VISITORS OF JAILS FROM AMONGST ASSEMBLY MEMBERS.

***3604. Sardar Sohan Singh Josh :** Will the Honourable Finance Minister be pleased to lay on the table a consolidated list of the non-official visitors of the Punjab jails and state why the Government are not prepared to revert to the old practice of appointing some non-official visitors from amongst the Assembly members?

The Honourable Mr. Manohar Lal : A list is laid on the table—

Some members of this House are already non-official visitors of jails and Government do not consider any further action necessary.

Sardar Sohan Singh Josh : May I enquire the names of those non-official visitors of jails who are the members of this House?

Minister : The list is being placed on the table, if the honourable member wishes me to read it and the Speaker so desires, I shall go through the list and read these names. But the information is being furnished to the House.

Sardar Sohan Singh Josh : Are all of them members of the Unionist Party?

Mr. Speaker : The honourable member may see the list.

Malik Barkat Ali : Will the Honourable Minister please state whether he has at all considered the matter that honourable members of this House should be *ex-officio* non-official visitors of jails in the Punjab?

Mr. Speaker : That is a suitable subject for a resolution.

List of non-official visitors of jails.

<i>Name of the Jail.</i>	<i>Name of the non-official visitor.</i>
1. Hissar District Jail	1. Honorary Lieutenant Thakar Sukhpal Singh, Sub-Registrar, Hissar.
	2. L. Maha Deva, Rais, Hissar.
	3. Khan Abdul Ghafoor Khan, Rais of Hissar.

<i>Name of the Jail.</i>	<i>Name of the non-official visitor.</i>
2. Rohtak District Jail ..	<ol style="list-style-type: none"> 1. Rai Bahadur Lala Ram Saran Das, Advocate, Rohtak. 2. Sardar Bahadur Captain Dalpat Singh. 3. Chaudhri Muhammad Shafi Ali Khan.
3. Subeldary Jail, Gurgaon ..	<ol style="list-style-type: none"> 1. Chaudhri Sumer Singh, M.L.A. 2. Lala Ram Kanwar, Lambardar. 3. Khan Sahib Chaudhri Farzand Ali Khan, M.B.E., Honorary Magistrate, Sohna.
4. Subsidiary Jail, Karnal ...	<ol style="list-style-type: none"> 1. Lala Ladli Parshad Jaiswal, Managing Proprietor, Karnal Distillery. 2. Maulvi Abdulla Khan, Advocate. 3. Sahibzada Muhammad Zulfiqar Khan, Sub-Registrar.
5. District Jail, Ambala ..	<ol style="list-style-type: none"> 1. Lala Gauri Shankar, Member, Municipal Committee, Ambala City. 2. Lala Benarsi Das, Honorary Magistrate and Senior Vice-President of the Municipal Committee, Ambala Cantonment Sadar Bazar. 3. Lala Sant Ram, Honorary Magistrate, Ambala. 4. S. Hamid Ali, Honorary Magistrate, Ambala. 5. Honorary Lieutenant Khan Bahadur Dr. Mahbub Ali Khan.
6. District Jail, Ludhiana ..	<ol style="list-style-type: none"> 1. Lieutenant Aziz-ud-Din. 2. Subedar-Major Sardar Jiwa Singh. 3. Honorary Captain Sardar Sahib Jagpal Singh. 4. Pandit Des Raj, Advocate.
7. Jullundur District Jail ..	<ol style="list-style-type: none"> 1. Rai Sahib Lala Tara Chand Sud. 2. Khan Sahib Khan Niaz Rasul Ahmad Khan. 3. Sardar Sahib Sardar Gurbachan Singh, M.L.A.
8. District Jail, Ferozepore ..	<ol style="list-style-type: none"> 1. M. Fateh-ud-Din Khan of Ferozepore City. 2. Rai Bahadur Pandit Danlat Ram Kalia. 3. Lala Goverdhan Das, Advocate. 4. Khan Sahib Khawaja Gul Muhammad Khan.
9. Sub-Jail, Hoshiarpur ..	<ol style="list-style-type: none"> 1. Lieutenant Chaudhri Nabi Baksh, Zaildar of Bassi Kikran. 2. Rai Sahib Lala Jodha Mal, Government Contractor. 3. Risaldar Major and Honorary Captain Sardar Bahadur Narain Singh.
10. Sub-Jail, Dharamsala ..	<ol style="list-style-type: none"> 1. Captain Chaudhri Kirpa Ram. 2. Rai Sahib Lala Sham Lal, Kaistha. 3. Mr. Nadir Shah Nowrojee.
11. Sub-Jail, Amritsar ...	<ol style="list-style-type: none"> 1. Mian Hafiz Ullah. 2. Lala Parkash Chand. 3. Rai Bahadur Seth Kishore Chand Maheshwari.

[Minister for Finance.]

<i>Name of the Jail.</i>	<i>Name of the non-official visitor.</i>
12. Central Jail, Lahore ..	1. Mr. B. E. Buckwell. 2. Rai Bahadur Lala Sewak Ram. 3. Chaudhri Abdul Karim. 4. Khan Sahib Mian Amir-ud-Din. 5. Khan Sahib Ghulam Muhammad. 6. Lala Janki Das. 7. Lala Amar Nath Chopra.
13. District Jail, Gurdaspur ..	1. Sardr Sahib Jowahir Singh. 2. Khan Sahib Baboo Sheikh Muhammad. 3. Lala Mukand Lal, Zaildar.
14. District Jail, Sialkot ..	1. Khan Bahadur Sheikh Inayat Ullah. 2. Rai Bahadur Dewan Charan Das. 3. Lala Karam Chand. 4. Sardar Gurbakhsh Singh Ahluwalia.
15. District Jail, Gujranwala ..	1. Sardar Sahib Sardar Rajwant Singh. 2. Khan Sahib Sheikh Ata Muhammad. 3. Khan Bahadur Chaudhri Riasat Ali, M.L.A. 4. Diwan Brij Lal.
16. Sub-Jail, Sheikhpura ..	1. 2nd Lieutenant Sardar Naunihal Singh Mann. 2. Mian Ashiq Hussain of Sangla. 3. Sardar Raghbir Singh Dutt. 4. Risaldar Bakhshi Keram Chand.
17. Central Jail, Montgomery ..	1. Lala Kanshi Ram. 2. Baba Jaewant Singh Bedi. 3. Subedar-Major Sardar Waryam Singh. 4. Khan Sahib Mian Nur Ahmad Khan. 5. Sardar Nur Muhammad Mokel. 6. Sardar Bahadur Sardar Datar Singh.
18. Multan Jails ..	1. Khan Abdul Ghafur Khan Khakwani. 2. Sheikh Khurshid Ahmad Qureshi. 3. Khan Bahadur Haji Muhammad Amir Khan Bosan. 4. Chaudhri Chiman Lal. 5. Seth Pars Ram. 6. Rai Bahadur Chaudhri Jai Narain Singh.
19. District Jail, Rawalpindi ..	1. M. Khuda Bakhsh. 2. Raja Sikandar Khan. 3. Sardar Sohan Singh. 4. Sardar Darshan Singh Bindra.
20. District Jail, Lyallpur ..	1. Risaldar Muhammad Hayat Khan. 2. Lala Chaman Lal. 3. Sardar Ude Singh.
21. District Jail, Jhelum ..	1. Lieutenant Najib Ullah Khan. 2. Sheikh Abdul Aziz. 3. Sardar Sahib Shamsher Singh.
22. District Jail, Dera Ghazi Khan ..	1. Lala Parma Nand Bhutani. 2. Khan Rahim Dad Khan. 3. Rai Sahib Chaudhri Jaimni Das.

<i>Name of the Jail.</i>	<i>Name of the non-official visitor.</i>
23. District Jail, Mianwali...	1. Khan Bahadur Khan Ghulam Qadir Khan. 2. Khan Bahadur Captain Malik Muzaffar Khan. 3. Lala Iqbal Das Sapra. 4. Khan Shahwali Khan. 5. Khan Sahib Muhammad Hayat Khan.
24. District Jail, Campbellpur ..	1. Lala Nau Nihal. 2. Sardar Sahib Thakar Bhagwan Das. 3. Khan Sahib Hasham Khan. 4. Malik Khaki Jan.
25. District Jail, Jhang ..	1. Lala Brij Lal. 2. Sheikh Yusuf Shah. 3. Lala Ram Lal Khokha. 4. Mian Nur Muhammad Chela.
26. Camp Jail, Shahpur ..	1. Mian Ata Muhammad. 2. Risaldar Sardar Ata Muhammad Khan. 3. Malik Ahmad Yar Khan Tiwana.
27. Subsidiary Jail, Gujrat ..	1. Chaudhri Jalal Khan. 2. Honorary Captain Sardar Jawala Singh. 3. Diwan Mahesh Das. 4. Khan Sahib Chaudhri Ghulam Mohy-ud-Din. 5. Khan Muhammad Zaman Khan.
28. Subsidiary Jail, Muzaffargarh ..	1. Khan Sahib Malik Qadir Bakhsh. 2. Chaudhri Bhawani Das. 3. Malik Aziz Muhammad. 4. Rai Bahadur Lala Piyare Lal. 5. Malik Muhammad Hassan.
29. Subsidiary Jail, Rajanpur ..	1. Sayed Wassu Shah. 2. Rai Bahadur Lala Dharu Lal. 3. Lala Ram Saran Das.
30. Subsidiary Jail, Kasur ..	1. Khan Bahadur Sardar Muhammad Shahbaz Khan. 2. Lala Dev Raj Jaini. 3. Sardar Amar Singh.
31. Subsidiary Jail, Sargodha ..	1. Sheikh Atta Ullah. 2. Dr. Gopal Das. 3. Sayed Mahbub Shah.

MONOPOLIES FOR PLYING MOTOR VEHICLES.

***3626. Maulvi Mazhar Ali Azhar :** With reference to the reply to starred question No. 2868,¹ asked on 28th June, 1938, the Honourable Minister of Revenue was pleased to declare that the monopolies on—

- (a) Amritsar-Mehta Road, Amritsar-Lopoke Road, and Amritsar-Jhabal Road in Amritsar district have been withdrawn and the public motor vehicles, free of any restriction, are allowed to run on them ;

[M. Mazhar Ali Azhar :]

(b) whether it is a fact that roads mentioned in part (a) above have been declared scheduled roads again under Notifications Nos. 4364-H-38/32616 and 32620, published in *Punjab Government Gazette* of 7th October, 1938 ;

(c) if the answers to parts (a) and (b) above be in the affirmative the reasons of declaring them scheduled roads ?

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

(b) Yes.

(c) It was found that none of the three roads were capable of carrying unlimited traffic. I may mention that there is no question of a monopoly on any of these roads, while in the case of that joining Amritsar and Jhabal vehicles having a laden weight not exceeding 8,500 lbs. are permitted without restriction.

RELEASE OF LAHORE CONSPIRACY CASES PRISONERS.

***3630. Sardar Kishan Singh :** Will the Honourable Finance Minister be pleased to state the decision of the Government regarding the release of those prisoners of the 1st Lahore Conspiracy Case and prisoners of the 2nd Lahore Conspiracy Case, who have declared that they have no faith in violence ?

The Honourable Mr. Manohar Lal : No general decision has been made as regards the release of the prisoners of the two Lahore Conspiracy cases. Certain individual cases are under consideration and two prisoners have actually been released.

ADMINISTRATOR, LAHORE MUNICIPALITY.

***3631. Sardar Kishan Singh :** Will the Honourable Minister of Public Works be pleased to state—

(a) when the Government proposes to reconstitute the Lahore Municipal Committee ; if not, why not ;

(b) whether the Government is aware of the general grievances of the citizens of Lahore Municipality under the present Municipal Administration ;

(c) the total annual salary of the Administrator, Lahore Municipality ;

(d) whether the Administrator, Lahore Municipality, had obtained beforehand the permission of the Government to move to Simla during the last summer season ; if not, the reason therefor ;

(e) the extra money incurred in connexion with the Administrator's move to Simla ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) and (b) Government intend to introduce legislation for replacing the Municipal Committee of Lahore by a municipal corporation, and

the provisions of the proposed Bill are under consideration. Should the Bill when the time comes pass into law, its provisions would be put into force as soon as practicable, the present direct administration of the Municipality by Government being withdrawn.

(c) Rs. 26,000 per annum excluding overseas pay, leave and pension contributions, and conveyance allowance. Half the above sums are paid from the municipal fund and half by the Lahore Improvement Trust.

(d) Yes.

(e) About Rs. 235.

Begum Rashida Latif Baji : May I know the reasons for giving so high a salary to the Administrator of the Lahore Municipality when the Agent of the North-Western Railway, Lahore, is only getting Rs. 3,500 and the income of the North-Western Railway is 20 crores, whereas the income of this Municipality is only 24 lakhs. Whose responsibility is greater?

Minister : I have not been able to follow what relevancy there is between the North-Western Railway and the Lahore Municipality.

Begum Rashida Latif Baji : Why is the Municipality of Lahore not being restored? Do the Government regard the people of Lahore to be unfit for running this institution?

Minister : I have already replied to that question.

Diwan Chaman Lall : Did the Honourable Minister say that he could not understand the question put by the honourable lady?

Minister : Which question are you referring to? I have already replied to the question.

Begum Rashida Latif Baji : I have not been able to follow the answer. The question is why is this burden being put on us?

Minister : She is comparing the pay of certain employees in the Municipal committee with North-Western Railway employees and there is no connection between the two.

Begum Rashida Latif Baji : But what justice is being done to us?

Minister : That is a question of opinion.

Begum Rashida Latif Baji : It is not a matter of opinion inasmuch as it touches our pockets. *(Laughter.)*

DEK NULLAH.

***3632. Sardar Kishan Singh :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that the zamindars of the villages situated near Nullah Dek in the Sialkot district, irrigate their lands by constructing dams across the Dek Nullah, for which they have to pay some extra water rate ;

(b) whether it is a fact that the above-named dams have been removed under the orders of the Government ;

[S. Kishan Singh.]

- (c) whether it is a fact that the kisans of villages Manpur, Kamalpur, Sahowala, etc., in Daska tahsil, sent representation to the Government on the subject; if so, the action proposed to be taken in the matter?

The Honourable Dr. Sir Sundar Singh Majithia : (a) Yes. But the zamindars do not pay any extra water rate, i.e., nothing beyond what was fixed at the time of last settlement.

(b) The dams across the Dek Nullah are constructed in accordance with certain conditions agreed upon by the *zamindars*. If any condition is violated, e.g., if the *bund* is maintained longer than the period fixed for a particular locality, the *bund* is removed by the authorities.

(c) No such representation appears to have been received.

COMPLAINTS AGAINST POLICE.

***3634. Mr. Dev Raj Sethi :** Will the Honourable Premier be pleased to state—

- (a) the total number of complaints received by the Lahore district authorities against the Police between 1st April, 1937, and 30th September, 1938;
- (b) the total number of cases referred to in (a) above about which inquiries were instituted;
- (c) the total number of cases in which action was taken or is proposed to be taken against the defaulters;
- (d) the total number of complaints which were rejected;
- (e) the total number of complaints which were found on inquiry to be false and proceedings under section 182, Indian Penal Code, sanctioned by the Superintendent of Police, Lahore, against those responsible for making the false complaints?

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

AMENDMENT IN NORTHERN INDIA CANAL AND DRAINAGE ACT.

***3638. Mian Sultan Mahmood Hotiana :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether he is aware of the fact that the Punjab Legislative Assembly at the last budget session on 20th January, 1938, passed a resolution recommending the appointment of a committee to suggest amendments in the Northern India Canal and Drainage Act;
- (b) whether Government have appointed any committee in accordance with the recommendation of the House to carry out the object mentioned in (a) above; if no committee has been appointed, the reasons therefor?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): (a) Yes.

(b) Yes.

For supplementary question regarding delay, it may be stated that a thorough study of the Act and Rules was made and the possible improvements were discussed and terms of reference prepared which were approved by the Council of Ministers before a committee could be appointed. The Committee has now been appointed and commenced its work with effect from 11th November, 1938.

Mian Sultan Mahmood Hotiana: May I know if any honourable member of this House has been nominated on the said Committee?

Parliamentary Secretary: I regret that I cannot furnish this information. I require notice.

Mian Sultan Mahmood Hotiana: Does that Committee include only officials or some non-officials have also been nominated for that Committee?

Mian Sultan Mahmood Hotiana: I wanted to ask whether any member of this House has been nominated on that Committee or not or whether it is composed only of officials. This is the information that I want to collect from the honourable Parliamentary Secretary and he seems reluctant to supply us the same.

Mr. Speaker: The question is admissible but it is for the Parliamentary Secretary to answer it.

Mian Sultan Mahmood Hotiana: Should he not give the reasons?

BINDING DOWN CERTAIN PERSONS OF NIGANA, POLICE STATION TOSHAM.

***3639. Khan Sahib Chaudhri Sahib Dad Khan:** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that certain people of Nigana, police station Tosham, have been bound under the Criminal Tribes Act;
- (b) if so, the number of convictions and challans with its result in each individual case;
- (c) whether Government is aware that there is severe famine in the *ilaga* and the persons bound cannot leave their homes for earning their livelihood;
- (d) whether the Government has considered the question of employing them on some labour in the villages?

The Honourable Mr. Manohar Lal: (a) Certain residents of this village have been restricted to the village under section 11 of the Criminal Tribes Act.

(b) A statement giving the required information is attached.

(c) (i) Yes.

(ii) These persons can leave their villages for all *bona fide* purposes after obtaining leave from the Superintendent of Police.

(d) No.

Khan Sahib Chaudhri Sahib Dad Khan : Is it a fact that they applied to go out of the district and they were not allowed to do so ?

Minister : I do not know. If the honourable member will give notice, I shall enquire.

Statement showing convictions and suspicions earned by 7 Muslim Raiputs of Nagana restricted under section 11 of the Criminal Tribes Act.

Serial No.	Name and parentage.	Residence.	Convictions.	Suspicious.
1	2	3	4	5
1	Nishan Ali, son of Alla Diaya.	Nagana Kalan.	<ol style="list-style-type: none"> Under section 379, I. P. C., 6 months' R. I. and Rs. 20 fine or in default to undergo 1 month further R. I. on 17th February, 1899, by Magistrate, II Class, Bhiwani. Under sections 7/5/18, restricted to his village for 1 year on 24th June, 1922, by Magistrate, 1st Class, Hissar. Under sections 7/5/18, restricted to his village for 2 years on 20th October, 1925, by Magistrate, 1st Class, Hissar. Under section 379, I.P.C. Security and Bond for Rs. 500 for 1 year under section 562, Cr. P. C., or 1 year's R. I. by Magistrate, 1st Class, Hissar. 	<ol style="list-style-type: none"> Suspected in a theft case of 4 buffaloes, from village Dhango P. S. Dadri, Jind State on 20th, and 21st July, 1933.
2	Sadal, son of Masti.	Nagana Kalan.	<ol style="list-style-type: none"> Under section 379, I.P.C. 5 months' R. I. and Rs. 25 fine on 25th May, 1922, by Magistrate, 1st Class, Hissar. Under sections 7/5/18, restricted to his village for 2 years on 20th October, 1925, by Magistrate, 1st Class, Hissar. Under section 110, Cr. P. C., Security and Bond for Rs. 1,000 for one year on 30th March, 1930, by Magistrate, 1st Class, Hissar. 	<ol style="list-style-type: none"> Suspected in a theft case of 4 buffaloes from village Dhango, P. S. Dadri, Jind State, on 20th, and 21st July, 1933.

Serial No.	Name and parentage.	Residence.	Convictions.	Suspiciona.
1	2	3	4	5
3	Sodagar, son of Muhammad Ali.	Nagana Kalan.	Under section 110, Cr. P. C., Security and Bond for Rs. 1,000 for 1 year on 10th May, 1927, by Magistrate, 1st Class, Hissar.	1. Suspected in a theft case of 4 buffaloes from village Dhango P. S. Dadri, Jind State on 20th and 21st July, 1933.
4	Misra, son of Dindar.	Nagana Khurd.	<p>1. Under sections 7/5/18, restricted for 1 year on 24th June, 1922, by Magistrate, 1st Class, Hissar.</p> <p>2. Under section 110, Cr. P. C., Security and Bond for Rs. 1,000 for 2 years on 21st July, 1924, by Magistrate, 1st Class, Hissar.</p> <p>3. Under section 379, I. P. C., 1 year's R. I. and Rs. 200 fine in 1926 by Nazim Dadri, Jind State.</p> <p>4. Under section 110, Cr. P. C. Security and Bond for Rs. 500 for 1 year on 30th March, 1930, by Magistrate, 1st Class, Hissar.</p> <p>5. Under section 394, I. P. C., 2 years' R. I. on 20th April, 1932, by Magistrate, 1st Class, Hissar.</p>	<p>1. Suspected in case No. 22, dated 13th June, 1933, under section 379, I. P. C., stealing Bhusa (fodder).</p> <p>2. Suspected in a theft case of 4 buffaloes of village Kairoo, P. S. Toham, on 8th July, 1934.</p> <p>3. Suspected in case No. 3, dated 15th March, 1936, under section 379, I. P. C., stealing of a camel.</p>
5	Bhoora, son of Nishan Ali.	Nagana Khurd.	Under section 457, I. P. C., 2 months' R. I. and Rs. 10 as fine on 22nd August, 1932, by Magistrate, 1st Class, Bhiwani, Hissar.	<p>1. Suspected in case No. 10 under section 379, I. P. C., in a theft of 8 cattle on 6th August, 1934.</p> <p>2. Suspected in case No. 28, dated 7th October, 1935, under section 457, I. P. C., P. S. Bhiwani.</p>
6	Shafia, son of Nishan Ali.	Nagana Khurd.	1. Under section 457, I. P. C., under section 562, Cr. P. C., Security and Bond for Rs. 200 for 3 months on 11th August, 1930, by Magistrate, 1st Class, Hissar.	1. Suspected in case No. 37, dated 13th May, 1932, under section 379, I. P. C., P. S. Toham for stealing one she-camel.

[Minister for Finance.]

Serial No.	Name and parentage.	Residence.	Convictions.	Suspensions.
1	2	3	4	5
6— concl.	Shafia, son of Nishan Ali.	Nagana Khurd.	2. Under section 110, Cr. P. C., Security and Bond for 1 year for Rs. 1,000 or in default 1 year's R. I. on 7th April, 1934, by Magistrate, 1st Class, Hissar.	2. Suspected in case No. 53, dated 29th September, 1932, under section 457, I. P. C., P. S. Tosham, for stealing 1 cow. 3. Suspected in case No. 45, dated 31st October, 1933, under section 379, I. P. C., P. S. Tosham, for stealing Jawar corn. 4. Suspected in the theft of 2 camels in Bikaner State in February, 1936. 5. Suspected in case No. 9, dated 27th April, 1936, under section 379, I. P. C., for stealing a she-camel. 6. Suspected in case No. 35, dated 14th August, 1936, under section 396, I. P. C., P. S. Sadar Bhiwani, for robbery of a camel with murder.
7	Umar, son of Faju.	Nagana Khurd.	1. Under section 457, I. P. C., Rs. 2,000 Security and Bond for 3 months under section 562, Cr. P. C., on 11th August, 1930, by Magistrate, II Class, Bhiwani. 2. Under sections 7/5/18, restricted for two years on 6th July, 1932, by Magistrate, 1st Class, Hissar. 3. Under section 411, I. P. C., on 23rd December, 1931, 1 month's R. I., by Magistrate, II Class, Bhiwani. 4. Under sections 7/5/18, restricted for two years on 28th June, 1927, by Magistrate, 1st Class, Hissar.	1. Suspected in case No. 53, dated 22nd September, 1932, under section 457, I. P. C., P. S. Tosham, for stealing two cows. 2. Suspected in case No. 37, dated 22nd August, 1933, under section 411, I. P. C., P. S. Tosham, receiving a stolen cow. 3. Suspected for theft of two camels from Bikaner State in February, 1936.

APPOINTMENT OF A COMMITTEE FOR AMENDING THE UPPER INDIA
CANAL AND DRAINAGE ACT.

***3640. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Minister of Revenue be pleased to state whether any committee has been appointed in pursuance of the resolution passed by the Punjab Legislative Assembly, on 20th January, 1938, for a committee to be appointed to amend the Upper India Canal and Drainage Act and the rules thereunder; if not, when it is expected to be appointed?

The Honourable Dr. Sir Sundar Singh Majithia : The honourable member is referred to the reply to question No. *3638.¹

FODDER AS TACCAVI LOANS IN BARANI VILLAGES OF HANSI TAHSIL.

***3641. Khan Sahib Chaudhri Sahib Dad Khan :** Will the Honourable Minister of Revenue be pleased to state how many persons have received fodder as taccavi that is being given at present as a measure of relief in the barani villages of the Hansi tahsil and their proportion to the total population of these villages?

Parliamentary Secretary (Raja Ghazanfar Ali Khan): (i) Six thousand four hundred and eighty-two persons up to 8th November, 1938.

(ii) Since the last census the population figure at present could not be definitely ascertained. So no useful purpose would be served in giving their proportion to the total population.

Khan Sahib Chaudhri Sahib Dad Khan : Is it a fact that some villages have received taccavi fodder twice or thrice while other villages have received it only once? If so, what is the reason?

Parliamentary Secretary : I have no knowledge and information about this but if any specific instance will be brought to its notice, the Government will certainly be glad to hold an enquiry.

CANCELLATION OF ARMS LICENCES IN MIANWALI DISTRICT.

***3642. Dr. Sir Gokul Chand Narang :** Will the Honourable Premier be pleased to state—

(a) whether any licences issued under the Arms Act in the district of Mianwali have been cancelled during the year 1938; if so, the grounds for the cancellation of these licences;

(b) how many of the licences cancelled were held by statutory agriculturists and non-agriculturists, respectively?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes. The cancellations were for various reasons, such as the death of the licence holder, the voluntary surrender of a licence, the existence of faction feeling likely to lead to violent crime, undesirable character, physical infirmity and inability to use a fire-arm.

(b) Agriculturists ..	.. 21 licences, covering 25 arms.
Non-agriculturists ..	.. 24 licences, covering the same number of weapons.

RESUMPTION OF LANDS BY GOVERNMENT IN MIANWALI DISTRICT.

***3643. Dr. Sir Gokul Chand Narang :** Will the Honourable Minister of Revenue be pleased to state—

- (a) whether any squares held by the non-agriculturists of the Mianwali district on temporary cultivation have been resumed by the Government; if so, the grounds for the resumption;
- (b) how many squares were given for temporary cultivation to agriculturists and non-agriculturists, respectively, during the year 1938?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : (a) Yes; 32 rectangles held by 12 non-agriculturist grantees on temporary cultivation were resumed during 1938 for various reasons, such as the death of the grantee, failure to file the *patta* for renewal, non-observance of terms of grant, imprisonment of the grantee for 18 months for forging a public document, conviction in a case of assault on a public servant, and the grantee being an outsider and employed in another district as Assistant Superintendent of Jail.

(b) Agriculturists	..	..	..	83 squares.
Non-agriculturists	..	..	..	17 "

Dr. Sir Gokul Chand Narang : Was the person, whose rectangles were forfeited, convicted in a court of law?

Parliamentary Secretary : I have already stated that the reasons for confiscation were various which I have enumerated in detail. If the honourable member wants information about any particular individual, as to why his land was confiscated, I will be able to supply that information if he gives notice for that.

SHORT NOTICE QUESTIONS AND ANSWERS.

PERSONS UNDER CUSTODY IN LAHORE FORT.

Sardar Hari Singh : Will the Honourable Premier be pleased to state the number, names and other particulars of the persons now under custody in the Lahore Fort, under section 2 of the Criminal Law (Amendment) Act?

3 P.M.

The Honourable Major Sir Sikander Hyat-Khan : One. It is not in the public interest to give other details asked for by the honourable member.

Sardar Hari Singh : May I ask whether the relatives or parents of the person now under custody in the Lahore Fort have been informed that he is under the custody of the police?

Mr. Speaker : This does not arise out of the answer given.

Sardar Hari Singh : I am putting the question whether his relatives have been informed.

Mr. Speaker : This question is disallowed.

Sardar Hari Singh : May I take it that Government has not thought it fit to inform the relatives of the person?

Mr. Speaker : I disallow even that question.

Sardar Hari Singh : In what respect would it be against public interest not to give the names of the persons who are under detention now ?

Premier : That question has been answered several times on the floor of the House and I do not want to waste the time of the House by repeating the answer.

IRRIGATION IN DAULATANA AREA.

Sardar Sohan Singh Josh : Will the Honourable Minister of Revenue be pleased to state—

(a) whether it is a fact that the Chief Engineer, Irrigation Branch, Punjab, in his letter No. 3015-West, dated 17th February, 1938, to the Superintending Engineer, Nili Bar Circle, Montgomery, directed him that "in the case of outlets having mixed area, i.e., Daulatana" area and ordinary zamindara area the discharge is to be calculated on the basis of 6.05 cusecs per cent. acres for Daulatana area, and 5.5 cusecs per cent. acres for the remaining area, and Daulatana area will be allowed an increased ~~war~~ in respect of the additional discharge ;

(b) if answer to (a) above be in the affirmative, grounds for the above mentioned preferential treatment in the case of Daulatana area ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : The orders passed were that irrigation may not be reduced by more than 20 per cent. In this connection Daulatana's land was given additional supply. These orders apply to all irrigators as well, i.e., that reduction in irrigation should not be more than 20 per cent.

Sardar Sohan Singh Josh : May I ask as to whether Khan Bahadur Ahmed Yar Khan Khugani made a representation requesting the Government for greater supply of water ?

Parliamentary Secretary : It is usually done on principle and not on any representation.

Sardar Sohan Singh Josh : And is that why the Government refused to accede to his request ?

Sardar Sohan Singh Josh : What is the reason for this preferential treatment in the case of Daulatana area by calculating the discharge on the basis of 6.05 cusecs per thousand acres of that area and 5.5 cusecs per thousand acres in the remaining area ?

Parliamentary Secretary : The reason is this, that instructions were given by the authorities to the effect that water supply should in no case be less than 20 per cent. This arrangement was beneficial to all the zamindars including the Daulatanas whose number may extend to hundreds and thousands.

Diwan Chaman Lal : May I ask my honourable friend whether it is not a fact that the following sentence occurs in the letter written by the Chief Engineer, Irrigation Works, Punjab, Lahore, to the Superintending

[Diwan Chaman Lall.]

Engineer, Nili Bar Circle : " With regard to his petition, dated 14th December, 1937, Khan Bahadur Haji Ahmad Yar Khan Khugani should be informed that no preferential treatment can be given to him nor to anyone else on either Ghulamwah or the Hajiwah distributary." The number of the letter is 3015-West, dated 17th February, 1938. That Daulatanas' outlets *only* should be given a discharge of 6.05 cusecs per 1,000 acres and all other existing A. P. M. outlets should have a discharge of 5.5 cusecs ?

Parliamentary Secretary : Has my honourable friend read the whole of the document of which this question was an extract. If the honourable member will give that letter in original to me and if he wants anything in particular to be enquired into certainly it will be looked into. I may assure my honourable friend that no particular favour has been shown to Daulatana or the Daulatanas.

Diwan Chaman Lall : May I ask my honourable friend to refer to this letter No. 3015-West, dated the 17th February, 1938, which clearly contradicts my honourable friend, wherein it is stated—

The supply of 6.05 cusecs per thousand acres is to be given to Daulatana's area only. In the case of outlets having mixed area i.e., Daulatana's area and ordinary zamindari area, the discharge is to be calculated on the basis of 6.05 cusecs per thousand acres for Daulatana's area and 5.5 cusecs per thousand acres for the remaining area, and Daulatana will be allowed an increased *wari* in respect of the additional discharge.

How does my honourable friend maintain that other zamindars have not been made to suffer ? (Voices : Why this favouritism ?)

Parliamentary Secretary : The water of all irrigators on that canal has been increased : on the other hand, the water which the Daulatanas used to get has been decreased.

Lala Deshbandhu Gupta : Is it not a fact that the Daulatanas have been given preferential treatment ?

Parliamentary Secretary : No.

Lala Deshbandhu Gupta : Then how does the honourable Parliamentary Secretary explain this ? It is clearly stated therein that the Daulatanas are to be given additional *waris* and more cusecs. How does he say that preferential treatment is not given ?

Parliamentary Secretary : It is entirely wrong. As a matter of fact the Daulatanas are getting now much less than what they used to get before.

Diwan Chaman Lall : Is this House to understand that the document from which quotation has been given on the floor of the House is not a correct document ? Does he admit that this document was issued from the Irrigation Department ?

Parliamentary Secretary : It may be correct.

Diwan Chaman Lall : Is it not a fact that it contains the following sentence : " Daulatana will be allowed an increased *wari* in respect of the additional discharge," and in view of that statement does my honourable friend still maintain that he is obtaining less amount of water ?

Parliamentary Secretary : I still maintain that the Daulatanas are getting less than before.

Diwan Chaman Lall : Is it not a fact that under the orders of the Irrigation Department increased amount of water was given to Daulatana and the other zamindars were made to suffer as a result of it?

Parliamentary Secretary : I deny that allegation that other zamindars are suffering. As a matter of fact I have already stated that the zamindars gain because the Canal Department issued orders that the water-supply in that particular canal shall not be reduced by less than 20 per cent. Therefore other irrigators gained and Daulatanas were also included.

Diwan Chaman Lall : May I remind my honourable friend that this is categorically contradicting letter No. 9015-West, dated 17th February, 1938, from the Chief Engineer, Irrigation Works, Punjab, to the Superintending Engineer, Nili Bar Circle, Montgomery, in which he definitely stated that water was to be given to Daulatana's area calculated on the basis of 6.05 cusecs and 5.5 cusecs per thousand acres for the remaining area? How does my honourable friend maintain that he is getting less than other zamindars?

Premier : My honourable friend cannot strengthen his arguments merely by speaking at the top of his voice (*Diwan Chaman Lall :* Nor can you strengthen your reply by evading the question) and that is why I am not trying to emulate my honourable friend opposite. If my honourable friend had carefully followed the answer, he would have understood that there could not be any contradiction between that letter and the reply given for the simple reason that the Daulatanas were getting 7 cusecs before, and now they are only getting 6 cusecs. That is, they are now getting less than they used to get before. I may point out to my honourable friend that other zamindars on that distributary were getting less and they are now getting more and the Daulatanas were getting more but they are now getting less.

Lala Deshbandhu Gupta : So it means that the Daulatanas were getting preferential treatment long before and that preferential treatment is continuing upto to day?

Premier : My honourable friend is not aware that this canal belonged to the Daulatanas before it was taken over by the Government and that is the reason.

Diwan Chaman Lall : Yes, the Government had to pay good price for the purchase of that canal; but is it not a fact that under orders of the Irrigation Department the Daulatanas were getting preferential treatment as compared with other zamindars?

Premier : Government bought that canal on certain conditions after payment of a certain amount but at the same time they were assured that they will get full irrigation in that area.

Diwan Chaman Lall : Is it not a fact that there is no such condition in the purchase?

Premier : That is not a fact.

Diwan Chaman Lall : Is it or is it not a fact that there is a condition in the purchase agreement that the Daulatanas will get preferential treatment as compared with other zamindars? I ask my honourable friend to deny that categorically.

Premier : My honourable friend is trying to be too clever. Let me tell him that there is nothing in that agreement except that the Daulatanas are going to get full irrigation on their lands just on that canal.

Diwan Chaman Lall : Does that mean that other zamindars are not going to get full irrigation?

Premier : I have already told my honourable friend that others are getting more water than they got before.

Diwan Chaman Lall : But that the Daulatanas are getting preferential treatment?

Premier : They are not getting a preferential treatment: as a matter of fact they are getting less water than before.

Diwan Chaman Lall : Is he getting preferential treatment because the honourable member is the Chief Secretary of the Unionist party?

Premier : No.

Sardar Sohan Singh Josh : May I know what is meant by increased *wari*?

Mr. Speaker : A question seeking interpretation is inadmissible.

Sardar Sohan Singh Josh : May I ask how many Daulatanas are there?

Premier : There are two, a big Daulatana and a smaller one (*laughter*).

Lala Deshbandhu Gupta : May I, with your permission, ask one question from the Parliamentary Secretary?

Mr. Speaker : Order, order.

HOURS OF SITTING ON 2ND DECEMBER, 1938.

Premier : Sir, I have to move two formal motions. I warned the House yesterday that it may be necessary to have night sittings with a view to finish the business on the list.

Rai Bahadur Mr. Mukand Lal Puri : On a point of order, Sir. Is it permissible to make such a motion on a day which is allotted for non-official business?

Mr. Speaker : This point has been raised, discussed and settled.

Premier : I move—

That the Assembly do meet to-morrow, the 2nd December 1938, at half past two of the clock P.M. and adjourn at twelve of the clock midnight and that questions be not taken.

Dr. Gopi Chand Bhargava : Before you put the motion, may I make one request and that is that we will take this question after 6-30 P.M. because there might be some discussion on it and it will take away some time from the non-official business?

Premier : No discussion is allowed on this motion.

Mr. Speaker : We shall have to disperse at 6-30.

Dr. Gopi Chand Bhargava : Government business cannot have precedence to-day.

Mr. Speaker : A motion about the hours at which Assembly may meet may be taken on any day. Had it been out of order I would have disallowed it. Such motions can be discussed even on non-official business days. The honourable member is referred to page 695 of May's Parliamentary Practice.

Motion moved is—

That the Assembly do meet to-morrow, the 2nd December, 1938, at half past two of the clock P.M. and adjourn at twelve of the clock midnight and that questions be not taken.

Dr. Gopi Chand Bhargava : Sir, I want to move one amendment to it and that is that question hour should not be taken away because we have not been able to finish the questions and we have reached only up to the questions of 21st and still there are many that are yet to be put. Therefore, the last part of the motion, "that questions be not taken," be deleted. The other observation which I would make is that some time should be given for having our meals, because it is not possible to sit for 10 hours continuously. Even under the Wages Act the hours of work are 8 or 9 and every labourer gets one hour off for lunch. Though the poor labourer cannot get any lunch yet he gets some off-time. Therefore, we should be given some time to have our meals.

Dr. Sir Gokul Chand Narang : May I ask the Honourable Premier whether during his life as a member of this House or the previous Council the House ever sat till midnight or does he think that the Bill that he has now in hand is more important than anything that ever came before the Assembly or the Council or that the Opposition are misbehaving with respect to this Bill or are deliberately wasting the time of the House? He has not stated any reason whatsoever in support of the motion that he has moved. It is a most extraordinary thing. It means that, whereas those gentlemen will have time to go whenever they like, those who have some amendments standing against their names will be tied to the desks here and will not be able to move from this House. Indirectly he means to smoke them out, tire their patience and compel them to give up their opposition. There is no other explanation whatsoever. I would submit that this is most improper on the part of the Premier and he should have had the decency not to move this motion.

Premier : I think no discussion is allowed on this motion. I do not know in what capacity my honourable friend has made that speech when he has no right to make a speech. It is only the Leader of the Opposition who by courtesy is allowed to say something.

Dr. Sir Gokul Chand Narang : Sir, I spoke with your authority. I have some amendments against my name and, therefore, I have every right to object and the Premier has no authority to question your authority or my right.

Premier : The honourable member got up and made a speech while he has no position so far as the Opposition is concerned. The Leader of the Opposition is the only person who, as a matter of courtesy, is allowed this privilege.

Rai Bahadur Mr. Mukand Lal Puri : Where is that?

Premier : It is a Parliamentary convention.

Mr. Speaker : The best course for the Honourable Premier would have been to consult the Leader of the Opposition.

Premier : I have done so. But I should like to meet the two points raised by my honourable friend, the Leader of the Opposition. My honourable friend (Sir Gokul Chand), who butted in between, asked whether there was any convention of the previous House where we sat up to midnight. But he will probably remember that in the previous House it was a diarchical Government and also there was no clear-cut opposition. My honourable friend probably would have in those circumstances supported me instead of opposing. I am merely setting up a convention in order to save the money of the people. I informed the House yesterday that it is costing the province Rs. 4,000 a day and my honourable friends opposite must realise that we should not unnecessarily waste the time of the House. But at the same time I should like to have the fullest possible discussion on this measure and that is why I am, in spite of my other duties, prepared to sit up to midnight, if not longer. Though my honourable friends opposite have not got those duties yet I am prepared to sit the whole night in order to save money and expedite the Government business.

Dr. Sir Gokul Chand Narang : Why not move that so long as this Bill is under consideration, no allowance should be given to the members?

Premier : My honourable friend is a rich person, I dare say that he would probably compensate the Government for taking these days. If he gives me this money, I will take it from him. So far as the suggestion made by my honourable friend, the Leader of the Opposition, is concerned, I again request him that if he can forego the question hour to-morrow, it would not make much difference. There are a lot of questions which cannot possibly come up to-morrow or the day after. But I am prepared to accept that we should not do away with the question hour and we will have the question hour to-morrow.

With regard to meals, I think we had better set up another Parliamentary practice that during meal hour, from 8-15 P.M. to 9 P.M., no count should be called and therefore only two or three members, might watch the proceedings and the rest could go away. That is a Parliamentary practice and it will save the time of the House and it will also expedite business. With regard to the first point, I am prepared to accommodate him, and with regard to his second point, I would ask him not to press it.

An honourable member : What about the quorum?

Mr. Speaker : I will give my ruling on that point when it arises.

Khawaja Ghulam Samad : The Premier has been pleased to take into consideration the amendment moved by the Opposition Leader. My amendment is that one hour for each prayer should be allowed to Muslim members.

Premier : The Muslim members have so far been saying their prayers; they will still be able to say their prayers either in the Lobby or in the Tea Room, if they want it.

Mr. Speaker : Question is—

That the Assembly do meet to-morrow, the 2nd December 1933, at half past two of the clock P.M. and adjourn at twelve of the clock midnight.

The motion was carried.

SITTING OF ASSEMBLY ON 3RD DECEMBER, 1938.

Premier : Sir, my next motion is—

That the Assembly do meet on Saturday, the 3rd December, 1938, at eleven of the clock A.M. and adjourn when the business on the list of business for that day is completed and that questions be not taken on that day.

The business on that day will be the consideration of the Marketing Bill.

Dr. Gopi Chand Bhargava : I would submit that this resolution be taken up to-morrow. We have got very little time before us to-day and our business on the agenda is very heavy and it will take some time to finish it. Therefore I would submit that this motion be deferred till to-morrow.

Diwan Chaman Lall : Might I suggest that the Premier may move this motion to-morrow? There may be a little bit of controversy over the words 'when the business on the list for that day is completed'. I may be in a position to consult the Leader of the Opposition and come to an arrangement with him. So far the Leader of the Opposition has not been aware of the implications of the statement, and, therefore, I suggest that a little more time might be given for consultation and this matter might be brought forward to-morrow.

Premier : I merely wanted to let the members of this House know that this is what is going to happen. That is why I have put forward the motion. The implication is that it is going to be a non-stop business. If we have to go into Sunday, the House will sit on Sunday also.

Diwan Chaman Lall : That is exactly what the Leader of the Opposition did not understand.

Dr. Gopi Chand Bhargava : For the convenience of all members I request the Honourable Premier not to press this resolution to-day. It may mean sitting up to Monday or Tuesday or longer, and it may be impossible to sit so long, but whatever he desires is bound to be accepted because he commands a majority. But I would submit that it would be much better if you give time to those who have got any objection to make, to make those objections to-morrow and not to-day. I leave for Okara at 6-30 P.M. to-day after the day's business is finished. Diwan Chaman Lall will take my place and will possibly place the point of view of the Opposition before the House and there will be some discussion on that question.

Premier : There is no harm if the motion is taken up to-morrow, but there are some members who want to go home and they must know. If the honourable members wish the motion can be taken up at 6-30 to-day.

Mr. Speaker : How can we sit, against the rule, after 6-30 P.M. to-day?

Premier : This is a very formal thing, but some members want to know whether we are going to sit on Saturday and if so, till what time. That is why I have brought forward this motion to-day instead of to-morrow.

Dr. Gopi Chand Bhargava : If they want notice as to our meeting on Saturday, they have already got it.

TENANCY (AMENDMENT) BILL.

Mian Muhammad Iftikhar-ud-Din (Kasur, Muhammadan, Rural) :
I beg to move—

That leave be granted to introduce the Punjab Tenancy (Amendment) Bill.

Mr. Speaker : Motion moved—

That leave be granted to introduce the Punjab Tenancy (Amendment) Bill.

Raja Ghazanfar Ali Khan (Parliamentary Secretary) : I object.

Mian Muhammad Iftikhar-ud-Din : In asking for leave to introduce this Bill, I feel, that I am putting forward for consideration of this House perhaps the most ameliorative measure that has ever been taken up by this Assembly ever since its inception. The attitude of the various sections of this House will prove to the public to what extent the members of the various parties are the well-wishers of the poverty stricken tenants. It is a well-known fact that more than half the population of this province live on agriculture. According to the census of 1911 the profession of 50 per cent. of the population of the province was agriculture. According to the census of 1921 the proportion rose to 60 per cent. After 1931 it has gone up further still. So it is clear that for all practical purposes industrialisation has not yet set in and no profession is open to the people of this province other than that of agriculture. I know that my friends opposite will bring forward the usual argument that this is a province of peasant proprietors and that we have no big landlords here. Might I point out that 8 per cent. of the owners of this province among themselves own 50 per cent. of the cultivated land? Or to put it differently 15 per cent. of the owners own between themselves 60 per cent. of the total land under cultivation. Under these circumstances it is obvious that the argument that this province is one of peasant proprietors and that there are no big landlords is entirely baseless. Again, to prove that the number of tenants as against peasant proprietors is very considerable, we have only to look at the figures of the last two censuses. We can even go back so far as 1892 and shall arrive at the same conclusion. We know that 40 per cent. of the total cultivated land of this province in 1892 was cultivated by tenants. Now the total land cultivated by tenants is 48 per cent. plus 9 per cent. land cultivated by occupancy tenants. It is clear then that more than half the cultivated land of this province is cultivated by tenants.

As regards the economic position of the tenants as against the landlords, we have only to remember that according to Government enquiries made not very long ago in Lyallpur in an average farm of 27 acres, in one year Rs. 400 went to the pockets of the landlords, and only one-eighth or Rs. 50 went to the tenant, who on an average had three adult members of his family working on the farm. Again in the same district on an average farm of 800 acres, out of 37 tenants 11 tenants actually did not receive a pie's profit in the entire year. They did not get even the ordinary labourer's wages. It is well-known that the yearly income of a tenant in this province is not more than nine pies per day. Under these circumstances I am sure that the kind-hearted 'friends' of the rural masses sitting opposite will now come to the aid of the unfortunate tenant. I have asked for leave to move this measure with optimism. After all it is not a very drastic measure. I feel that with a little sincerity and selfless attitude on their side the

suggestions I make in the Bill should be acceptable to them. The Bill proposes that anybody who has been cultivating land continuously for six years prior to October, 1938, should be deemed to have acquired the rights of an occupancy tenant. Secondly, no landlord is to receive more than half the share of the total produce. Thirdly, abiana and land revenue should be paid by the landlord. I know that my friends opposite will bring the argument that abiana is not a tax, and is a payment made for services rendered. I must bring to the notice of this House that the Irrigation Department is yielding 12 per cent. profit. If the high salaries of the officials of this department are brought down to the level of such officials in other countries, I am sure that this profit will go even higher, perhaps up to 20 per cent. In no circumstances should a reasonable Government be allowed to get more than 4 or 5 per cent. profit on the investments that it may make for the benefit of the people. So the argument that abiana is not a tax but a payment made for services rendered does not hold good. Fourthly, we all know, all sorts of dues are charged by landlords in this province apart from the ordinary share of the produce. There is the *malikana* and there are innumerable other dues, some of which exist only in one village and are not known to anybody outside. All such dues should be abolished.

Lastly, I have suggested that the term of tenancy should not be less than four years, unless, of course, the tenant fails to pay rent or fails without any sufficient cause to cultivate the land. I am sure that this Bill which, as I have already said, is not a very drastic measure, will meet with approval from the opposite benches and if my friends opposite remember what the late Sir Fazl-i-Husain, the founder of Unionist party once said—I think it was in his inaugural speech of the Unionist party three years ago—a concession by landlords in this respect would be a good investment on their part for the safety of their properties and incomes. One of the arguments of the ministerial party will be that they have no time and that, as they always say on such occasions, the matter is receiving their consideration, and that a committee will be appointed. As far as this Bill is concerned, it concerns more than one-fourth of the population of this province, a section which is the poorest and most miserable. I am sure that we can set aside other measures and take up this Bill even if we have to prolong this session. If my honourable friends opposite are afraid of 'wasting public money' by extending the session I say that on a measure like this we, at any rate, on this side of the House are prepared to sit longer without accepting any payment. (*Hear, hear.*) With these words I beg leave to move this Bill.

Parliamentary Secretary (Raja Ghazanfar Ali Khan): Sir, the reasons for my opposing this Bill at the introduction stage are not merely that the Bill has been moved from a member of the Opposition, although that itself it will be a great temptation looking at the large number of these Bills which the Opposition insists on introducing, although it should be the primary function of the Government to bring in such legislation.

Diwan Chaman Lall: If the Government is bankrupt in ideas, what is to be done?

Raja Ghazanfar Ali Khan: The reasons for opposing this Bill at this stage are that the main provisions of the Bill are positively obnoxious and fundamentally bad. If honourable members sitting here will carefully

[Raja Ghazanfar Ali Khan.]

read the provisions of the Bill they will find that it lays down that a tenant who has been tilling a particular land for six years, say prior to October, 1938, will acquire the rights of an occupancy tenant. Now, Sir, giving preference to one set of people over others without any justification and without any reasons seems to be highly unfair. If this Bill is passed, the result would be that those tenants, whether good or bad, who just by chance are found to be tilling a particular land for the previous six years, will become permanent. The Bill does not contain any provision as to how other people who have been tilling land preceding October, 1938, can acquire permanency. Therefore, the very principle upon which this Bill is based is entirely wrong and harmful to the interests of the tenants themselves.

Diwan Chaman Lall : You can include such cases.

Raja Ghazanfar Ali Khan : It is not necessary at this stage to discuss the details of the Bill. But on an examination of the main principle upon which this Bill is based I have proved to honourable members that it is entirely wrong and it is not in the interests of anybody much less the tenants themselves. (*Hear, hear.*) The zamindars of the Punjab, although handicapped, seem to possess abundance of common sense. At least they are wise enough to distinguish between a friend and a foe. (*Hear, hear.*) They can also distinguish whether there is a genuine desire to help them or not.

Mr. Speaker : That is not one of the principles of the Bill.

Raja Ghazanfar Ali Khan : The honourable member who moved the Bill devoted most of his time in trying to show what he and his party did.

Mr. Speaker : He ought not to have done so.

Raja Ghazanfar Ali Khan : Thank you very much.

Premier : I think that portion must be expunged from the debates as well as from the newspaper reports.

Raja Ghazanfar Ali Khan : What I submit is that so far as the rights of tenants and landlords are concerned, the Government are definitely of opinion that it is a very delicate matter. It requires a good deal of consideration before any legislation can be brought forward which would not upset the present relations which I am glad to say are happier in the Punjab than in any other province in India (*hear, hear*) because whatever legal authorities my honourable friend may quote, honourable members of this House know that so far as the problem of big landlords is concerned it nowhere exists in this province.

Premier : Except perhaps in the case of Mian Iftikhar-ud-Din himself.

Raja Ghazanfar Ali Khan : So far as the sympathy of the Government for the tenants is concerned, there are a number of channels in which it has been shown. The House knows the steps which the Government took with a view to relieve the poverty stricken tenants in the Nili Bar. It is hardly six months since we have given relief to the extent of 19½ lakhs in that colony.

Diwan Chaman Lall : What has that to do with the Bill?

Raja Ghazanfar Ali Khan : It is a Bill to give relief to the tenants. The object of this Bill is to provide relief to the tenants and I am trying to prove that this Bill does not give any relief and, if I am opposing it, it is not because Government are not lacking in their anxiety to help the tenants but the Government have done and are doing all that is reasonable and fair to help the tenant classes. I would not go into details but let me assure the honourable members here that the Government do realise that some sort of legislation should be brought which should give some relief to the tenants and the Government have already under consideration the question of bringing forward legislation on the lines. (*Hear, hear.*) We are also aware of the fact that the landlords in the Punjab are quite conscious of the appeal which has been made to them by the Honourable Premier in his vast tours in the province saying that the landlords should realise that the times are changing, they should also realise that their future welfare, their betterment, lies in keeping the tenants content and happy. Therefore, the Government will bring forward such legislation which would help to restore and maintain the very happy relations which I am glad to say exist in the Punjab at the present day.

Mr. Speaker : The question is—

That leave be granted to introduce the Punjab Tenancy (Amendment) Bill.

The Assembly divided : Ayes 47, Noes. 84.

AYES.

Ajit Singh, Sardar.
Baldev Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhagat Ram Sharma, Pandit.
Bhim Sen Sachar, Lala.
Binda Saran, Rai Bahadur.
Chaman Lall, Diwan.
Chanan Singh, Sardar.
Deshbandhu Gupta, Lala.
Dev Raj Sethi, Mr.
Duni Chand, Lala.
Duni Chand, Mrs.
Faqir Chand, Chaudhri.
Girdhari Das, Mahant.
Gopal Das, Rai Bahadur Lala.
Gopi Chand Bhargava, Dr.
Hari Singh, Sardar.
Harjab Singh, Sardar.
Harnam Das, Lala.
Jugal Kishore, Chaudhri.
Kabul Singh, Master.
Kapoor Singh, Sardar.
Kartar Singh, Chaudhri.
Kartar Singh, Sardar.

Kishan Singh, Sardar.
Krishna Gopal Dutt, Chaudhri.
Lal Singh, Sardar.
Muhammad Alam, Dr. Shaikh.
Muhammad Hassan, Chaudhri.
Muhammad Iftikhar-ud-Din, Mian.
Mula Singh, Sardar.
Muni Lal Kalia, Pandit.
Partab Singh, Sardar.
Prem Singh, Chaudhri.
Prem Singh, Mahant.
Raghubir Kaur, Shrimati.
Rur Singh, Sardar.
Sahib Ram, Chaudhri.
Sampuran Singh, Sardar.
Santokh Singh, Sardar Sahib
Sardar.
Sant Ram Seth, Dr.
Satya Pal, Dr.
Shri Ram Sharma, Pandit.
Sita Ram, Lala.
Sohan Singh, Josh, Sardar.
Sudarshan, Seth.
Uttam Singh Dugal, Sardar.

NOES.

Abdul Hamid Khan, Sufi.
 Abdul Haye, The Honourable Mian.
 Abdul Rahim, Chaudhri (Gurgaon).
 Afzaalali Hasnie, Sayed.
 Ahmad Yar Khan, Chaudhri.
 Akbar Ali, Pir.
 Ali Akbar, Chaudhri.
 Allah Bakhsh Khan, Khan Bahadur
 Nawab Malik.
 Amjad Ali Shah, Sayed.
 Ashiq Hussain, Captain.
 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.
 Farman Ali Khan, Subedar-Major
 Raja.
 Fateh Jang Singh, 2nd-Lieut. Bhai.
 Fateh Khan, Khan Sahib Raja.
 Fateh Muhammad, Mian.
 Fazl Ali, Khan Bahadur Nawab
 Chaudhri.
 Fazal Din, Khan Sahib Chaudhri.
 Ghazanfer Ali Khan, Raja.
 Ghulam Rasul, Chaudhri.
 Ghulam Samad, Khawaja.
 Gopal Singh (American), Sardar.
 Gurbachan Singh, Sardar Sahib
 Sardar.
 Habib Ullah Khan, Malik.
 Haibat Khan Dahi, Khan.
 Hans Raj, Bhagat.
 Hari Chand, Rai.
 Harnam Singh, Captain Sodhi.
 Het Ram, Rai Sahib Chaudhri.
 Jafar Ali Khan, M.
 Jagjit Singh Man, Sardar.
 Jogindar Singh Man, Sardar.
 Karamat Ali, Shaikh.
 Khizar Hayat Khan Tiwana, The
 Honourable Nawabzada Major.
 Kishan Das, Seth.
 Manohar Lal, The Honourable Mr.

Mubarak Ali Shah, Sayed.
 Muhammad Akram Khan, Khan
 Bahadur Raja.
 Muhammad Amin, Khan Sahib
 Sheikh.
 Muhammad Azam Khan, Sardar.
 Muhammad Faiyaz Ali Khan,
 Nawabzada.
 Muhammad Hassan Khan Gurehani,
 Khan Bahadur Sardar.
 Muhammad Hayat Khan Noon,
 Nawab Malik Sir.
 Muhammad Hussain, Chaudhri.
 Muhammad Nawaz Khan, Major
 Sardar.
 Muhammad Nurullah, Mian.
 Muhammad Saadat Ali Khan, Khan
 Sahib Khan.
 Muhammad Sadiq, Shaikh.
 Muhammad Sarfaraz Khan, Chau-
 dhri.
 Muhammad Shafi Ali Khan, Khan
 Sahib Chaudhri.
 Muhammad Wilayat Hussain Jeelani,
 Makhdumzada Haji Sayed.
 Muhammad Yasin Khan, Chaudhri.
 Muhammad Yusuf Khan, Khan.
 Mushtaq Ahmad Gurmani, Khan
 Bahadur Mian.
 Muzaffar Khan, Khan Bahadur
 Nawab.
 Nasir-ud-Din, Chaudhri.
 Nasrullah Khan, Rana.
 Naunihal Singh Mann, Lieutenant
 Sardar.
 Pir Muhammad, Khan Sahib Chau-
 dhri.
 Pritam Singh Siddhu, Sardar.
 Ram Sarup, Chaudhri.
 Ranpat Singh, Chaudhri.
 Rashida Latif Baji, Begum.
 Ripudaman Singh, Thakur.
 Roberts, Sir William.
 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.	Sumer Singh, Chaudhri.
Sikander Hyat-Khan, The Honourable Major Sir.	Talib Hussain Khan, Khan.
Sohan Lal, Rai Sahib Lala.	Tara Singh, Sardar.
Sultan Mahmood Hotiana, Mian.	Tikka Ram, Chaudhri.
	Ujjal Singh, Sardar Bahadur Sardar.

JHATKA MEAT BILL.

Sardar Partab Singh : I beg to move—

4 P.M.

That leave be granted to introduce the Punjab Jhatka Meat Bill.

Mr. Speaker : Motion moved—

That leave be granted to introduce the Punjab Jhatka Meat Bill.

Syed Amjad Ali Shah : I oppose this motion.

Sardar Partab Singh (Amritsar South, Sikh, Rural) (*Punjabi*) : Before I proceed with my speech I would like to submit that the Honourable Premier and his party who are surely going to oppose this Bill should give up their usual habit of making a jhatka of every measure that is brought forward by this side of the House. Sometimes they should make a healthy departure from their usual course by committing such non-official Bills to select committees.

I may point out at the very outset that I am moving this Bill in the capacity of a nationalist or a Punjabi rather than that of a Sikh. I as a true Indian or a Punjabi intend to bring forward a measure by means of which the existing discriminatory restrictions against jhatka meat are sought to be removed. In our advanced time it looks almost absurd for any Government worth the name to make any discrimination between the halal meat and the jhatka meat. If we were to study the History of the modern Europe we are sure to find that in every country such discriminations have become a thing of the past, and nobody is prepared to accord a special preference to one minority over the other in matters of eating and methods of killing. To them such matters are trivial. They do not interfere with the injunctions of any religion. But it is a great pity that in a province like the Punjab which is justly considered a cosmopolitan province, even in these days of the 20th century, we find that the Muslims are at liberty to prepare or use halal meat freely and openly whereas the Sikhs who are enjoined by their religion to use only jhatka meat are forbidden by law or by rules of the Government or by executive authority to do so.

Still, the enactment of such a measure as this is absolutely essential for promoting the communal harmony and good will in the province. Its importance is still increased considerably when we find that the question of the religion of a certain community is involved therein. It is a matter of regret that the Muslims are free to use and prepare halal meat wherever and whenever they like, but under the same regime and within the same province the Sikhs are not allowed the same freedom in the matter of preparing, using and selling jhatka meat at public places and Government institutions. (*Interruptions*).

I would request the Honourable Premier not to bring in the question of pork and beef while discussing this measure. This question might be discussed when it comes at its proper time. At present only the question of

[S. Partab Singh.]

jhatka meat is before us which is not as controversial as the question of pork and beef. The jhatka and halal meat should be treated and discussed alike. The principle underlying the halal meat for the Muslims is the same as the principle underlying the jhatka meat for the Sikhs. But the muslim community is in a privileged position while the Sikh community is denied that privilege. I fail to understand the reason why such a differential treatment is being meted out to these communities. It is almost anomalous that the Muslims are free to kill a goat or a hen by way of halal but a Sikh is not allowed to kill the same animal by way of jhatka at public places. This discrimination is absolutely unjust and arbitrary. The Government would be well advised not to deprive the Sikh community of its elementary and fundamental rights by turning down this measure. I hang my head in grief and shame when I see that in the Sheikhpura district some seven men lost their precious lives on this question of jhatka and halal. I would request the honourable Sir Sikandar Hyat-Khan not to forget those utterances which are frequently made by his political leader, Mr. Jinnah, that he and his party represent a notable stand for the safeguard of the interests of the minority communities. In view of the over-whelming majority of the Muslims in the province the Sikh community represents a hopeless minority. So it is incumbent on the Government not to take away the legal safeguard which is vital to the protection of the civil liberties and fundamental rights of the Sikhs. I do hope that all those Sikh members of the House who are at present adorning the treasury benches will bring pressure to bear upon the Government for the acceptance of this inoffensive measure. I may assure the Muslim members of the House that we do not intend to interfere with their established rights and it is not our object at all to do any harm to their interests. What we demand is justice. I request the Government to remove all disabilities and restrictions imposed at present on the use of the jhatka meat and bring it to an equal footing with halal meat. I hope and trust that all those Sikh members who are sitting on the ministerial benches would go to the lobby with us and vote in favour of the Bill, and if, even then, the Government refuses to accede to our joint request and demand they should leave the treasury benches and come over this side of the House by way of protest.

I know, Sir, that the Honourable Premier is going to state that he is prepared to act in accordance with the recommendations made by the Unity Conference. But my submission is that the Government should accept the principle underlying the Bill on the basis of justice and equity, and after this it is at liberty to amend, modify or alter the clauses of the Bill after a thorough discussion and understanding of the matter. I expect the Honourable Premier to provide sufficient proof to the effect that being a premier he, in the matter of religion, does not allow any preferential treatment to be meted out to any particular community in the province. Sir, I am badly missing the Honourable Sir Sundar Singh on the treasury benches to-day. He has been constantly preaching in favour of jhatka meat for the last 40 years but to-day, when the real time has come for doing any good, he is not present in the House.

Premier : He is not well as he is suffering from a foot sore. He has been admitted into hospital for getting his foot examined by X-ray.

To-day, in spite of his illness he wanted to attend the proceedings of the House but was not allowed to do so.

Sardar Partab Singh : I would request the Sikh members over there to pluck courage and boldly vote in favour of the Bill. I would also make a request to the Government that it should not make a jhatka of the jhatka Bill. With these words, Sir, I commend my motion for acceptance by the House.

Premier (The Honourable Major Sir Sikander Hyat-Khan) (*Urdu*) : I have been asked to address the House in Urdu so that every honourable member may be able to follow what I am going to say. I should like my honourable friend, Sardar Sohan Singh Josh to move a bit that way so that I may be able to look straight into the eyes of my honourable friend, Sardar Patrab Singh, while I speak. (*Laughter*) I congratulate him for his courage in sponsoring a Bill which can be looked upon as a communal measure. Some people will certainly have doubts that it is not so. I have to admire him for his courage for having brought forward a Bill of this type because he, as a matter of principle, does not believe in communalism. He will abhor everything savouring of communalism. I wonder how his friend, Sardar Sohan Singh, let him move such a Bill, as I think both these gentlemen are so very liberal minded that they make no distinction between halal and jhatka. (*An Honourable member* : It is you who make such distinction). I really admire their straightforwardness for having brought forward this Bill in spite of the fact that they do not make much distinction between jhatka and halal. I have nothing but praise for his sentiments when he has said that he wishes to make this province a cosmopolitan province and that he is in favour of giving freedom to the people belonging to every religion to take whatever food they like. I welcome such sentiments. I again congratulate him for having such liberal views. I agree with him that people having their allegiance with any religion should be free to use whatever food they like and in whatever way they choose. There should be no restrictions in this behalf. And if my honourable friend, Sardar Partab Singh, is actuated by the desire to do away with all restrictions like this, I congratulate him. Nobody who has any sense of justice or who has a grain of commonsense, will disagree with this principle. So far as the acceptance of this principle is concerned, my friend and I are in perfect agreement. I am sure my honourable friend, Sardar Sohan Singh Josh, is liberal minded enough not to make much distinction between jhatka and halal although I am not so sure about my honourable friend, Sardar Hari Singh. (*An Honourable Member* : Surely you too do not make much distinction between jhatka and halal.) No, I strictly adhere to halal.

Mr. Speaker : Please do not interrupt.

Lala Deshbandhu Gupta : It is the Premier who is making personal remarks against some honourable members of this side.

Mr. Speaker : If he names any person, I shall stop him.

Lala Deshbandhu Gupta : He has openly stated that certain Sikh members of this House do not make any distinction between halal and Jhatka.

Mr. Speaker : If the honourable member means that he was personal in any way and attacked any honourable member, I will request him to withdraw. I would request the Honourable Premier not to name anybody.

Premier : Sir, if my honourable friends listen to my speech calmly, it will be very good. I wonder why my honourable friend, Lala Deshbandhu Gupta, feels perturbed. This seems to be the case of *muddai* being *sust* and the *gawak* being *chust*. My honourable friends to whom I referred have raised no objection.

Lala Deshbandhu Gupta : They have objected but you have not heard them.

Mr. Speaker : If anybody made a remark about a certain person but the person concerned did not hear, it is not for the honourable member to convey it to him.

Lala Deshbandhu Gupta : I do not challenge your ruling but the Premier has mentioned my name particularly and has remarked that I was defending my colleagues unnecessarily, this is why I was replying to him.

Premier : My honourable friends are perfectly capable of defending themselves without your help. I am almost certain.

I was saying that so far as the principle is concerned there is no difference of opinion between my honourable friend and myself. I am sure that he has not introduced this Bill on account of some political expediency. He only has given proof of his liberal-mindedness. If he has these views, I am perfectly willing to work hand in hand with him in furtherance of the object underlying this Bill. I hope when I take steps to promote liberal-mindedness in the province my friend will not only work shoulder to shoulder with me but will go ahead of me. Then and only then will all those bickerings and quarrels be exterminated in this province which he is so anxious to end once for all. Furthermore, he has referred to the Honourable Sardar Sir Sundar Singh Majithia as having spent forty years in preaching the use of jhatka by Sikhs. Then, my honourable friend has asked why Sir Sundar Singh Majithia has absented himself from the House to-day. I may tell him that he is ill. He wanted to come here to-day but the doctor and I dissuaded him from coming when he was not well. (*An honourable member :* Perhaps you are the doctor in question.) My friend is in the habit of making generalisations. He judges others by his own standards. I may assure the honourable member that Sir Sundar Singh Majithia has not only been preaching in favour of jhatka, but his party, the Khalsa National Party, has been pressing on the present Government, ever since it came into being, to remove all restrictions obtaining in the province against the free use of jhatka. During the last Simla Session a deputation consisting of the members of Khalsa National Party met me and pressed for the removal of the restrictions against jhatka in certain places. I told them that some mischief mongers were responsible for creating difficulties in the way of a settlement of this question. The man in the street really was not creating any trouble over the jhatka-halal question.

Then, I assured my honourable friend, Sardar Partab Singh that there was no need of his bringing forward such a legislation. I am always prepared to remove any restrictions which are operating against the free use of jhatka. I purposely refrained from introducing that Bill lest the honourable members belonging to the Akali group of the Opposition should take it into their head to oppose the measure simply on the score of its being sponsored by the Khalsa Nationalist Party occupying the ministerial benches. That is what prevented me from bringing the proposed measure before the House. But now that it has been brought forward by the Opposition itself I am right glad to welcome the principle of the Bill. Let no one cherish any false hope or illusion that the Akali group would be in any way able to embarrass the honourable members belonging to the Khalsa Nationalist Party. There is absolutely no question of embarrassing anybody sitting on the ministerial benches. On the other hand all of us are prepared to make a ready response to the principle of the Bill. But let me hasten to remove a misunderstanding on the part of the Opposition. They want to refer the Bill to the select committee. But I fail to see the object of this motion. Why should they like to refer it to the select committee?

After all what is the aim of this Bill? Do my honourable friends opposite believe that there are some statutory restrictions against jhatka which they are so anxious to remove through legislation? If so, I may inform them that they are sadly mistaken. There is absolutely no legal restriction placed on jhatka. No law or Act in force in this province forbids the preparation or use of jhatka.

Sardar Kapoor Singh : Then, it is you who place restriction in our way!

Premier : My honourable friend who seems to be so restive ought to realise that so far as the new constitution is concerned, I am only two years of age while my honourable friend must be in his fifties or thereabout and yet he could never take the courage to propose this Bill for so many years in the past!

Sardar Kapoor Singh : It was the British rule then.

Premier : That is it. You were afraid of the British. (*Loud cheers and interruption*). Again, my honourable friends opposite might retort that the British used to act on the notorious policy of 'divide and rule'. They would accuse the British officers for creating bad blood among the various communities of the province.

Dr. Gopi Chand Bhargava : It is the same even now.

Premier : Alas, you are still obsessed with the fear of the British. How long this inferiority complex of yours will last?

Sir, I was submitting that there was no need of any Bill of this nature. All that is needed, is a change of heart. Does it stand to reason that we should bring forward Bills for all sorts of domestic and personal matters? Can we not settle these petty affairs between ourselves? If this Bill is allowed to-day, a number of similar measures may be introduced to-morrow in order to regulate our dresses even as you want to regulate our meals through this Bill. An honourable member may get up to-morrow that every one residing in the Punjab should be compelled by law to wear a special

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uniform, say an 'achkan' or 'Pyjama' or a 'dhoti'. I am confident no person with even a grain of common-sense would ever be a party to such legislation as is bound to crop up if we allow this Bill to-day. Do you want civil liberty or do you wish every one to be in chains? I hope the sponsor of this Bill will himself realise that this is not a fit subject for legislation. But, if he still persists, may I enquire what special handicaps or legal restrictions he seeks to remove? All I know about it is, that in certain institutions like the boarding houses and police lines there do exist some practical difficulties and the reasons for these are two-fold. First, jhatka is sometimes not allowed in some of these institutions lest communal conflict should occur. Secondly, a separate kitchen cannot be had. In face of these two reasons, do my honourable friends of the Opposition desire that jhatka should be freely used in a common kitchen where Hindus, Sikhs and Muslims have to dine? I am afraid I cannot call this a fair demand at all. If you want liberty for yourself, please also show readiness to allow the same liberty to all communities in the matter of using all kinds of meat and other diets. Our policy in this behalf has hitherto been to place no restrictions in the way of any community except where some restrictions already exist. We are pledged to maintaining *status quo* in such matters lest some disorder should occur. But let me assure my honourable friends that wherever such restrictions exist, they are the direct result of the peculiar circumstance of that place and not due to some whim of the Government. Whenever any person seeks to disturb the *status quo* in any place, we see to it, as you might remember we did recently at Sialkot when fresh restrictions were sought to be placed in a boarding house and the Government proceeded to enquire into the matter as soon as they received information and got the matter settled through a compromise. That is our way of doing things. We are trying to maintain *status quo* and do not like to allow any innovation in this connection.

I, for one, have absolutely no objection to Sikhs preparing and using jhatka and I may go a step further and assure my honourable friends of the Opposition that even the Muslim Members of the House will have no objection to this, provided you allow the Muslims the same kind of religious liberty concerning diet as you seek for yourself. Come up with an open and clear mind and remove all the restrictions that are placed against the Muslim religious susceptibilities. This done, no one will ever dream of objecting to jhatka in this province. Leaving the religious aspect apart, I would say that if I am a vegetarian, I should not be compelled to eat meat. I want such freedom in the Punjab. Let all communities have this liberty.

Chaudhri Kartar Singh : Come up with a Bill of that nature.

Premier : What is wanted is not a Bill but a 'Dill', a clear mind. I am sorry to notice the mentality of my honourable friend opposite inasmuch as he demands a Bill for even petty domestic matters like eating and clothing. I had too high an opinion of the Opposition and I am sorry to be disillusioned in this regard. To-morrow my honourable friend would require a Bill to legislate what kind of food should be prepared in their homes. I would never like to be a party to that kind of legislation. Change of heart can secure all that my worthy friends desire to achieve through

legislation. I venture to observe that if they bring a clear mind like mine to bear upon this problem, all difficulties would be solved in no time. Is it too much to expect that whereas they seek liberty for themselves, they would also readily agree to allow the same liberty to others? (*Shaikh Muhammad Sadiq*: A comprehensive and unanimous measure should be brought in). I am very sorry that my honourable friend, a legal luminary of Amritsar, should have made such a demand. (*Diwan Chaman Lall*: No body demands a Bill) (*Dr. Sir Gokul Chand Narang*: He did not say Bill; he said 'dill') I see. That is all right.

Sir I was submitting that I welcome the idea of my honourable friend Sardar Partab Singh's having brought forward this Bill. But may I respectfully enquire from him to as to how this measure will actually work in the day to-day life of the province? I am afraid it will create more difficulties than it seeks to solve. In fact there are no legal restrictions as I have already explained in this behalf. What little handicaps there are, can be at once removed with one stroke of the pen, that is, through an executive order of the Government. No fresh legislation is needed. (*Mian Muhammad Iftikhar-ud-Din*: What are the restrictions existing?) (*Interruption*).

Lala Deshbandhu Gupta: There must be some time limit.

Mr. Speaker: The Honourable Premier has spoken for a long time. So, I request him to be brief if possible.

Premier: Sir, as soon as I finish one point, they interrupt me and my line of argument is broken. If you kindly allow me to read only one clause 2 (b) of the proposed Bill to show the kind of legislation sought to be introduced to-day—

Lala Muni Lal Kalra: On a point of order, Sir. Can clauses be discussed at this stage?

Mr. Speaker: No; only general principles can be discussed.

Premier: It is only the general character of the Bill that I want to bring to light by reading this clause. I would like to invite the attention of my honourable friends over there to the definition of the words "public place" as it is given in this Bill. (*Interruption*). Please hear, do not be too impatient. The definition of "public place" runs as follows:—

- (b) "Public place" means a space which is open to use or enjoyment of the public, whether or not a private property, and shall include any bazar, or lane, street, alley, sarai, or any place set apart for holding any fair, festival or public show in every village or town.

If Government grants full freedom both in case of jhatka and halal meat in a sacred place, do you think that bloodshed shall not take place on a very large scale?

Sardar Lal Singh: No harm if we are not fickle minded.

Premier: But that is the difficulty. The proposition laid in this Bill is very dangerous. I think we need not enter into the merits of this Bill. The resolution which was unanimously passed by the Unity Conference on this subject would meet the wishes of all concerned. It was not given effect to for I thought it inadvisable to proceed with it without your consultation. I was also afraid lest it should be opposed on political or

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semi-political reasons. Among other resolutions the following resolution was adopted by the Unity Conference :

No restriction shall be imposed on the right of any community to slaughter or sacrifice any animal in any manner or to sell the meat of such animal provided that :—

- (a) where restrictions now exist on the slaughter or manner of slaughter (including halal and jhatka) of any animal, such slaughter shall be only permissible in a slaughter house provided for the purpose or an enclosed place not open to public view ;
- (b) the sale of meat (cooked or raw) shall be allowed only in premises specially licensed for the purpose with due regard to the reasonable susceptibilities of the residents of the locality concerned.

This resolution was unanimously adopted after careful consideration. It is based on the same principle which this Bill seeks to establish. Let me tell my honourable friends that if you agree to this the Government will be prepared to promulgate it.

Diwan Chaman Lal : Is it not a fact that the resolution came up before the sub-committee and not before the general body ?

Premier : It was a unanimous resolution of the sub-committee passed by a meeting of the sub-committee after due consideration. It covers the whole ground. No legislation is needed. We have simply to lay down a policy. As soon as you ratify this resolution it can be given effect to by one stroke of pen. But still there will be two things to be taken into consideration. First, the case of towns and cities where sanitary considerations would require some restrictions to be imposed. Secondly, in places where there will be an apprehension of the breach of the peace, we will have to maintain law and order. Both these will be executive functions. If this House desires that some time should be given for considering this resolution, I am prepared to provide time for it. With these words I would request the honourable mover not to press it for there is no need for any legislation on the subject.

Lt. Sardar Naunihal Singh Mann : May I ask one question. The honourable member has stated that he is prepared to bring this resolution on a Government day, and if that is acceptable to the House he is prepared to bring it in the form of law. May I know how long it will take him to bring this resolution before the House ?

Mr. Speaker : That matter is not under discussion.

2nd.-Lieut. Bhai [Fatehjang Singh : I should like to ask one question.

Dr. Gopi Chand Bhargava : On a point of order. No questions can be asked at this stage because it takes away a lot of our time.

Mr. Speaker : I would like to know what the question of the honourable member is.

Diwan Chaman Lal : No questions can arise at this stage. Only a point of order can be raised at present, if at all.

Mr. Speaker : A point of order can be raised at any stage. If any honourable member wants to ask a question, he can do so through the chair. But the gentleman to whom the question is addressed may or may not answer it.

Diwan Chaman Lall : In the course of my honourable friend's speech nobody interrupted to put questions to him. But now the stage of putting questions is past. At this stage a series of interrogatories cannot be allowed.

2nd.-Lieut. Bhai Fatehjang Singh : I want to ask the Premier whether the resolution of the Unity Conference will apply to Government institutions.

Mr. Speaker : That subject is not under discussion now.

Mr. Speaker : The question is—

That leave be granted to introduce the Punjab Jhatka Meat Bill.

The Assembly divided : Ayes 53 ; Noes 79.

AYES.

Ajit Singh, Sardar.
Baldev Singh, Sardar.
Balwant Singh, Sardar.
Bhagat Ram Choda, Lala.
Bhagat Ram Sharma, Pandit.
Bhim Sen Sachar, Lala.
Binda Saran, Rai Bahadur.
Chaman Lall, Diwan.
Chanan Singh, Sardar.
Deshbandhu Gupta, Lala.
Dev Raj Sethi, Mr.
Duni Chand, Lala.
Duni Chand, Mrs.
Faqir Chand, Chaudhri.
Fateh Jang Singh, 2nd Lieutenant
Bhai.
Gopal Das, Rai Bahadur, Lala.
Gopi Chand Bhargava, Dr.
Gurbachan Singh, Sardar Sahib Sar-
dar.
Hari Singh, Sardar.
Harjab Singh, Sardar.
Harnam Das, Lala.
Harnam Singh, Captain Sodhi.
Jagjit Singh Bedi, Tikka.
Jagjit Singh Man, Sardar.
Jogindar Singh Man, Sardar.
Jugal Kishore, Chaudhri.

Kabul Singh, Master.
Kapoor Singh, Sardar.
Kartar Singh, Chaudhri.
Kartar Singh, Sardar.
Kishan Singh, Sardar.
Krishna Gopal Dutt, Chaudhri.
Lal Singh, Sardar.
Muhammad Iftikhar-ud-Din, Mian.
Mula Singh, Sardar.
Muni Lal Kalia, Pandit.
Naunihal Singh Mann, Lieutenant
Sardar.
Partab Singh, Sardar.
Prem Singh, Mahant.
Pritam Singh Siddhu, Sardar.
Raghubir Kaur, Shrimati.
Rur Singh, Sardar.
Sahib Ram, Chaudhri.
Sampuran Singh, Sardar.
Santokh Singh, Sardar Sahib Sardar.
Sant Ram Seth, Dr.
Satya Pal, Dr.
Shri Ram Sharma, Pandit.
Sita Ram, Lala.
Sohan Singh Josh, Sardar.
Sudarshan, Seth.
Tara Singh, Sardar.
Uttam Singh Dugal, 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.
Akber Ali, Pir.
Ali Akbar, Chaudhri.
Allah Bakhsh Khan, Khan Bahadur
Nawab Malik.
Amjad Ali Shah, Sayed.
Ashiq Hussain, Captain.
Badar Mohy-ud-Din Qadri, Mian.

Barkat Ali, Malik.	Muhammad Hussain, Sardar.
Chhotu Ram, The Honourable Chaudhri Sir.	Muhammad Nawaz Khan, Major Sardar.
Dina Nath, Captain.	Muhammad Nurullah, Mian.
Faiz Muhammad Khan, Rai.	Muhammad Saadat Ali Khan, Khan Sahib Khan.
Faiz Muhammad, Shaikh.	Muhammad Sadiq, Shaikh.
Faqir Hussain Khan, Chaudhri.	Muhammad Sarfraz Khan, Chaudhri.
Farman Ali Khan, Subedar-Major Raja.	Muhammad Wilayat Hussain Jeelani, Makhdumzada Haji Sayed.
Fateh Muhammad, Mian.	Muhammad Yasin Khan, Chaudhri.
Fazl Ali, Khan Bahadur Nawab Chaudhri.	Muhammad Yusuf Khan, Khan.
Fazal Din, Khan Sahib Chaudhri.	Muzaffar Ali Khan Qizilbash, Sardar.
Fazal Karim Bakhsh, Mian.	Muzaffar Khan, Khan Bahadur Captain Malik.
Few, Mr. E.	Muzaffar Khan, Khan Bahadur Nawab.
Ghazanfar Ali Khan, Raja.	Nasrullah Khan, Rana.
Ghulam Mohy-ud-Din, Maulvi.	Pir Muhammad, Khan Sahib Chaudhri.
Ghulam Rasul, Chaudhri.	Prem Singh, Chaudhri.
Ghulam Samad, Khawaja.	Ranpat Singh, Chaudhri.
Gopal Singh (American), Sardar.	Rashida Latif Baji, Begum.
Haibat Khan Daha, Khan.	Riasat Ali, Khan Bahadur Chaudhri
Hans Raj, Bhagat.	Ripudaman Singh, Thakur.
Hari Chand, Rai.	Sahib Dad Khan, Khan Sahib Chaudhri.
Het Ram, Rai Sahib Chaudhri.	Shahadat Khan, Khan Sahib Rai.
Karamat Ali, Shaikh.	Shah Nawaz, Mrs. J. A.
Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.	Shah Nawaz Khan, Nawab Khan.
Kishan Das, Seth.	Sham Lal, Rai Bahadur Chaudhri.
Manohar Lal, The Honourable Mr.	Sikander Hyat-Khan, The Honourable Major Sir.
Mubarik Ali Shah, Sayed.	Singha, Mr. S. P.
Muhammad Abdul Rahman Khan, Chaudhri.	Sohan Lal, Rai Sahib Lala.
Muhammad Akram Khan, Khan Bahadur, Raja.	Sultan Mahmood Hotiana, Mian.
Muhammad Amin, Khan Sahib Shaikh.	Sumer Singh, Chaudhri.
Muhammad Faiyaz Ali Khan, Nawabzada.	Talib Hussain Khan, Khan.
Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar.	Tikka Ram, Chaudhri.
Muhammad Hayat Khan Noon, Nawab Malik Sir.	Wali Muhammad Sayyal Hiraj, Sardar.
Muhammad Hussain, Chaudhri.	

POSTPONEMENT OF DEBT REALISATION BILL.

Sardar Ajit Singh (South-West Punjab, Sikh, Rural): Sir, I beg to move—

That leave be granted to introduce the Punjab Postponement of Debt Realisation Bill.

The motion was carried.

Sardar Ajit Singh: I beg to introduce the Punjab Postponement of Debt Realisation Bill.

RESOLUTION.

REDUCTION OF WATER RATES.

Lala Bhim Sen Sachar (North-Western Towns, General, Urban):
(Urdu): Sir, I beg to move that—

This Assembly recommends to the Government that water rate be reduced by fifty per cent.

Sir, the question of reducing the water rate is so important and well known that it does not seem necessary to go into details for the benefit of the honourable members of this House. I do not think there is any honourable member in the House who is prepared to approve of the water rate which is being arbitrarily charged as a price for water given to the zamindars. I am aware of the fact that there are several honourable members over there who do realise the necessity of accepting this highly useful and beneficial resolution, and I also know that they will not have courage enough to vote in favour of this motion.

Sir, I do not intend to make a long speech in support of a resolution which speaks for itself; but nevertheless, I feel it necessary to acquaint the House with certain important matters relating to this issue. The first point which I like to place before the House is that we have to decide whether this water rate was levied under any law or rule or it was only done in accordance with the sweet will of the authorities. In this connection I want to quote an extract from the book "Abiana and Maliana" written by Professor Brij Narain. On page 11 of the book he says "There is no such hard and fast rule for levying water rate. The only principle which is usually acted upon in this respect is that the destitute zamindar should be exploited as far as possible. And so this is the principle on which it is generally worked out." There may be certain honourable members who take him for a bogus economist as his adversaries often call him so, and thus they will not attach much value to his words. I, therefore, read out to the House another extract from a highly valuable document for which the Honourable Minister for Development can justly take pride. In this connection I should like to draw your attention to the Government's own resolution, dated the 12th of April, 1934. On page 10 of this resolution it has been admitted that—

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Occupiers rates unlike land revenue have never had a scientific basis of assessment. They have been determined by the rule of thumb by what seems to men of commonsense possible and expedient to take.

This is what the Governor and his advisers have admitted themselves. This means that the governing principle of realising abiana has been, as it is to-day, to take from the zamindar as much as possible. You are perhaps unmindful of the fact how much Government has spent on canals and how much it has recovered and is recovering from its expenditure. I have here figures up to the year 1935. I do not propose to go further. These figures have been obtained from Government's own publications and it does not lie in the mouth of Government to challenge their correctness. But before coming to these figures, I should like to refer you to the expenditure which Government has incurred on Canals and Railways and the receipts respectively from these sources. These figures have been quoted in the valuable book which the learned Professor Mr. Brij Narain has written

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Government has spent on its railway system not less than Rs. 1,48,00,00,000 as against Rs. 33,00,00,000 spent on canals. The profits of the Government on the huge sums of money invested in railways have been during the past few years, 3.5, 2.9, 2.2, 1.9 and 1.6 per cent. per annum. Now what have been Government's profits on the 33 crores spent on canals? I should like my honourable friends occupying those benches to concentrate on the profits of Government from this source during the last few years. They have been 15.9, 12.98, 13.61, 12.64, 12.95 and 12.50 per cent. annually. These profits have not only accrued in the past but they are continuing even to-day.

Now, I should like to refer the House to what an Under-Secretary of the Irrigation Department said in his lecture which he delivered on the 7th of March, 1938, under the presidentship of no less a person than the Chief Engineer. He said:—

"Diagram 22 shows the accumulated net income from Canals after paying all the working expenses. It comes to about three times of the total capital outlay on the Canals."

Malik Barkat Ali : What is his name?

Lala Bhim Sen Sachar : This means that the Government has already received an amount of 108 crores for its capital outlay amounting to 33 crores. My honourable friend over there wishes to know the name of the officer who said what I have just now quoted. I have not quoted his opinion because he is this or that person. I have quoted him because he belongs to a department under the Government. Now, it is just possible that my honourable friend the Minister for Development turns round and says as he used to say before : "We are not to be led away by the opinion of an officer of the Government. He will naturally sing to the tune of the Government in power." I shall, therefore, have to quote from his own Abiana Report. For the present I want to ask the House : is there no justification for expecting the Government to reduce its abiana demand when it has received thrice the amount spent on canals? My honourable friend the Premier who is a man of great eloquence in this House is an adept in side-tracking the issue. He has now thought of a curious reason to meet our arguments. He says :—

"Look at those people who get water from wells. People on canals have to pay one-fourth of what they have to pay. And then, the Canals have been instrumental in bringing all the prosperity which we see in the province."

But he will have to admit that canals are no commercial concern. There is no doubt that personally we people are of the opinion that our rulers are only businessmen. They came here for commerce and it is for commercial purposes that they wish to maintain their connection with this country. But my honourable friends occupying the treasury benches would say, "Well, we are no traders or merchants. We are not banias even. Far from it. On the contrary we are out to cut the stomach of the bania. In fact we would like to drive all banias from the sacred precincts of this province. If they persist to tarry here any longer, we would have their 'bahis' burnt to ashes and thus annihilate all accounts that there may be in them. Further, we are even prepared to banish them from the witness boxes of

the judicial courts of the province if they appear there to give evidence. (*Interruption*).

Mr. Speaker : The honourable member is requested not to be personal.

Lala Bhim Sen Sachar : Far from it, Sir, I am quite general in my talk.

Pir Akbar Ali :

روندی دیکھ بار دے ڈال لے لے بیرواں دا

Lala Bhim Sen Sachar : During the passage of the notorious legislation at Simla the Unionists put forward the view that when a man borrows one hundred and has subsequently paid interest thereon amounting to a sum twice as much or thrice as much as he borrowed, then his debt should be deemed to have been wholly paid off. He should not be held liable to pay even a single pie more than what he has already paid in the form of interest or what benefit the mortgagor has already received from the land under mortgage. By the parity of reasoning, may I also ask the Government with what face they are still charging water rate from the poor agriculturist when the Government have already received more than double and even treble the amount they had spent on the canals? What novel principles of justice underly this conduct of theirs? What is not good for banias, cannot be good for the Government also. When the Government have already received huge sums of money from the irrigation department which are many times greater than the capital invested in the canals, how can they demand any further profits and go on charging water rate from the poor cultivators? Having recovered thrice as much as the principal invested on canals, the Government should now be prepared to supply water free of any charges whatever. That would be the logical position if they care to observe the same principles on which they had based the Restitution of Mortgaged Lands Act.

My second point is this. The Honourable Premier would be pleased to say in an appealing and pathetic tone that when the Government have invested tens of thousands of rupees on the construction of various canals, would you not allow them to draw a small benefit out of this great concern, amounting to only 2 per cent. or 3 per cent. or even 4 per cent.? But may I through you, Mr. Speaker, inform the Honourable Premier that we are prepared to allow the Government to draw benefit amounting to 2 or 3 or 4 per cent. All I wish to ask him is, what right has he to demand 15 per cent. return on the said investment? In this connection I should like to draw his attention to the fact that when any electric company begins its work in a town, the Government steps in and says, "You shall not charge any higher rates from the people even though you have invested a huge capital on it and even if no other company is free to supply electricity at a cheaper rate." Why do not the Government apply the same principles of public sympathy when they themselves are concerned in a matter like this? (*A voice :* What have the electric companies got to do with the water rate?) In reply to this query I would like to submit for the benefit of the impatient member that electric supply companies are concerned with public utility service and the irrigation department is also a public utility service. That is why I have given their example. Canals are

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constructed with a view to turning waste lands into smiling gardens and thereby removing the poverty of the people. Canals are dug to save the starving millions from the dearth of means of livelihood. Large tracts of land which did not yield anything to the agriculturists before the construction of the canals, now yield tens of thousands of maunds of produce. Thus the irrigation department is a public utility service. But supposing that the Government must charge interest thereon and must suck the blood of the poor agriculturists, they should at least pay some attention to the way other commercial concerns are run in the world or even here in this very province. They must show some regard for the ordinary principles of justice and equity generally observed by the human race on the globe. Let them treat the irrigation department as a big commercial concern or a firm and set some limits to their profits as they want other commercial concerns to set to their own profits. If they do so, they will have to be content with 2 or 3 or 4 per cent. gain. There is absolutely no reason why they should go on looting the agriculturists who have already become bankrupt through the heavy charges of land revenue and the other Government dues?

Here I have got in my hands a book—Report of the Abiana Committee—and in it to my pleasant surprise I find that no less a person than the Honourable Minister of Development (perhaps he is the compiler of it too, has to tell the horrible tale of the havoc done by the water rate hitherto charged in the province. It would take me long to read extracts from this report. Suffice it say that among several other things the Honourable Minister of Development was pleased to opine in that report that the United Provinces Government charges only a small—one decimal something—per cent. profit on the capital invested in the canals but the Punjab Government earns no less than 11 per cent. on the sum that it has spent on canals. I hope the Honourable Minister of Development will have the courage of his conviction and come out with the truth without taking shelter behind the Premier. I expect him to assert on the floor of the House what he really feels about this question and what, at least, he was pleased to say in the Report of the Abiana Committee. It is open to the Honourable Premier to say that the opinion given by the Honourable Minister of Development in the report is the opinion of an irresponsible man and that no weight should, therefore, be given to it. But facts cannot be washed away like that. The Honourable Premier should know that. If you must charge interest, you may limit the rate of that. I say this, but of what avail are tears shed on sands? The Government might say that their standard of judging the prosperity and poverty of people is different from the one employed by our party. But how can one believe that the same people who were till yesterday groaning under the heavy load of taxation have by the touch of the Unionist become richer? How are we to admit that the starving millions outside this Chamber are not starving? How can we shut our eyes to the naked realities of the life in the Punjab? In short, the pitiful tale of the poor peasants is better untold. But the treasury benches would have us believe that all is well on the country side. But facts make a different reading. Does it not occur to the treasury benches who, day in and day out keep shouting of the poverty stricken masses of the province,

that remission in the abiana is overdue now? Need we tell them that their atrocities have transcended all limits and that the patience of the agriculturists has reached the breaking point? It is high time that the Government took care to compare their lip-sympathy with the actual and active sympathy that the half-naked, underfed, and bankrupt agriculturists of this province need.

One word more and I have done. The Government often make capital out of the fact that they have spread a network of canals in the province. But may I ask if it is not their duty to do that for the welfare of the masses? If they must charge interest and profit for the service they are rendering to the province, they must also agree to set some limit to their gain. All they ought to charge is that they should recover the working expenses together with some reasonable amount of profit. That is all. But the fact of the matter is that they are charging exorbitant rates of abiana. The Honourable Minister of Development was pleased to observe about the abiana rate that even the cruellest *bania* dare not suck the blood of the agriculturist debtors from their starving body as the Irrigation Department or for the matter of that, the Government have done in the past and are still doing. I do expect the Honourable Premier to get up and ask with an air of seriousness how, if they grant remission of 50 per cent. in the abiana, they will be able to make their both ends meet, or to be precise, how the Government will balance their budget. He may add innocently, "Should the Government wind up its shop?"

With regard to this I would not like to say what the Honourable Minister of Development said the other day in a simple way, that is, that it was not for them to reply to that question. The Government have got good many experts and can avail of their services. Anyhow I would not give any such reply. The question is not how the loss in income would be made up but the real question before us is how much we may legitimately take out of the pockets of the people. In matters of appointments, salaries, allowances, etc., you stop nowhere and if you will continue like that for sometime more time may come when you will have to rue the day. My answer to your query is, try to find out where reduction can be made. As I said the other day tax those who can afford to pay but for God's sake leave alone those who have no means to pay. Who says that you should not tax the rich but do make a clear distinction between the rich and the poor. If you are prepared to do that then let us work together, open our pockets and pool our resources. (*Hear, hear*). But my friend the Honourable Premier swallows what is sweet and rejects what is bitter. My friends over there feel great delight in hitting hard one or the other and in fact they are very anxious to make money. That is not just and equitable. The question now before the House is not one that should be treated so lightly. It is a question that should serve as an eye-opener to you. If you exhaust your resources how would you be able to run your administration? I would therefore request you to curtail your expenditure and try to do things which may bring about prosperity to this province.

Mr. Speaker : The resolution moved is—

This Assembly recommends to the Government that water rates be reduced by 50 per cent.

Premier (The Honourable Major Sir Sikander Hyat-Khan) (*Urdu*) : Sir, with regard to the resolution now before the House my learned colleague, the Honourable Minister of Development, would make a reply on behalf of Government. But personally speaking I am so much pleased with the speech of my honourable friend over there that I cannot resist the temptation of making a few complimentary remarks. He has made an eloquent speech. In fact the whole speech was very forceful, in particular the latter part of it. It has greatly impressed me and if I were to translate this impression into action, I am sure, the honourable member would be very much upset. It seems that the honourable member has not looked at the Government's report on the working of canals in the Punjab. Let me tell the honourable member that all canals are not productive. There are some which are non-productive. The latter have been constructed with a view to affording irrigation facilities to ilaqas where there is scanty rainfall or where other means of irrigation are extinct. It is therefore obvious that the profit that accrues from productive canals is being spent on the maintenance of non-productive ones. I wonder if it is really the intention of my honourable friend that non-productive canals should not be constructed and that no money should be spent on schemes like the Thal Project or the Bhakra Dam Scheme. I presume that is not his intention and if that is so, I fail to understand how while acting upon the suggestion of my honourable friend, we would be able to make up the loss that is being incurred by us on account of non-productive canals. As a matter of fact these productive canals are insurances so to say against the loss from non-productive canals. It is an insurance for the benefit of the poor. My honourable friend should remember that by his eloquence and outward zeal and enthusiasm for the cause of the poor, he would not succeed in misleading the simple-minded zamindars.

Sardar Lal Singh : That is a mis-statement. I would like to say that.....

Mr. Speaker : I cannot allow a speech at this stage. If the honourable member wishes to correct him, he may do so when he speaks himself.

Lala Deshbandhu Gupta : The Honourable Premier has given way. My honourable friend wants to ask a question through you.

Mr. Speaker : I cannot allow a question to be asked at this stage.

Sardar Lal Singh : I want to point out that a mis-statement has been made.

Mr. Speaker : I cannot allow any correction to be made at this stage.

Premier : Sir I was submitting that the honourable member waxed eloquent in vain in the hope that the zamindar members of this House would thus be ensnared. As a matter of fact they know it fully well that the burden of land revenue and abiana is unbearable and that the Government is already trying to find out ways and means to reduce it. Again my honourable friend while referring to the agrarian enactments, has suggested in his speech that where one has got two, five or ten times profit, he should not be permitted to have any more. Today it appears that my honourable friend has accepted that principle. I congratulate him on this. But I ask him

in all earnestness if he has seriously accepted that principle. Please say openly if you have accepted it. How is it that no answer is forthcoming? It appears that my friend has now become dumbfounded. It is our earnest desire that zamindars should be afforded some relief. But 50 per cent. reduction in abiana would mean a loss of $9\frac{1}{2}$ crores of rupees in income and it would be impossible to make it up by even taxing the rich as has been suggested by my honourable friend.

My honourable friend has suggested that the Government should follow the principle laid down for sahukars and its profit from canals should not exceed twice the amount spent on them. I do not know whether my honourable friend is satisfied that it is a good analogy but I would suggest to him that if the various companies were to adopt this principle and hand over to the State all the profits in excess of twice the expenditure a greater part of the misery of our poor and needy brethren would be removed in a short time.

Then he was pleased to warn the honourable members sitting on this side that I would try to hoodwink them with hollow professions of sympathy and thus mislead them in respect of this resolution. But might I ask why I should do that? My interests are not different from theirs and, therefore, there is no reason why I should try to hoodwink my friends. I may also inform my honourable friend that it is not possible to hoodwink the members sitting on this side in respect of such matters. He himself has tried to hoodwink them by means of this resolution and he will know the result in a few minutes.

You know, Sir, that previously almost all the income of the province used to be spent on the rich urban people because all the power was in their hands. But now we are trying to spend money on the poor zamindars to whom this money belongs. Now that is exactly what is pinching my honourable friends opposite. Those who are used to the luxuries of motor cars and electric fans cannot brook the idea of the rural people deriving the benefit of roads and canals. I would submit, Sir, that the poor zamindars should not be grudging this small relief. Let them enjoy the fullest benefit of roads, canals, and other such works and my friends should not grudge them even motor cars. If the zamindars afterwards find these cars irksome in any way they will give them up. My friends need not bother about them. They should remember the epithet usually bestowed on a woman who professes for a child even more love than its own mother.

Sir, we are not oblivious to the fact that the zamindars must be given some relief and we are doing the needful in this respect. The report of the Darling Committee will shortly be in the hands of my honourable friends and they must know that the Government will have to give some relief according to the recommendations of that committee. It was said that the Government should tax the rich to help the poor. That is a very good suggestion and I can further assure my friends that all the relief given by the Government will go in the first instance to the poor and the bigger landholders will come afterwards. We know the plight of the zamindars. We know that a certain class has sucked their blood and if you were to have a look under their clothes you will find nothing more than emaciated flesh and bones. My honourable friends cannot know their sad plight

[Premier.]

as well as we do and, therefore, we are in a better position to find out the remedy to their ills. I assure my friends that whatever we receive from them by way of taxes, etc., will be spent on poor zamindars.

Chaudhri Kartar Singh : Your rates of interest are those charged by pathans. Why are you not satisfied with banias' rates ?

Premier : You are welcome to all the interest we receive from the Muzaffargarh district. (*Laughter*).

Sardar Lal Singh (Ludhiana Central, Sikh, Rural) (*Urdu*) : Sir, the Honourable Premier has tried to hoodwink the House by using certain words. He has remarked that the honourable members do not know that there are two kinds of canals in the province ; one is known as productive and the other as non-productive canals ; and that the Government has to spend big sums on the maintenance of the non-productive canals. I am sure that he has used this argument as a camouflage. The fact is that the number of non-productive canals in the province is very small. If we were to deduct the expenses on the non-productive canals, the running cost as well as the pay of the establishment defrayed, out of the income derived from the working of the productive canals, the net annual profit accruing to the Government will be in the neighbourhood of Rs. 4 crores. This shows that the argument advanced by the Premier does not carry any weight whatsoever. Again, he has remarked that if the Government were to forego a part of its annual income from the Irrigation Department it would find it impossible to undertake new projects. I ask him in all sincerity whether it is just and proper on the part of the Government to start new enterprises at the expense of poor zamindars ? If the Government is really anxious to start new projects in the province it should better float loans for the purpose. It does not behove the Government to invest the income extorted from the zamindars on such projects and then itself reap the advantages of these enterprises. My honourable friend Lala Bhim Sen Sachar was right in saying that the Government up to this time has earned 8 times the capital originally invested on these canals in the Punjab. I challenge the Government to contradict that statement.

Maulvi Ghulam Moby-ud-Din (Sheikhupura, Muslim, Rural) (*Urdu*) : Sir, I will make a few remarks in connection with the speech of my honourable friend Lala Bhim Sen Sachar. (*A voice : in its support ?*) In its support as well as against it. There is one point on which both sides of the House are in agreement. Both the Government as well as the Opposition hold the view that relief should be given to the poor and everybody will admit that it is a very laudable desire. But I must submit that before we bring forward a resolution of this nature we should seriously think whether our efforts will increase or decrease the power and capacity of the Government to give relief to the poor. The Honourable the Premier has given an effective reply to the various points raised by my honourable friends, but I would like to draw your attention to a special aspect of this matter. I think my honourable friends are aware of the fact that in our province the greatest havoc is wrought by water-logging. In several districts of the province lands have been waterlogged on account of canals. The districts of Sheikhupura, Gujranwala, Sialkot, Gujrat and a part of Lahore have been

the worst sufferers. It is, therefore, the imperative duty of the Government to take steps to check waterlogging. But let me tell you, Sir, that if the Government wants to do its duty in this respect it will require at least twenty crores of rupees. An experiment is about to be made in the Haveli Project for this purpose. It is expected that if the bed of the canals is plastered with cement it will serve two purposes. On the one hand it will check waterlogging and on the other there will be a saving of water to the extent of 25 per cent. This water will be utilized for the benefit of those zamindars who get no water or do not get sufficient supply. Now, Sir, I put it to my honourable friends whether it is desirable or even possible to reduce abiana when you require twenty crores of rupees for checking waterlogging.

Then my honourable friend was pleased to say that this is an age of socialism, and, therefore, in whatever we may do we should place relief and help to the poor in the forefront. I admit, Sir, that relief to our poor brethren should be our first concern, but may I ask if my honourable friend has made any distinction between the rich and the poor in his resolution? Has he made any demand to the effect that the poor zamindars should be the first to get relief? Let us take the case of my honourable friend Diwan Chaman Lall. He is a big landlord and pays about five thousands rupees as abiana. Now may I ask the honourable mover of the resolution whether it is desirable and proper to reduce this amount by 2½ thousands? (*A voice*: Bring forward an amendment.) They ask me to move an amendment. But, Sir, they should have thought of it themselves. Why do they ask me to perform their duty? Anyway let them rest assured that the Government is not oblivious to the requirements of the case. It has appointed the Darling Committee to find out how much reduction is necessary. It has also set up a Retrenchment Committee to find out the possibilities of reduction in expenditure. My honourable friend has asked for reduction in abiana but has he also suggested any source of income to meet this demand? If he had moved that the post of the Superintending Engineer on such and such a canal should be brought under retrenchment I would have been the first to support him.

Then the honourable member complained that objection is very often taken to the high profits of the electric supply companies and other concerns of the kind and that on that analogy the Government was not justified in making so high profits. But my honourable friends should know that there is the world of difference between a State industry and a private industry. I wish all the industries are in the hands of the State. (*A voice*: All of them will be ruined). Not at all.

I am afraid that my honourable friend is confronted with a conflict between his conscience and heart. Sometimes he wants to follow the principles of the Congress but then his capitalistic nature stands in his way and he loses heart. He is afraid lest all industries may go into the hands of the State, but let me warn him that it is inevitable. You cannot ask the Government to give up all profit while you are getting high dividends. I am of the opinion that quite a big portion of the profits even of individual enterprise should go to the State so that the latter may be in a position to give relief to the deserving people. If you give money to the Government it will be very glad to give all possible relief to the poor.

[M. Ghulam Mohy-ud-Din.]

Another honourable member was pleased to remark that the rates of interests should be reduced. Let me tell him that these rates are not so high as he seems to think. Especially in the case of those canals in respect of which there exist contracts with the Government of India these rates are very low.

Now I wish to refer to another point before I resume my seat. My learned friend has remarked that the Government has laid down a principle in respect of the debts due from agriculturists, viz., that if the creditor has received by way of interest twice the amount originally advanced by him the debt should be wiped off. Now he inquires on this analogy why the Government does not stop realising abiana when it has already received more than twice the money spent by it on canals. I confess, Sir, that I fail to find out any logic in this argument. After all, what does my honourable friend mean? Does he suggest that all the canals should be stopped forthwith? He should know that so long as the canals are there the wear and tear will go on and the Government shall have to face the huge recurring expenditure on repairs. Thus it will be seen that this argument has neither logic nor sense in it.

Then another honourable member remarked that the only concern of the Government was to do away with the banias. Let me submit, Sir, that my honourable friend is sadly mistaken. The Government is not out to do away with banias. On the contrary the Government wants to afford all possible encouragement to honest banias. It is only the dishonest bania whom the Government wants to see out of the field and my honourable friends will agree that in this the Government deserves their fullest support.

Mian Muhammad Nurullah (Lyallpur, Muhammadan, Rural): I beg to move—

That in line 2, for the words 'fifty per cent' the words 'twenty-five per cent.' be substituted.

It is with the greatest regret that I rise today against the express wish of my leader who has asked me not to move my amendment. (*Hear. hear.*) If I do move this amendment it is to give vent to the feelings of the zamindars on this subject. (*cheers*) Please do not elap as I am not siding with you but voicing the feelings of my constituents. Only recently I received a letter which I will read to the House.

گزارش ہے کہ ہم لوگوں نے آپ کو روٹ دیگر ممبر بنوایا کہ ملک کا فائدہ کریں گے۔ مگر کوئی فائدہ نہیں کر رہے۔ صرف لوگوں کو بھلا کر روک رہے ہیں کہ کانگرس کے ساتھ نہ ملیں۔ ضلع لائل پور کو کوئی فائدہ نہیں ہوا فائدہ تب ہے کہ معاملہ و آبیانہ آدھا ہو اور فرضہ بیک وغیرہ سب معاف ہو جاویں۔ اور مستاجری جن لوگوں کا پانچ چھ سال سے ہوا ہے اور گدارہ بالکل نہیں ملا بال بچہ فاقہ سے مر رہے ہیں یا ان کا جلدی جلدی انتظام ہووے۔ گدارہ جلدی ملے یا کشی ملک کا پاس لے دیں کہ یہ ملک چھوڑ کر اور آپ کو اور بادشاہ عالیہ کو دعاؤں دیتے کسی غیر ملک میں

جاگو بال بچہ کو روٹی کھلوائیں۔ مگر آٹھ ہر میں چھ دنہ روٹی چاہ
 کھانا کھاتے ہیں۔ یہ جانتے ہیں کہ سب دنیا کھا رہی ہے غریبوں کی آواز
 کوئی نہیں سنتا۔ چک نمبر ۳۴ جھنگ برانچ راجپوت مرورانیہ چک نمبر ۳۴
 جنوبی عالمشیر خان۔ فلک شیر خان۔ غلام سرور خان۔ سلطان اکبر خان۔
 محمد اکرم خان۔ مان۔ محمد حیات خان۔ شہہ مستاجری والے ہیں اس خط
 کو آپ تار سمجھیں اور ندویوں کے حال پر جلدی جلدی غور ہو۔

This is the sort of feeling of zamindars outside. Instead of going into the details I would take the House back to one of my speeches delivered on the question of reduction of abiana in 1930-31. That is too long a speech and so I will content myself with referring to the estimated income and expenditure of a zamindar owning one square of land —

EXPENDITURE.			INCOME.		
	Rs.	A. P.		Rs.	A. P.
Land Revenue, abiana, etc.	250	0 0	11 wheat 14	1 13	0 279 2 0
Labourers employed (2)	160	0 0	3 Desi 6½	5 0	0 97 8 0
			2 American 6½	6 4	0 81 4 0
Kamins	40	0 0	2 Toria 8	3 12	0 60 0 0
			1½ Gram 11	3 0	0 52 8 0
Depreciation and interest on bullocks and implements.	130	0 0	1 Maize 14	1 12	0 24 8 0
			4 Fodder at 25		100 0 0
			1 sugarcane 25	3 0	0 75 0 0
Cotton picking harvesting of wheat, winnowing and ginning.	62	12 0	Bhusa at 6 annas		61 14 0
Seed	5	0	Total		331 12 0
Feeding livestock	184	6 0	Deficit		47 2 0
Total	878	2 0			

Lala Bhim Sen Sachar : Will it not save the time of the House if I say that I am prepared to accept the amendment of the honourable member?

Mian Muhammad Nurullah : No. I should like to have my say and prove my case before I sit down. The House will see from the figures that I have quoted how the expenditure exceeds the income of a zamindar. There is a deficit of Rs. 47-2-0 for each square.

Now let us examine his living. In 1933-34 out of 100 rupees he spent 67.9 on food. In 1934-35 it went down to 65.1. Next year it went down still further to 59.5. This shows that he is being forced to eat less. Naturally his health will deteriorate and you will need a hoard of doctors, etc. It will also affect his capacity to work on the fields and consequently the produce will go down. It thus works in a vicious circle.

I may also observe here on what is often argued that abiana rates in the canal colonies are much less than in the well areas. That is a point that I can refute. I am supported in this statement of mine by the figures given in this book 'Imperial Council of Agricultural Research—Report on the cost of production of crops in the Principal Sugarcane and cotton

[M. Muhammad Nurullah]

'Tracts in India'. If you turn to page 21 of that book you will find that the percentage of costs on irrigation rates in the Lyallpur district on mixed holdings is 14·69. In Jullundur on mixed holdings it is 8·6. That fact stands unrefuted. Now I will take you further on to the cost of production of some of the crops. The cost of production per acre of wheat is Rs. 48-1-4, cotton Rs. 38-5-8 and sugarcane Rs. 101-9-2. The cost per maund works out at, wheat Rs. 2-1-5, cotton Rs. 4-13-4, Sugarcane Rs. 5-2-0, while market prices to-day are less. From this also it will be found that the zamindar works on a deficit. You will ask me why do you stick on to agriculture? I for myself am prepared to sell off my land at market price as it does not pay and be content with one square of land just to keep myself in touch with agriculture.

My point is this. Our party is committed to reducing abiana and land revenue. Even in the last conference at Lyallpur a resolution was passed under the chairmanship of our worthy leader to the effect that these must be reduced. I am very sorry that I have to put these facts before the House. It may be asked, how are we to find the money that would be lost to Government by the reduction of abiana? It is not my business to show how to find out the money. However, I may refer the Government to the Report of the Retrenchment Committee where the committee says that we can cut down the expenditure to 8 crores. We can cut down our travelling allowances. (*Hear, hear*). Instead of effecting retrenchment, Government is creating new posts.

I may also refer to the Report of the Abiana Committee. I think this report was drafted by the Minister for Development himself. He has ably refuted all the points raised by the last bureaucratic government. I am sorry that the present Government is only following the footsteps of its predecessors. (*Hear, hear*). My honourable Leader is convinced that the Public Works Department, Roads and Buildings should be scraped, but when the report will come we will find that no witness came before the committee and that they had to draw conclusions on whatever evidence was placed before them. "Where there is a will there is a way." Here, there is no will otherwise a way can be found out. The Bills that have been already passed do help us. But if you do not place any alternative credit system the peasants will be ruined, otherwise they will not be able to pay the dues and naturally press for reduction in land revenue and abiana and you may be in difficulties. You should not treat this matter lightly, but consider seriously and try to keep up the promises.

Premier : Not in the way in which you have kept promises.

Mian Muhammad Nurullah : What? Perhaps my Leader is angry because he told me that I should not speak and I am speaking. A case has already been made out. I can prove that if we have got a will we can do anything we like. This amendment helps both the tenants and the landlords and it is the tenant that we should look to more than the landlord. Professor Roberts also very well knows this. Either we have to sell our lands or leave them to the tenants. It has been said that the abiana or water rate is low now as compared to what it was a few years ago. I have got a table with me showing the value of

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the crops of our province on the irrigated canal areas and the percentage of the water rate to the value of crops. In 1924-25 it was 8 per cent, last year it was 13 per cent and if you work out the figures it might this year be 14 per cent. Therefore, it works a greater hardship than before. With these remarks I move this amendment and I hope I will be allowed to move my other amendment also.

Mr. Speaker : Resolution under consideration, amendment moved is—

That in line 2, for the words ' fifty per cent ' the words ' twenty-five per cent ' be substituted.

Both the amendment and the original resolution will now be under discussion.

Diwan Chaman Lall : The amendment has been accepted by the mover of the original resolution.

Mr. Speaker : The amendment has been just moved. Am I to put it without allowing a single member to speak for or against it ?

Lala Deshbandhu Gupta : The amendment has come from the other side. If a speech in opposition is to be made it may be made.

Diwan Chaman Lall : The other gentleman who has got an amendment in his name should be given the prior right to speak.

Mian Sultan Mahmood Hotiana : I am not moving my amendment.

Pir Akbar Ali (Fazilka, Muhammadan, Rural), (*Urdu*) : Sir, I have listened with rapt attention to the speech of the honourable mover of the original resolution as well as to the speech delivered by my honourable friend the member for Lyallpur, Muhammadan, Rural Constituency, who has struck a discordant note in the House this evening. I wonder if he was not playing to the gallery all the time, otherwise I should have found some definite points in his speech which could be said to be of practical use to the House. Let the honourable member realise that only a sincere talk can be effective and not the mere desire to display outward sympathy. I need not inform my honourable friend that he was elected on the ticket of the Unionist party and to-day we find him going against the party discipline and also speaking to the detriment of the people whom he has to represent. (*Voices : Irrelevant. Speak to the motion.*) Sir, I am coming to the point. Here we find that an honourable member is revolting against the order of the leader of his party. If he really had the good of the people at heart he should have brought forward some practicable proposal in consultation with his party which is here to sponsor the cause of the zamindars. In that case the honourable member's amendment would have a greater chance of success. But now he seemed to be talking alone, in the wilderness. An individual is nothing out of his party but he can be everything in a party. I put it to the honourable member himself if he can say whether his amendment stands any chance of being carried out ? After all what is it that my honourable friend wants ? He asks for 25 per cent reduction in the abiana, not out of any love for reduction but in order to satisfy his fancy or some pledge to others. Indeed grotesque arguments have been put forward by him. For instance, he said that people are anxious to sell away their lands but are only prevented from doing so by the Land Alienation Act.

[Pir Akbar Ali.]

Does my honourable friend wish to repeal this most useful Act and remove it from the Statute Book? If such be his real wishes, zamindars would do well to beware of him and other well-wishers of his type. (*Interruption*).

Again, my honourable friend was pleased to observe during his speech, that people cannot obtain the current rates if they want to sell their land. It is strange that current rates should not be current. Does my honourable friend mean that the ready prices are not ready? In fact he might have said that people are not prepared to sell their lands at ready prices but demand, instead, higher prices. All I mean, is to show the strange way of argumentation which my honourable friend has adopted.

Our well-wishers over there say these things deliberately but they do not say them seriously. Let me tell them that our Government is second to none in its anxiety to reduce abiana. But the question is how that can be done. It has been pressed by both the mover No. 1, and the mover No. 2 that 50 per cent and 25 per cent reduction should be made in abiana, but they have made no suggestions as to how this loss in income could be made up. Would they like to stop education, medical relief and other beneficent activities? My honourable friend Diwan Sahib has suggested reduction in salaries but that would not solve our problem, for in this way, we would be able to save a small amount of rupees fifteen lacs as against a huge loss of two crores twenty five lacs and fifty seven thousand rupees which you propose to remit in abiana. (*4 voice: Wrong figures*). They are not wrong, I am quoting them from the budget. You want reduction but the Government is trying to find out ways and means to do the needful. They have appointed four committees. There is one Darling Committee which is considering the question of barani and chahi lands. There is still another committee I mean the Abiana Committee which is looking to the question of abiana. When this committee finishes its work, we will be able to see how much reduction can reasonably be made in abiana. A time will come when we will be in a position to test the sincerity of the honourable members over there. We propose to set a net work of canals throughout the length and breadth of the Punjab. We want to make the recurrence of famine impossible. (*Hear, hear*). We intend to do things of permanent value. The proposed reduction of 50 per cent will not help us but will rather land us in insurmountable difficulties. If you will grant remission to the extent of two crores of rupees, the loss in income will have to be made good by means of realisations from your friends, the sahu-kars. I know you have not forgotten the bania. You pose to be the friends of zamindars. But let me tell you that Pir Akbar Ali can be their friend and not Lala Bhim Sen Sachar. (*Hear, hear*). We are alive to the difficulties of the poor zamindars and are striving hard to help them. But by proposing a 50 per cent reduction in abiana do you want us to say halt to our beneficent activities or do you want that no relief should be given to famine stricken areas such as Hissar? We are ever prepared to do what is possible but we do not believe in impractical things. We honestly feel for the troubles of the poor zamindars. But there are some serious difficulties in our way which we sincerely desire to get rid of?

There are two kinds of canals but by a mistake on the part of the previous Government the water rates on both kinds are the same. The rates on perennial and non-perennial canals should be different. Another

mistake which I should like to point out is that there is no difference in water rates for old and new lands. It goes without saying that new lands yield much more income than old ones and, therefore, there is no reason why the water rates for both kinds of land should be the same. I would, therefore, request the Government which has the real good of the zamindars at heart to instruct the Abiana Committee to thoroughly examine the various aspects of this matter and make necessary recommendations.

Mr. Speaker: Does the Honourable Minister in charge wish to speak?

The Honourable Chaudhri Sir Chhotu Ram: I want to speak.

Mr. Speaker: If the honourable member desires to speak he can do so now. How long will he take?

Minister for Development: I want half an hour.

Mian Sultan Mahmood Hotiana: On a point of order. I wanted to speak on this matter.

Mr. Speaker: I cannot allow.

Raja Ghazanfar Ali Khan: An important amendment has been moved and after that amendment there has been only one speech and I submit that efficient discussion has not taken place on this amendment.

Mr. Speaker: The amendment may be discussed. The Honourable Minister may speak on the amendment or any other member may speak on it. If the Honourable Minister wishes to speak he can speak on both the amendment and the original motion as both are before the House.

Minister for Development (The Honourable Chaudhri Sir Chhotu Ram) (Urdu): The resolution under discussion relates to a very important matter and there can be no doubt that all the honourable members on this side have nothing but sympathy with its object. I may also assure you that ours is not mere lip sympathy but real heartfelt sympathy. I would however, like to draw the attention of the House to a few facts so that the honourable members may understand the real situation. We on this side of the House are very anxious to see reasonable reduction effected in land revenue, abiana as well as in chahi rates. (*Interruptions*).

Mr. Speaker: No interruptions please.

Minister for Development: I wish, that my honourable friends would give me as patient a hearing as I have given to them. (*Interruption*).

Sir, I was saying that we ourselves wanted to bring about reasonable reduction in land revenue and abiana. So far as chahi rates were concerned, we would rather abolish them if circumstances permitted. We have the greatest sympathy with these laudable objects. But we cannot shut our eyes to the realities of the situation. This would not be wise. We are desirous of making every possible reduction in these demands with the greatest possible promptitude. But let me remind the House that so far no other province of India, has been able to reduce a single pie in this demand. (*Interruptions*). It is a fact, Sir, that no reduction of even a pie has so far been made in any other province in the country. I should like my honourable friend from Lyallpur, Rural, to consider dispassionately the reductions which the Government of this province which rightly claims to represent the interests of backward classes has made from time to time. Even in 1925-26 the representatives of the party which is now in power, secured a remission

[Minister for Development.]

of as many as 70 lakhs from the then Government. Then on the recommendation of the committee which enquired into the question of abiana reduction in 1933-34 a permanent reduction of 87½ lakhs a year was made.

On the other hand in our neighbouring province of United Provinces a committee has only recently been appointed to consider the possibility of bringing about a reduction in abiana. Then the average rate of abiana is higher in that province than the abiana rate obtaining in this province. I have no precise knowledge about the abiana rate prevalent in Madras but I can say this much that in Madras, so far, even a committee to reduce abiana has not been appointed. So far as the committee appointed in the United Provinces, is concerned, we cannot say at this stage what sort of material will be placed before it and what will be its recommendations. The Punjab, however, can justly claim the credit not only for having considered this question sympathetically more than once but for having given substantial permanent relief to the people in the shape of reduction in abiana each time; and now the proposals are under the consideration of Government as to what should be the proper and just measure of permanent reduction in land revenue. (*Cries of Ha, Ha, Ha*). This *Ha-Ha-Ha* reveals the perturbed state of mind of my friends there. The present Government is doing all that lies in its power to alleviate the burden of the agriculturists in right earnest and not in a half-hearted manner as the Opposition is wont to suppose. Practical schemes are under consideration to reduce land revenue.

Coming to the proposal of the Opposition to reduce the abiana by one half, I may be permitted to observe that the sponsor of this resolution seems to have overlooked the fact that in actual practice it means the disappearance of Rs. 3,25,00,000 from our annual receipts. As to how such a large loss can be met, the Opposition have said nothing. I would fain appeal to my honourable friends opposite to reconsider the far reaching consequences of their destructive proposal. How is the budget to be replenished if their recommendations were to be carried into effect?

Diwan Chaman Lal : Resign and we will show how that can be done.

Minister for Development : I am afraid, this dream of the Opposition is likely to remain unfulfilled within any measureable time. Many of my opposition friends may die with this longing in their heart before this dream is fulfilled. Let them take it from me that our government will become stronger and stronger with the march of time. (*Loud cheers and interruption*). If Mr. Speaker would kindly allow me to reply to the objections that the honourable members from the Opposition so often raise during my speech, I would leave no scope for their further interruptions. In fact they would be dumbfounded for ever.

Unfortunately, the constituencies which it has fallen to our lot to represent, are steeped in illiteracy and ignorance. They are backward in almost all phases of political life, education, organisation, publicity, press, and intelligence. Otherwise it would not have been possible for my honourable friends opposite to say things with impunity which are in reality detrimental to the interests of the zamindars.

At this stage the Assembly adjourned till 2-30 p.m., on Friday, 2nd December, 1938.

PUNJAB LEGISLATIVE ASSEMBLY.

4TH SESSION OF THE 1ST PUNJAB LEGISLATIVE ASSEMBLY.

Friday, 2nd December, 1938.

The Assembly met at the Assembly Chamber, at 2-30 P. M. of the clock.
Mr. Speaker in the Chair.

STARRED QUESTIONS AND ANSWERS.

ROLLS OF NAIB-TAHSILDARS IN AMBALA DIVISION.

***3644. Dr. Sir Gokul Chand Narang :** Will the Honourable Minister of Revenue be pleased to state whether it is a fact that the Commissioner of the Ambala division has asked for the rolls of nomination as naib-tahsildars only of agriculturists; if so, whether the Commissioner has done so under his instructions, and if so, the grounds for the recruitment of agriculturists only?

Parliamentary Secretary (Chaudhri Tikka Ram) : *First part*—No
Second part—Does not arise.

EXPENSES INCURRED IN CONNEXION WITH THE FATEHWAL MURDER CASE.

***3645. Mr. Dev Raj Sethi :** Will the Honourable Minister of Finance be pleased to state the expenses incurred by the Government up to this time in the Fatehwal Murder Case, (i) on inquiry, (ii) on trial in the Special Magistrate's Court, (iii) as legal charges, and (iv) the maintenance of the accused?

The Honourable Mr. Manohar Lal : The figures, up to the 30th September, are—

	Rs.
Pay and allowances of the special magistrate and his establishment, and court contingencies	8,807
Diet of witnesses	170
Counsel's fees	25,742*
Pay and allowances of police prosecuting staff	170
Travelling allowance of other police officers concerned in the investigation and prosecution	346

The accused have been kept in the ordinary judicial lock-up in the jail, and no separate account has been maintained of the cost involved.

HONORARY MAGISTRATES AT JHELMUM.

***3646. Mian Muhammad Iftikhar-ud-Din :** Will the Honourable Premier be pleased to state whether the Government has recently received recommendations from the local officers about the appointment of honorary magistrates at Jhelum; if so, the ages and the qualifications, academic or otherwise, of each of the candidates recommended for appointment?

The Honourable Major Sir Sikander Hyat-Khan : No such proposals have yet been received.

*The fee due to counsel's clerk for September has not yet been paid and is not included in this figure.

SHAHPUR BRANCH CANAL.

***3647. Mian Muhammad Iftikhar-ud-Din :** Will the Honourable Minister of Revenue be pleased to state—

- (a) the year when the Shahpur branch canal was opened ;
- (b) how much area was intended to be irrigated by this canal ;
- (c) the cost in digging it ;
- (d) the reasons for stopping it ;
- (e) the area irrigated by the private canals, the names of the owners of these canals and the restrictions on irrigation placed by the owners ?

Premier : With regard to the answer to this question I may tell my honourable friend that I will supply him with the information required when I get full facts.

Diwan Chaman Lall : May I draw his attention to the reply already tabled : do I take it that the reply tabled has been withdrawn ?

Premier : That reply is withdrawn.

Diwan Chaman Lall : May I ask the particular portion of that reply regarding which he wishes to get further information ?

Premier : The very first part where the date has been asked.

Diwan Chaman Lall : May I ask whether it is not a fact that the date is denied because it was never opened ?

Premier : That is where I am not satisfied with the reply as drafted.

Diwan Chaman Lall : In regard to other parts, do I take it that the Honourable Premier is satisfied ?

Premier : I am not satisfied in regard to (f) either because I should like to go into the matter before giving a definite reply.

Diwan Chaman Lall : Part (f) relates only to the number of private canals ?

Premier : No, it also relates to the owners of the canals and the restrictions on irrigation placed by them.

Diwan Chaman Lall : It only states that some of the owners were not willing to take water from the Government canals.

Premier : That is why I said that I must satisfy myself before answering this question.

Diwan Chaman Lall : May I take it that the fact still remains that the canal has never been operated upon and no water has been given and that there is great demand on the part of the peasantry for water to be supplied to them from this canal ?

Premier : Part (f) does not relate to the canals owned by Government ; it relates to private canals.

Diwan Chaman Lall : True, but the question relates to water to be given from the Government canal to the peasantry of the area.

Premier : The question relates to the Shahpur canal and this question to my knowledge was definitely settled by the previous Government about a decade ago.

Diwan Chaman Lall : Do I take it that the Honourable the Premier is satisfied with the decision then taken ?

Mr. Speaker : Perhaps he wants time to collect the exact figures.

Diwan Chaman Lall : As far as figures are concerned they are all given in the reply already given. The question now is whether it is not a fact that there has been a great demand on the part of the peasantry of the area to be supplied with water from this canal.

Mr. Speaker : Apparently the Premier does not wish to give a reply.

Diwan Chaman Lall : Let the Premier say and not the Secretary of the Assembly say that.

Mr. Speaker : It is not fair that the honourable member should bring in the Secretary.

Diwan Chaman Lall : It is absolutely fair. The Secretary ought to sit in his seat : he has no business—

Mr. Speaker : It is not the business of an honourable member to interfere with the movements of the Secretary, who, on behalf of the House, is under the control of the Chair. No honourable member should make remarks about him. If the honourable member has any complaint, he shall make it to me.

Diwan Chaman Lall : May I now draw your attention to the question which I was going to put whether it is not a fact that there is a tremendous demand on the part of the peasantry for water to be supplied from this canal ?

Premier : I have told my honourable friend that if he puts that question also and gives me notice I will make enquiries. It does not appear here.

Diwan Chaman Lall : My honourable friend in giving reply to this question said that he is not satisfied with part (f) of the question, namely, as to the reasons of private owners not being agreeable to give water.

Premier : I have given my honourable friend at least two reasons. One is that I want to enquire about the date and secondly I also want to make an inquiry from the private owners with regard to this matter ; and thirdly, I am informed that a definite reply was given to a similar question by the Revenue Minister during the Simla session and I should like to see that also before giving a reply.

Diwan Chaman Lall : May I ask the honourable member to remember that the reply given was regarding water-logging ? Is it with regard to that matter that the Premier has to satisfy himself ?

CANCELLATION OF LICENCE FOR PISTOL OF SARDAR LAL SINGH.

***3648. Mian Muhammad Iftikhar-ud-Din :** Will the Honourable Premier be pleased to state—

(a) whether the licence for pistol of Sardar Lal Singh, M.L.A., was cancelled in February, 1937, if so, why ;

(b) whether it is a fact that he held this licence for over 12 years ;

[Mian Muhammad Iftikhar-ud-Din.]

- (c) whether it is also a fact that he has made several representations to the authorities and to the Honourable Premier for the renewal of a licence for pistol; if so, what action do the Government propose to take in the matter?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh):

(a) The licence was cancelled by the District Magistrate on the 20th January, 1937, on the ground that the holder's carelessness in losing the pistol showed him unfit to be in possession of such a weapon.

(b) This is doubtless correct.

(c) Yes. It is understood that the District Magistrate has rejected the application for a new licence. If the Sardar wishes to contest that order it is open to him to do so by appeal to the Commissioner.

Lala Deshbandhu Gupta: Is it a fact that there is no definite rule saying that in case a revolver is stolen the licence should be cancelled?

Parliamentary Secretary: Yes. There is no such rule.

Lala Deshbandhu Gupta: Is it not a fact that in many cases fresh licences are granted or licences are not cancelled when a revolver is stolen?

Parliamentary Secretary: May be; it depends on the circumstances of each case.

Mian Muhammad Iftikhar-ud-Din: May I know why the enquiries of Sardar Lal Singh were not attended to and the Premier or his Secretary had not the courtesy to reply to his letter either? He sent a representation to the Honourable Premier but no reply was received by him.

Parliamentary Secretary: The Honourable Premier has nothing to do with this; the appeal lies with the Commissioner.

Mian Muhammad Iftikhar-ud-Din: At least one should have the courtesy to send him a reply.

Premier: My honourable friend is not aware that on an average I receive about 800 representations a day and he cannot expect me to reply to them all.

Mian Muhammad Iftikhar-ud-Din: One would have expected in the case of an M. L. A. that a reply would be given.

Premier: One of my colleagues drew the attention of the Deputy Commissioner to the fact as a matter of courtesy because an honourable member was concerned, but the honourable friend concerned who is also a lawyer should have known that the decision lies with the Commissioner and not with the Premier, but in spite of that the Finance Minister drew the attention of the Deputy Commissioner to his representation.

Lala Deshbandhu Gupta: What particular circumstances were there in regard to this case which necessitated the cancellation of the licence on the part of the District Magistrate?

Parliamentary Secretary: The District Magistrate knows it better.

Lala Deshbandhu Gupta : Is Government not in possession of that information ?

Parliamentary Secretary : It is the order of the District Magistrate which is appealable and it is open to the honourable member to appeal to the Commissioner and argue this point.

Lala Deshbandhu Gupta : Has the Government itself made an enquiry into the matter to find out whether the District Magistrate was justified or not ?

Parliamentary Secretary : The matter is appealable and it is not necessary for the Government to make enquiries from the District Magistrate.

Lala Deshbandhu Gupta : Is there any difficulty in the way of the Government inquiring into the facts ?

Premier : It would not be proper for Government to make enquiries where a matter is appealable.

Lala Duni Chand : Will the Honourable Premier or the Parliamentary Secretary be pleased to state whether the continued refusal to grant a licence to him is not a breach of the privilege to which he is entitled as a member of this House ?

Mr. Speaker : It is regrettable that the honourable member has brought in the question of privilege where none exists. The gentleman is not being dealt with as an M. L. A. He had been holding this licence for the last 12 years whereas he became an M. L. A. on 1st April, 1937. Therefore he was not deprived of his licence as an M. L. A.

Lala Duni Chand : Certainly he was granted the licence before he became an M. L. A. but may I point out—

Mr. Speaker : There is no question of privilege in this case.

Lala Duni Chand : If you allow me to explain how the question of privilege arises—

Mr. Speaker : I disallow the question.

Lala Duni Chand : Without hearing me ?

Mr. Speaker : Yes.

Lala Duni Chand : I would respectfully submit that you ought to—

Mr. Speaker : I would request the honourable member to resume his seat. Matters of privilege can be moved by a formal motion. So the honourable member may give a regular notice.

Chaudhri Kartar Singh : Does the Government approve of the action of the District Magistrate in refusing the grant of licence to an honourable member of this House ?

Mr. Speaker : Disallowed.

Mian Muhammad Iftikhar-ud-Din : Are there any cases in which a licence has been granted again when the holder has lost his previous revolver ?

Parliamentary Secretary : There may be some cases but I am not aware of them.

Mian Muhammad Iftikhar-ud-Din : Does not the Government regard this case, as it happens to be that of an M. L. A. as sufficiently strong to treat it in the same manner ?

Parliamentary Secretary : I have already said that it is in the discretion of the District Magistrate to grant or refuse a licence. If the applicant has got any grievance he can appeal against that order.

Sardar Sampuran Singh : Does the Deputy Commissioner sit as a judicial officer when giving or disallowing licences or as an executive officer ?

Parliamentary Secretary : I think my honourable friend who is a member of the legal profession ought to know better in this matter.

Sardar Sampuran Singh : I want to know it from the Government. I do not know.

Parliamentary Secretary : I have already stated that the matter is appealable whether the Deputy Commissioner decides it in his judicial capacity or otherwise ?

Mian Muhammad Iftikhar-ud-Din : May I know if this discourteous behaviour on the part of the authorities on the one side and discriminatory behaviour on the part of the District Magistrate on the other is due to party allegiance of this particular member ?

Parliamentary Secretary : It is not at all discourteous or discriminatory. I repudiate that charge.

Mian Muhammad Iftikhar-ud-Din : Does not the honourable member regard it discourteous not to give reply to the many letters of a colleague of his in this House ?

Parliamentary Secretary : No one can bring the charge of discourtesy against the Premier who is the most courteous person in the House. It is due to the pressure of work that he is unable to attend to every letter addressed to him.

Lala Deshbandhu Gupta : Is it or is it not a fact that the honourable member concerned, Sardar Lal Singh, did file an appeal with the Commissioner and was told in reply that the case was not appealable ?

Parliamentary Secretary : I am not aware of it.

Lala Deshbandhu Gupta : Will the Government now make an enquiry into the matter and find out as to why the Commissioner gave that reply ?

Parliamentary Secretary : If Sardar Lal Singh were to make an appeal now, the Government will look into the matter.

Lala Deshbandhu Gupta : Does the honourable Parliamentary Secretary mean that Sardar Lal Singh should make a fresh appeal, inspite of the fact that the Commissioner has told him in writing that it was not an appealable case ?

Parliamentary Secretary : I think it would be advisable for him to make a fresh appeal.

Lala Deshbandhu Gupta : Would it not be more advisable for the Government to instruct the Commissioner that there is no justification for giving such reply because the case is appealable in the opinion of the Government ?

Parliamentary Secretary : I have already stated that he should file an appeal and then Government will make an enquiry into the matter.

Lala Deshbandhu Gupta : Would it not look absurd to make an appeal to the Commissioner again when he is told that no appeal lies?

Mr. Speaker : That is a matter of opinion.

Mian Muhammad Iftikhar-ud-Din : Is it or is it not a fact that the revolver is lost but the magazine is still with the honourable member? Is it not a dangerous thing?

Parliamentary Secretary : I am not aware of it.

Lala Deshbandhu Gupta : If an appeal is made to the Premier, is he prepared to entertain it, because the Commissioner says that no appeal lies with him?

Premier : If he will now make an appeal to the Commissioner he will find that the Commissioner is prepared to adjudicate on it.

Lala Deshbandhu Gupta : Will the Honourable Premier write to the Commissioner to consider the matter sympathetically if an appeal is made a second time?

Premier : There is no necessity for it.

Mian Sultan Mahmood Hotiana : Will the Government consider the advisability or otherwise of granting licences for pistols to the honourable members of this House if and when they apply?

Mr. Speaker : That does not arise. The next question.

SANITATION OF LAHORE.

***3649. Dr. Gopi Chand Bhargava :** Will the Honourable Minister of Education be pleased to state—

(a) whether he is aware of the general grievance that the sanitation of Lahore is very bad; specially in areas known as Krishan Nagar, Ram Nagar, Sant Nagar and Gawal Mandi;

(b) what steps the Public Health Department and the Administrator, Lahore Municipality, have taken to improve it?

The Honourable Mian Abdul Haye : (a) Yes.

(b) The Administrator with the assistance of his health department is doing what he can. The main difficulty is that the areas in question are at present without proper drainage. The honourable member is, however, perhaps aware that a drainage scheme for the whole of Lahore has now been sanctioned, and work has started.

Begum Rashida Latif Baji : Is it not a fact that in almost all big cities there are more than one health officer and even in Karachi whose population is less than that of Lahore there are more than one health officer while Lahore has only one such officer? Moreover, when Lahore Municipality made a representation for another health officer, is it a fact that the representation was rejected?

Minister : Government is aware that a representation was made to that effect by the Administrator and the matter is being considered.

Begum Rashida Latif Baji : Is it a fact that owing to insanitary conditions there has been a general complaint of dysentery and diarrhoea and where there had been 382 cases in 1937 there have been 774 cases in 1938 ?

Minister : I am prepared to take these figures from the honourable lady member.

Lala Deshbandhu Gupta : What steps does Government propose to take to see that the death rate does not increase ?

Minister : I have already said that a drainage scheme for the whole of Lahore has now been sanctioned and work has started.

Lala Deshbandhu Gupta : How long, does the Honourable Minister think that this scheme will take to complete ?

Minister : It is very difficult to give an exact estimate but we hope to finish the first stage of this scheme within a few years.

Lala Deshbandhu Gupta : Is there no time limit fixed for the contracts given in this connection for the completion of the work ?

Minister : This does not arise out of this question.

Lala Deshbandhu Gupta : I am entitled to put a supplementary question and it is only for the Speaker to hold whether a question is in order or not. I want to know how long that drainage scheme will take to finish. Has any scheme been prepared or not ?

Minister for Public Works : It has been prepared and sanctioned and the work has commenced.

Lala Deshbandhu Gupta : Can the honourable member give the exact time when the scheme will be completed ?

Minister : I can give you the exact time when the scheme will be completed. I thought you were asking about individual drainages for Krishna Nagar, Ram Nagar, Sant Nagar and so on. I can say that the whole of the scheme will be completed in five years.

SLAUGHTER-HOUSE NEAR KRISHAN NAGAR, LAHORE.

*8650. **Dr. Gopi Chand Bhargava :** Will the Honourable Minister for Public Works be pleased to state whether the Government has been able so far to select a site where the slaughter-house near Krishan Nagar in Lahore could be removed ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : The honourable member is referred to the reply given to starred Question No. 2708.¹

¹Vol. V, page 23.

**REPRESENTATION AGAINST HIGH RATES OF ELECTRICITY CHARGED BY
SIALKOT ELECTRIC SUPPLY COMPANY.**

***3651. Chaudhri Krishna Gopal Dutt :** Will the Honourable Minister of Public Works please state—

(a) whether a representation signed by over 300 respectable citizens of Sialkot was submitted in April last to the Secretary, Industries and Electricity Department, Punjab Government, complaining against the high rates of electricity charged by the Sialkot Electric Supply Company and appealing to the Government to intervene in the matter with a view to effect substantial reduction in the rate ;

(b) if so, the action taken or proposed to be taken by the Government on the said representation ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) A representation signed by 184 citizens was received.

(b) The representation was considered and Government came to the conclusion that it was not equitable to raise the question of reduction of rates, unless during the currency of the licence, bulk supply could be given to the company by the Public Works Department, Electricity Branch.

Lala Duni Chand : Has the Government considered the question of regulating the rates of electricity charges by law ?

Minister : I thought the honourable member was aware that that is already the case.

Lala Duni Chand : May I know if the rates of electricity are prescribed by law or regulated by law or prescribed by rules made under the law ?

Minister : Please consult the Punjab Electricity Act.

Lala Duni Chand : May I ask the Honourable Minister to consult the law himself ?

Minister : The conditions are laid down in the licences when they are granted.

Lala Duni Chand : Does the Honourable Minister know that there are different charges of electricity by different companies ? Does he know that ?

Minister : I am perfectly aware of that.

Lala Duni Chand : Then how is he justified in saying that it is already regulated by law ?

Minister : It is already regulated by law. The honourable member should be aware of that.

Lala Duni Chand : Is not the Honourable Minister flagrantly contradicting himself ?

Minister : Not at all. The conditions are laid down in the licences which are given under the Indian Electricity Act.

EXTENSION OF TERM OF LEASE TO SIALKOT ELECTRIC SUPPLY COMPANY.

***3652. Chaudhri Krishna Gopal Dutt :** Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that the Government have recently decided to grant a further five years' lease of life to the Sialkot Electric Supply Company ;
- (b) if so, whether before granting this extension the terms of the lease have been revised or not ?

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

(b) Clause 10 of the Sialkot Electric Licence, 1928, published in notification No. 10428 of 23rd March, 1928, has been amended as shown in Industries and Labour Department (Electricity) notification No. 1412-EL-38/26292, dated 1st August, 1938. The option of purchase given by section 7, subsection (1) of the Indian Electricity Act is now exercisable every 5 years. It is hoped that a project, the construction of which will be shortly started, will enable Government to purchase the undertaking on the expiry of the first period of 5 years.

Lala Deshbandhu Gupta : Will the Honourable Minister be pleased to state whether Government has imposed any condition as to the reduction of the present rate in view of the great agitation in the public against the Company about the high charges it makes ?

Minister : I have just replied to that in reply to the preceding question that Government controls rates under the conditions of the licence.

Lala Deshbandhu Gupta : Is it not open to the Government to impose conditions ?

Minister : The conditions are already there. We do not like to enforce a change of rates as the concern is likely to be purchased by Government shortly.

Lala Deshbandhu Gupta : When does the Government think that the rates will be reduced ?

Minister : Apparently the honourable member did not follow the reply to the last question. I said that bulk supply would be given to the company and then the question of lowering the rates would be considered.

Lala Deshbandhu Gupta : I want to know, when the Government considers that bulk supply will be available for that company.

Minister : The construction has started and will be ready within a couple of years.

Lala Deshbandhu Gupta : Is it not a fact that the rates charged by this company are higher than the rates charged by similar companies in other towns where the bulk supply is not available ?

Minister : I could not reply about the rates of individual companies. If you give notice I will give a reply.

HOLDING OF COURTS BY MAGISTRATES AWAY FROM HEADQUARTERS.

***3653. Chaudhri Krishna Gopal Dutt :** Will the Honourable Minister of Finance please state—

- (a) the number of days in a month for which the stipendiary magistrates posted at Kasur usually hold their courts away from the headquarters ;
- (b) the number of days in each case for which the stipendiary magistrates at Kasur held their courts away from the headquarters in the month of June, 1938 ;
- (c) the approximate extra cost incurred by the Government in this connection on account of travelling allowances of magistrates and expenses of escorting under-trial prisoners to the court ;
- (d) whether it has been brought to his notice that this practice of frequently holding courts away from the headquarters results in creating handicaps for the accused for arranging the defence ;
- (e) whether it is also a fact that the accused in a large number of cases which are decided away from the headquarters go unrepresented ;
- (f) if so, whether the Government have any intention of discouraging the practice of frequently holding courts away from the headquarters ?

The Honourable Mr. Manohar Lal : (a) On an average, for about ten days.

(b) A statement is laid on the table.

(c) The extra cost in June was—

	Rs.	A.	P.
Travelling allowance of magistrates	382	12 0
Conveyance of prisoners and police escorts	464	3 8

Against this must be set the savings effected in the diet money of witnesses. These cannot be estimated with any accuracy but they would probably be found to exceed the extra cost involved.

(d) The District Magistrate reports that no such complaints have been made to him.

(e) This may be so, but a number of them would doubtless have been unrepresented even if the cases had been heard at headquarters.

(f) No. The honourable member will perhaps be interested to read the remarks on this subject in paragraph 4 of the Government review of the Report on Police Administration in the Punjab for the year 1934. I am placing a copy of the relevant passage on the table. Kasur is one of the areas which were selected for the experiment in 1938. The latest instructions, issued by Government in December, 1936, are that the arrangements ordered in 1938 should be continued indefinitely.

Lala Deshbandhu Gupta : Does the Government realise the inconvenience caused to litigant public by the courts being held outside the headquarters ?

Minister : I have already answered that question in abundance.

Lala Duni Chand : Has the Government considered the question of stopping this practice as it is purely a waste of public money as under the law magistrates are not required to hold courts outside the headquarters ?

Mr. Speaker : The question is argumentative.

Mian Sultan Mahmud Hotiana : Is the Honourable Minister aware of the fact that in certain cases where there is a large number of witnesses who have to attend the court, it is desirable that magistrates should hold these courts out of the headquarters ?

Minister : That is distinctly Government's opinion and that is why this system is to be continued indefinitely. The matter was considered by the High Court and by the Government.

Statement I.

				<i>Days.</i>
Sahibzada Karam Shah ..	..	..	..	14
Khan Ghulam Sarwar Khan ..	..	..	..	9
Mr. Pran Nath Bhalla ..	..	..	..	13
Mr. Mathra Dass Ahooja ..	..	..	..	9
Chandhri Amar Singh ..	..	..	..	8

Statement II.

The need for arrangements to enable Ilaga magistrates to acquire a knowledge of conditions in the areas under their jurisdiction, and the advantages to be secured by the trial of certain types of cases near to the place of occurrence, have been recognised by Government for some years past. With the concurrence of the Honourable Judges of the High Court an experiment was undertaken in 1933 under which the first class stipendiary magistrates in eleven selected districts were specially directed to tour their areas. The instructions issued in connection with this scheme particularly forbid hurried journeys out from headquarters and back ; the type of touring encouraged is that in which the magistrate, working on a tour programme published well in advance, makes a halt for several days at the headquarters of the police station or at some other convenient centre and there tries cases from the surrounding country. Reports on this experiment have lately been received from the District Magistrates concerned. The opinions are not unanimous or unqualified, but the majority of the officers who have been in a position to watch the working of the system appear to have found it of value ; and this same view finds expression in the present report by the Inspector-General of Police. It is interesting to note that no serious complaints have been received in connection with the experiment from the legal profession, which is generally inclined to dislike the trial of cases away from the headquarters station.

FEROZEPORE-FAZILKA ROAD.

***3654. Pir Akbar Ali :** Will the Honourable Minister of Public Works be pleased to state—

- (a) the length of the Ferozepore-Fazilka road ;
- (b) how many miles of this are metalled ;
- (c) annual expenditure of repairs per mile on the unmetalled part of it ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) 52.95 miles.

(b) 10.87 miles.

(c) Rs. 220 approximately.

POPULATION OF GUJRANWALA AND JHELUM JAILS.

***3655. Pir Akbar Ali :** Will the Honourable Minister of Finance be pleased to state—

(a) the population of the Gujranwala and Jhelum Jails, respectively, and the pay paid to each of the Superintendents of these jails;

(b) the total expenditure on the maintenance of these jails?

The Honourable Mr. Manohar Lal : (a) (1) Population on the 1st November, 1938 :—

Gujranwala	..	..	..	..	427
Jhelum	..	..	..	..	361

(2) Pay of Superintendents :—

		<i>Grade Pay.</i>	
Gujranwala	Rs. 460 plus special pay	..	Rs. 400—10-450/10
	Rs. 100		500.

Total .. Rs. 560 per mensem.

Jhelum	..	Rs. 350 plus special pay	..	Rs. 300—40/30—
		Rs. 100		850.

Total .. Rs. 950 per mensem.

(b) Gujranwala Rs. 49,950 per annum.

Jhelum .. Rs. 50,795 per annum.

REMISSION OF LAND REVENUE FOR FAILURE OF KHARIF CROPS IN JULLUNDUR DISTRICT.

***3657. Master Kabul Singh :** Will the Honourable Minister of Revenue be pleased to state—

(a) whether the Government is aware of the fact that owing to drought, *kharif* and fodder crops have failed this year in the Jullundur district;

(b) whether the Government has received any representations from the poor zamindars of various villages in the district praying for land revenue remissions, etc., if so, the number and names of such villages in the Jullundur district and the action that is intended to be taken in the matter?

Parliamentary Secretary (Chaudhri Tikka Ram): (a) Yes. Barani crops have failed in parts of the Jullundur district.

(b) Yes. Representations have been received in the Financial Commissioners' Office from the following nine villages:—

- | | | |
|--------------|-------------|---------------|
| 1. Lohgarh. | 4. Behar. | 7. Pharwala. |
| 2. Bangiwal. | 5. Chhaura. | 8. Samrae. |
| 3. Akuwala. | 6. Bilga. | 9. Chak Dana. |

The question of granting relief is under consideration.

TRANSFER OF POLICE FOOT-CONSTABLES FROM THEIR HOME DISTRICTS.

***3675. Master Kabul Singh:** Will the Honourable Premier be pleased to state whether it is a fact that Government has recently issued a circular to the effect that police foot-constables posted to their home districts should be transferred to other districts; if so, whether it is contemplated to give them any extra allowance in the event of their transfer from their home districts?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh): No such orders have been issued.

THEFTS IN THANA ADAMPUR, DISTRICT JULLUNDUR.

***3676. Master Kabul Singh:** Will the Honourable Premier be pleased to state the number of thefts committed in the jurisdiction of thana Adampur, district Jullundur, during the period from August, 1937, to August, 1938, with the number of thefts traced out of them, and the number of persons challaned with the number of the accused convicted?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) A statement is laid on the table.

Theft and burglary cases in the jurisdiction of Police Station Adampur, Jullundur District, during the period from August, 1937 to August, 1938.

Number of cases committed.		Number of cases traced.		Number of persons sent for trial.		Number of persons convicted.	
Theft.	Burglary.	Theft.	Burglary.	Theft.	Burglary.	Theft.	Burglary.
1	2	3	4	5	6	7	8
28	76	11	6	16	11	11	7

DISSATISFACTION OF PRINTERS, PUBLISHERS, ETC., AGAINST MAGISTRATES.

***3683. Malik Barkat Ali :** Will the Honourable Premier be pleased to state whether he is aware of the grave dissatisfaction which exists among keepers of printing presses, printers and publishers of newspapers and other periodicals over the practice of the magistrates in the Punjab of first obtaining stamped applications from such keepers, printers and publishers and then calling for reports on such applications from the police and other departments as to the antecedents and other particulars of the applicants prior to the authentication of declarations ; if so, the action intended to be taken to remove this dissatisfaction ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : No. It is not proposed to take any action.

Malik Barkat Ali : Will the Honourable Member please say whether under the law there is any power given to magistrates to call for such reports ?

Parliamentary Secretary : I want notice of the question.

APPLICATIONS FILED BY PRINTING PRESSES AND PRINTERS FOR AUTHENTICATION.

***3684. Malik Barkat Ali :** Will the Honourable Premier be pleased to lay on the table a statement showing the number of applications filed by the keepers of printing presses and by printers and publishers of newspapers and periodicals for authentication under the Press Law which were pending with magistrates up till the 1st of November, 1938, and the dates on which these applications were filed ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : The labour involved in the collection of such statistics is not commensurate with their value. If the honourable member has any specific instance of excessive delay in mind, I shall be glad to make enquiry if he would send me the particulars.

Lala Deshbandhu Gupta : May I know if it is a fact that the rules under the Act do not require reports being submitted or applications being submitted and sent for authentication ?

Parliamentary Secretary : I require notice.

Lala Deshbandhu Gupta : Is the honourable member aware that sometimes the authentications are delayed by weeks and those who wish to file their declarations have to wait indefinitely and the nationalist papers in particular suffer ?

APPLICATIONS FROM VARIOUS PERSONS FOR BEING DECLARED AS MEMBERS OF THE AGRICULTURAL TRIBES.

***3685. Rai Bahadur Bindu Saran :** Will the Honourable Minister of Revenue be pleased to lay before the House a statement showing districtwise—

(a) the number of applications received from various persons for being declared as members of agricultural tribes ;

[R. B. Binda Saran.]

- (b) the caste assigned to each of them in the revenue papers which he wishes to get changed ;
- (c) the names of the applicants and the caste to which each of them claims to belong ;
- (d) the area owned and the revenue paid by each of them separately ;
- (e) whether any of these applicants has any other means of subsistence than agriculture ; if so, what ;
- (f) the nature of the inquiry made in order to ascertain whether the claims put forward in this connexion are correct ?

Parliamentary Secretary (Raja Ghazanfar Ali Khan) : The collection of all the information required by the honourable member would involve an amount of labour out of proportion to its public interest. I regret my inability to comply with the request, but if some specified period and the specific district for which information is required is indicated I would try to meet the wishes of the honourable member.

RECRUITMENT OF RELATIONS OF GOVERNMENT SERVANTS IN LOWER GRADE SERVICES.

***3686. Dr. Sant Ram Seth** : Will the Honourable Premier be pleased to state whether it is a fact that the Punjab Government has sent a circular to their departments that in all the lower grade services preference be given to the relations of Government servants ; if so, why ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daultana) : No.

Lala Deshbandhu Gupta : Is there any verbal instruction issued to that effect ?

Parliamentary Secretary : No.

Lala Deshbandhu Gupta : Is that not the practice to-day ?

Parliamentary Secretary : No.

CONVICTS AND UNDERTRIALS UNDER SECTION 153, I. P. C.

***3687. Dr. Sant Ram Seth** : Will the Honourable Premier be pleased to state—

- (a) the number of undertrials and convicts under section 153, I. P. C. in 1938 ;
- (b) the total amount of fine, if any, realized from such convicts ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daultana) : The time and trouble involved in collecting this information would not be commensurate with the results.

Lala Deshbandhu Gupta : Are there so many cases that Government cannot find out the number ?

Sardar Sohan Singh Josh : Or is it because it will show the real character of Government ?

Mr. Speaker : Disallowed.

Sardar Sohan Singh Josh : How many communalists were arrested under this section ?

Premier : The honourable member probably knows more about the matter than I do.

Sardar Sohan Singh Josh : How can I know better ? I am not a communalist. Is the information not given because the Government is communalist ?

Lala Deshbandhu Gupta : Is it not a fact that cases under section 153-A are lodged with the previous sanction of Government ?

Premier : Yes.

Lala Deshbandhu Gupta : What labour is involved then in collecting the information ; it should be available in the Government office.

Premier : I cannot add anything to what has already been said.

Lala Deshbandhu Gupta : Does the Honourable Premier mean that cases do not come to the local Government from each district before sanction is accorded ?

Premier : They do come.

Lala Deshbandhu Gupta : Then the information should be available in the records of the Secretariat.

Premier : Government has got to verify that information from the district magistrates.

Lala Deshbandhu Gupta : Does the Honourable Premier mean that the district magistrates alter the orders of the local Government necessitating verification ?

Mr. Speaker : Disallowed.

Lala Deshbandhu Gupta : Will the Honourable Premier give a definite reply to part (a) of the question ?

Premier : I cannot add anything to what has already been said.

Lala Deshbandhu Gupta : The only information asked for in part (a) is the number of persons convicted under section 153-A. That information should be available in Government records.

Premier : The question asks for the number of convicts. I say that it is not in the public interest to call for that information.

Lala Deshbandhu Gupta : What about the number of under-trials ?

Premier : It is not in the public interest to call for that information either.

ARRESTS AND CONVICTIONS IN CONNECTION WITH BUNDOBUST AGITATION.

***3688. Dr. Sant Ram Seth :** Will the Honourable Premier be pleased to state—

(a) the total number of arrests in the province in connexion with the Bundobust agitation ;

[Dr. Sant Ram Seth.]

- (b) the total number of convictions in this connection ;
- (c) the number of prisoners placed in A and B classes, respectively, from amongst those convicted ;
- (d) whether it is a fact that the Premier of the Punjab undertook to release the prisoners when the compromise was made between the Government and the Bundobust Committee ?

Parliamentary Secretary (Sardar Bahadur Sardar Ujjal Singh) : (a) No arrests were made for agitation against Bundobast. One hundred and fifty-five arrests were made for breaking the law when jathas defied the order under section 144.

(b) 140.

(c) This information is not readily available.

(d) No. The Premier promised to release the 'dupes' but not the ring-leaders. All except the ringleaders have been released.

Sardar Sohan Singh Josh : May I ask as to why the reply to part (c) of the question is not available ?

Premier : It is not necessary to reply to that part of the question as the prisoners have been released.

Sardar Sohan Singh Josh : Is it not a fact that 5 of them are still in jail ?

Premier : Not 5 but 7.

Sardar Sohan Singh Josh : In which class have these 7 prisoners been placed ?

Premier : I cannot reply to that question off-hand.

Sardar Sohan Singh Josh : Is the information withheld because the classes assigned to them are not according to their social status ?

Premier : No, Sir.

Diwan Chaman Lall : Had you not better do away with such arrests?

Premier : That may be possible only if my honourable friends over there make up their minds to help me in the matter.

PREMIER'S ADDRESS AT THE PUNJAB ZAMINDARA CONFERENCE
AT LYALLPUR.

***3378. Sardar Hari Singh** : Will the Honourable Premier be pleased to state—

- (a) number of copies of the address which was delivered by him at the Punjab Zamindara Conference on 4th September, 1938, at Lyallpur and published by the Information Bureau ;
- (b) cost incurred thereon ;
- (c) reasons for expenditure in connexion with the publication of literature in support of party propaganda of the Ministers ?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : (a) One part of the address delivered at the Punjab Zamindara Conference, Lyallpur, on the 4th of September, 1938, was published by the Information Bureau. Ten thousand copies of the Urdu version, 2,000 copies of the English version and 4,000 copies of the Gurmukhi version were published.

(b) The cost of paper and printing was Rs. 996-14-1.

(c) This part of the address was published by the Information Bureau because it dealt with the agrarian Bills which had become the law of the land. It is the duty of the Government to explain to the people the true implements of measures passed by them. I may add for the information of the honourable member that another part of the address which dealt with the work of the Unionist Party as such was published separately by the Unionist Party.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Has the Government studied the working of the reorganised information bureaux in other provinces ?

Parliamentary Secretary : I have not had the opportunity of minutely studying the practice in other provinces. From a publication of the Public Information Bureau of the United Provinces Government it appears, however, that no distinction is made between the explanation of Government policy and propaganda of the party in power.

Sardar Hari Singh : On a point of order. Can a Parliamentary Private Secretary ask questions ?

Mr. Speaker : The Honourable member may put his supplementary question.

Sardar Hari Singh : May I know whether the address delivered at the Zamindara Conference, Lyallpur, was delivered by Sir Sikander Hyat-Khan in his official capacity or in his non-official capacity ?

Premier : I do not possess a dual capacity.

Sardar Hari Singh : May I take it that it was delivered in his non-official capacity ?

Premier : It was delivered in my capacity as I am now.

Diwan Chaman Lall : May I ask my honourable friend what he is now ?

Premier : Prime Minister of this province. (*Hear, hear and applause.*)

Diwan Chaman Lall : May I know whether he thinks it justifiable that as Prime Minister of this province he should charge the expenditure on party address upon the revenues of this province ?

Premier : My honourable friend is irrelevant because the answer was given that it was not party propaganda.

Sardar Sohan Singh Josh : May I know if the address delivered there was in his official capacity ?

Premier : The address was in two parts and both are already before the public. My honourable friend might study and benefit from them.

Diwan Chaman Lall : May I know whether it is a fact that the zamindara conference over which my honourable friend presided was called by his party ?

Premier : Yes.

Diwan Chaman Lall : If that is so and he presided over that zamindara conference, is it not party propaganda ?

Premier : No. As a matter of fact I would be prepared to address and explain the point of view of Government of the day if my honourable friends opposite invite me to a Congress meeting to-morrow.

Pandit Shri Ram Sharma : May I enquire whether it was an official conference where he delivered his address ?

Premier : I am sorry my honourable friend is still obsessed by officialism. He should now realise that there is no question of officialdom in a democratic form of Government.

Pandit Shri Ram Sharma : What I want to know is whether that conference was an official function or a private meeting of the Unionist party.

Premier : Had it been an official function my honourable friend would have clamoured that I was holding a durbar.

Sardar Hari Singh : May I ask the Honourable Premier whether any of the expenditure besides the cost of address delivered by him was borne by the Government ?

Premier : You mean the other arrangements that were made there ?

Sardar Hari Singh : Yes.

Premier : No.

Lala Duni Chand : Has the Government consulted legal opinion as to whether the cost incurred in printing the address is legally chargeable to the revenues of the province ?

Premier : Do you mean publications like those of the United Provinces Bureau of Public Information ?

Diwan Chaman Lall : Is there any other instance where 10,000 copies of an address at a conference have been distributed at Government expense ?

Premier : I do not know what the actual publication of this bulletin is, but surely it must be considerable considering that the United Provinces is a big province.

Sardar Hari Singh : May I know—

Mr. Speaker : I disallow any further supplementary questions.

Sardar Hari Singh : May I enquire whether the Minister and Parliamentary Secretaries who attended that zamindara conference were paid travelling allowance ?

Mr. Speaker : The next question. Supplementary questions, even if relevant, may be disallowed for the simple reason that other members, in whose names questions stand, should get an opportunity to ask those questions. It is not fair that the major part of the time should be spent on supplementary questions on one single question.

Sardar Hari Singh : You have to consider the importance of the question.

Mr. Speaker : That importance is to be judged by me ; and I think I have always given sufficient latitude to honourable members for putting supplementary questions.

Sardar Hari Singh : I only want to put one supplementary question as to whether the travelling allowance was drawn from the public exchequer by the ministers and parliamentary secretaries.

Mr. Speaker : That has been answered on the floor of the House a number of times.

INQUIRY INTO COMPLAINT MADE BY BAKHSHISH SINGH OF VILLAGE CHABEWAL.

***3379. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether one Bakhshish Singh, of village Chabewal, district Hoshiarpur, has submitted a petition, dated 20th September, 1938, to the Superintendent of Police, Hoshiarpur, bringing to his notice that one Jawala Singh, an ex-convict of village Jian, of Hoshiarpur district, menacingly pointed his revolver at him near the sub-jail on 20th September;
- (b) if the answer to (a) above be in the affirmative, whether an inquiry has been made into the matter; if so, with what result?

The Honourable Major Sir Sikander Hyat-Khan : (a) Yes.

(b) An inquiry was made under the orders of the Superintendent of Police. The petitioner Bakhshish Singh failed to appear in response to a notice sent to him, and the complaint was ultimately found to be false.

HARIANA ZAMINDARA CONFERENCE IN DISTRICT HOSHIARPUR.

***3389. Sardar Hari Singh :** Will the Honourable Premier be pleased to state—

- (a) whether it is a fact that in order to gather people from villages at the Hariana Zamindara Conference, district Hoshiarpur, on 11th October the revenue and other officials toured the villages;
- (b) whether it is a fact that all zaildars, sufedposhes, lambardars and military pensioners were directed by the officials to attend the said conference and bring a certain quota of men with them;
- (c) whether it is a fact that zaildars and sufedposhes were assembled at tahsil headquarters and each of them was asked to pay Rs. 5 or more towards meeting expenses in connexion with the said conference;
- (d) whether exact short-hand copies of the speeches delivered by the Honourable Minister at the said conference were prepared?

Parliamentary Secretary (Khan Bahadur Mian Ahmad Yar Khan Daulatana) : (a) to (d) No.

Sardar Hari Singh : May I ask whether it is not a fact that a meeting of lambardars, zaildars and sufedposhes was called on the 1st of October at the tahsil headquarters, Hoshiarpur, by the Revenue Assistant and these officials were asked to pay Rs. 5 per head towards the expenses of the zamindara conference at Hariana?

Premier : The answer is quite clear.

Sardar Hari Singh : As clear as night.

Premier : Of course, if my honourable friend wishes to call the day a night he is welcome to do so.

Lala Deshbandhu Gupta : Does the Honourable Premier deny that any meeting took place ?

Premier : The answer is no.

Pandit Shri Ram Sharma : Is the holding of the meeting being denied or the asking of Rs. 5 being denied ?

Premier : I am denying the allegations in the question.

Sardar Hari Singh : Who prepared the answer for my honourable friend ?

Mr. Speaker : Disallowed.

Sardar Hari Singh : Were any enquiries made from the officers who were in charge of calling that meeting ?

Chaudhri Kartar Singh : Did the Honourable Ministers pay any part of their travelling allowance as a charity to this conference ?

Sardar Hari Singh : May I ask whether in preparing an answer to this question, enquiries were made from lambardars, zaildars, sufedposhes, etc., as to the truth of the allegation ?

Premier : The question does not arise.

Sardar Hari Singh : May I ask whether enquiries were made from them whether they had paid this money ?

Premier : A clear answer has been given to that already.

SALARIES PAID TO THE STAFF OF SCHOOLS MAINTAINED BY DISTRICT BOARD, AMBALA.

***3399. Lala Duni Chand :** Will the Honourable Minister of Public Works be pleased to state—

(a) if it is a fact that the staff of the schools maintained by the District Board in Ambala district do not get their salaries regularly every month ;

(b) the reasons for the same ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) and (b) The local officers report that the staff in question have been paid regularly except that salaries for March and April this year were not disbursed till May. They add also that September salaries were paid 10 days after due date. The board will be asked to pay salaries punctually in future.

Lala Duni Chand : What were the reasons for not paying these salaries in time which the Honourable Minister has admitted were not paid in due course ?

Minister : I want notice.

Lala Duni Chand : What were the reasons ?

AMENDMENT OF THE PROVISIONS OF PUNJAB CO-OPERATIVE
SOCIETIES ACT.

***3400. Lala Duni Chand :** Will the Honourable Minister of Development be pleased to state—

- (a) whether it has come to his notice that the provisions of the Punjab Co-operative Societies Act making every member of a Co-operative Society with unlimited liability liable for the payment of the debt due from another member of the same society have worked harshly against many members of a large number of such societies in the Punjab ;
- (b) the amount of the loan paid for defaulting members of such societies in the Punjab by other members during the last financial year ;
- (c) whether there has been or there is any proposal before the Government to amend the said provisions of the Punjab Co-operative Societies Act ?

The Honourable Chaudhri Sir Chhotu Ram : (a) Section 4 (2) of the Co-operative Societies Act II of 1912 lays down that the liability of a society of which the object is the creation of funds to be lent to its members, and of which the majority of the members are agriculturists, and of which no member is a registered society, shall be unlimited. The meaning of such liability is, as laid down in the society's by-laws, that members are jointly and severally liable without limit for all debts incurred and all loans and deposits taken by the society in pursuance of its stated objects. When this liability is enforced, some hardship is no doubt caused, but it is enforced rarely and only to safeguard the interests of outside creditors or to counteract fraudulent evasion by members.

(b) Complete figures relating to all societies under liquidation are not available. But in societies of which the liquidation was completed during the year ending July 31, 1938, unlimited liability was enforced against only 35 members to a total amount of Rs. 2,538. Liquidation orders enforcing unlimited liability are pending in a number of other societies.

(c) No.

Lala Duni Chand : Is the Government aware of the fact that the operation of this law works hardship on a number of innocent people who themselves get nothing from these societies?

Minister : My answer is clear on the point.

Lala Duni Chand : May I know whether the Government is aware of the hardship that I have pointed out?

Minister : Will the Honourable member please read my answer over again?

**GRANT BY THE DISTRICT BOARD, ROHTAK, TO THE JAT HIGH SCHOOL,
ROHTAK.**

***3432. Pandit Shri Ram Sharma :** Will the Honourable Minister of Public Works be pleased to state—

(a) whether it is a fact that the Rohtak District Board granted Rs. 25,000 for the Jat High School, Rohtak, and the Commissioner, Ambala division, assented to the proposal ; if so, reasons for the same ;

(b) whether it is consistent with the declared policy of the Government that the local bodies may use their funds in subsidising denominational institutions started mainly to help a particular caste or community ?

The Honourable Major Nawabzada Malik Khizar Hayat Khan, Tiwana : (a) and (b) Yes. The institution is open to boys of all communities and classes and there has been no departure from the policy of Government.

Khan Sahib Chaudhri Sahib Dad Khan : Is there any Rajput High School at Kalanaur ?

Minister : The question relates to a school in Rohtak district and I do not think the supplementary question arises out of it.

Pandit Shri Ram Sharma : Will the Honourable Minister please state when the district board passed this resolution ?

Minister : I am afraid I will not be able to give you that date.

Pandit Shri Ram Sharma : Can you give me the date of the sanction given by the Commissioner ?

Minister : I will not be able to give that without proper notice.

Pandit Shri Ram Sharma : Is the Honourable Minister aware that in reply to another question, the Honourable Minister for Education said that it is not the policy of the Government to help denominational institutions ? Is it in pursuance of the same policy that this aid is being given ?

Minister : I do not think you have followed my reply.

Pandit Shri Ram Sharma : Honourable Minister did not follow my question.

Minister : No, you did not follow my reply.

Diwan Chaman Lall : Repeated breaches of the rules of the House have been committed by the Honourable Minister. He is addressing the honourable member and not the chair.

Minister : I confess it is a breach, but not a very serious breach.

Diwan Chaman Lall : May I ask your opinion whether it is or it is not a serious breach, particularly if a front bencher is guilty of it ? He ought to know the procedure of this House better.

UNSTARRED QUESTIONS AND ANSWERS.

STAMP VENDORS AT ROHTAK.

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

- (a) the number of stamp vendors at Rohtak ;
- (b) the minimum number according to the circular of the Financial Commissioner that ought to be at the headquarters of Rohtak district ;
- (c) the steps the Government intends to take to make up the deficiency, if any, in the number of stamp vendors at Rohtak?

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

- (b) No minimum number is fixed. The maximum number is two.
- (c) Does not arise.

BRIDGES AND GHATIS MADE BY PUBLIC WORKS DEPARTMENT IN
TAHSIL FIROZPUR-JHIRKA.

574. Chaudhri Abdul Rahim : Will the Honourable Minister of Public Works be pleased to state the number of bridges and ghatis made by the Public Works Department in tahsil Firozpur-Jhirka, other than those constructed by the Famine Works Department during the past ten years ?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : Only one gap (that is an Irish Bridge) has been constructed by the Public Works Department in Firozpur-Jhirka tahsil during the last ten years.

BREACH OF THE BHALANT MINOR IN ROHTAK DISTRICT
AND PENALTY IMPOSED ON THE ZAMINDARS.

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

- (a) whether he is aware of the fact that owing to a cut made by some unknown person in the Bhalant minor during the last week of September last, a penalty of Rs. 1,904-10-0 has been imposed on the zamindars of village Kaloi in Rohtak district ;
- (b) whether it is also a fact that in March last owing to a breach in the said canal the harvest of the zamindars mentioned in (a) was destroyed ;
- (c) the number and the names of those who were both adversely affected by the breach and are also under penalty for the cut ;
- (d) whether the person or persons responsible for the cut have been traced out ; if not, the reason for penalising so many zamindars ;
- (e) whether the Government intend to take any action in the matter of reducing the hardships of the zamindars mentioned in (c) ?

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

**SUPERINTENDENTS OF DEPUTY COMMISSIONERS' ENGLISH OFFICES
AND H. V. CS. IN AMBALA DIVISION.**

578. Sheikh Karamat Ali : Will the Honourable Minister for Revenue be pleased to state—

- (a) the number of superintendents of Deputy Commissioners' English Offices and the H. V. Cs. in the province community-wise ;
- (b) the number of Deputy Commissioners' Superintendents and H. V. Cs. in the Ambala division ;
- (c) whether the Muslims are adequately represented in these two important posts in the district staff and particularly in the Ambala division ;
- (d) the steps the Government propose to take to give adequate representation to the Muslims so far as these posts are concerned?

The Honourable Dr. Sir Sundar Singh Majithia : (a) and (b) The attention of the honourable member is drawn to the information given in serial Nos. 4—8 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 1st January, 1938.

(c) and (d) Government have issued orders that recruitment to the district establishments should in future be made according to the following proportions—

	<i>Per cent.</i>
Muslims	50
Hindus and others	30
Sikhs	20

These orders will in due course rectify any disparity which may exist in the representation of any particular community.

**PAYMENT OF TALBANA BY ZAMINDARS OF VILLAGE SAGAL,
TAHSIL DASUYA.**

579. Sardar Hari Singh : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether it is a fact that over a dozen zamindars of village Sagal, tahsil Dasuya, district Hoshiarpur, applied to the tahsildar, stating that they were prepared to pay land revenue to the lambardar after deducting the malba money and that the lambardar refused to receive the money ;
- (b) whether it is further a fact that the said petitioners have been made to pay rupee one of talbana in addition to the amount of land revenue, if so, why?

The Honourable Dr. Sir Sundar Singh Majithia : (a) One such application was received from the zamindars of this village, upon which the Naib-Tahsildar, after enquiry, separated the amount of *malba* from the land revenue demand and allowed the zamindars concerned to pay land revenue only. As the zamindars still refused to pay the land revenue to the lambardar, the latter applied for the issue of *dastaks*, which were duly served. The

lambardar did not refuse to receive the money, but the demand had to be collected by the Tahsildar after summoning the villagers owing to their refusal to pay the lambardar.

(b) Since the *dastaks* were issued, *talbana* amounting Re. 1 had to be realised as arrears of land revenue. The Tahsildar had no authority to remit this amount, and the zamindars also did not object to its payment.

ADULT SCHOOL, VILLAGE SUS, DISTRICT HOSHIARPUR.

590. Sardar Hari Singh : Will the Honourable Minister of Education be pleased to state—

- (a) whether it is a fact that an adult school was opened at village Sus, district Hoshiarpur, on the application of Gyani Balwant Singh, dated 9th October, 1936, under District Inspector's orders No. 1088-E. R., dated 15th October, 1936;
- (b) the date on which the said school started regular instruction;
- (c) whether it is a fact that the said school was ordered to be closed under District Inspector's orders No. 901-R., dated 2nd July, 1938, with effect from 1st July, 1938;
- (d) the period for which and the rate at which payment has been made to the teachers concerned;
- (e) the arrears of the allowance due to the teachers;
- (f) reasons for closing the school;
- (g) whether it is intended to re-start the school.

The Honourable Mian Abdul Haye : (a) Yes.

(b) 1st November, 1936.

(c) Yes.

(d) Gyani Balwant Singh was paid for 11 months at the rate of Rs. 20 per mensem.

(e) Nil, because for some months average attendance of the school remained below 15 for which no allowance is admissible.

(f) Because it was not running satisfactorily and did not fulfil certain conditions contained in Article 334 of the Punjab Education Code.

(g) No.

REPRESENTATION OF TENANTS OF VILLAGE HAVELI, DISTRICT HOSHIARPUR.

581. Sardar Hari Singh : Will the Honourable Minister of Revenue be pleased to state—

- (a) whether he and the Deputy Commissioner, Hoshiarpur, have received a representation from occupancy tenants of village Haveli, thana Mahilpur, district Hoshiarpur, to the effect that in their case no pedigree is prepared in the patwari's register and that the same be prepared so as to decide disputes arising consequent on the death of an issueless tenant;
- (b) if answer to (a) above be in the affirmative, action proposed to be taken in the matter?

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

(b) None, as the rules do not permit of the preparation of pedigree tables for tenants. One of the petitioners was also informed accordingly.

**SCHOOLS AND CIVIL DISPENSARIES IN ILAQA BEIT, TAHSIL
NAWANSHAHR.**

582. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister of Education be pleased to state—

- (a) the number of Government schools and civil dispensaries, if any, in the Beit Ilaga, tahsil Nawanshahr, district Jullundur;
- (b) the percentage of the literate in the aforesaid ilaga;
- (c) whether Government has so far taken any steps in regard to the male and female education and physical welfare of the above-mentioned ilaga; if not, the reasons therefor and when the Government intends to take any steps in this direction?

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

MALARIA IN BEIT ILAQA, DISTRICT JULLUNDUR.

583. Chaudhri Muhammad Abdul Rahman Khan: Will the Honourable Minister for Education be pleased to state whether it is a fact that Malaria is prevalent in the Beit Ilaga, Tahsil Nawanshehr, district Jullundur; if so, whether the Government has taken or intends to take any action in the matter; if not, the reasons therefor?

The Honourable Mian Abdul Haye : No report of an abnormal incidence of malaria in this ilaga has so far been received. Quinine is however being distributed in this ilaga now.

MEANS OF COMMUNICATION IN ILAQA BEIT, DISTRICT JULLUNDUR.

584. Chaudhri Muhammad Abdul Rahman Khan: Will the Honourable Minister of Public Works be pleased to state whether he is aware of the fact that there is no satisfactory means of communication in ilaga Beit, tahsil Nawanshehr, district Jullundur, if so, when and what steps Government propose to take to remove the grievances of the people of the said ilaga in that respect and if no action is contemplated, the reasons therefor?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : Nawanshehr is connected by metalled roads and railway with Phagwara and Rahon and by railway with Garhshankar. Therefore, it cannot be said that there is no satisfactory means of communication in the tahsil. The ilaga Beit of this tahsil is also served by several unmetalled roads maintained by the District Board, Jullundur.

VETERINARY AID IN ILAQA BEIT, DISTRICT JULLUNDUR.

585. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Development be pleased to state whether it is a fact that for want of veterinary aid a large number of cattle in ilaga Beit, district Jullundur, die of different kinds of diseases, and the poor zamindars suffer badly; if so, the action the Government intend to take in the matter?

The Honourable Chaudhri Sir Chhotu Ram : No, this is not a fact. Separate figures for ilaqa Beit are not available, but cattle mortality for the whole district for the year 1937-38 was only 0.7 per cent. Veterinary facilities in ilaqa Beit are adequate.

METALLED ROADS IN THE BEIT ILAQA, DISTRICT JULLUNDUR.

586. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister of Public Works be pleased to state—

- (a) whether it is a fact that in the Beit Ilaga, district Jullundur, especially in tahsil Nawanshehr and generally in Phillaur and Nakodar tahsils, the Government have paid no attention towards the construction of metalled roads; if so, the reasons therefor and whether any attention will be paid to them in future; if so, when;
- (b) whether it is also a fact that some roads and paths of the said ilaga are so dilapidated and marshy that it is impossible for the bullock carts to pass through them;
- (c) whether it is further a fact that some people by building houses on the road and turning them into ploughed fields have made the paths so narrow that it is impossible to pass through them;
- (d) if the answer to the above parts be in the affirmative the action, if any, that the Government proposes to take in the matter?

The Honourable Nawabzada Major Malik Khizar Hayat Khan Tiwana : (a) There are already four metalled roads in the Beit ilaga of the 3 tahsils, viz:—

- (i) From Phillaur towards Rahon;
- (ii) From Phillaur towards Ludhiana;
- (iii) From Nakodar towards Sidhwan;
- (iv) From Nawanshehr towards Rahon;

Construction of more metalled roads and mileage will be considered along with the proposals for other important roads in the province.

(b) Yes; kucha roads generally become muddy during rains and overloading of bullocks carts makes them worse.

(c) This has not come to the notice of the Government.

(d) This does not arise.

REPRESENTATION OF SECRETARY OF MUSLIM LEAGUE, JHAJJAR.

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

- (a) whether he recently received a representation from the General Secretary, Muslim League, Jhajjar, if so, the action taken on it;

- (b) whether a copy of the above mentioned representation was also forwarded to the Honourable Minister of Education; if so, with what result?

The Honourable Major Sir Sikander Hyat-Khan : I regret that the answer to this question is not yet ready.

INADEQUATE REPRESENTATION OF MUSLIMS IN EDUCATION DEPARTMENT.

588. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister of Education be pleased to state whether it is a fact that his attention has been drawn again and again by means of questions in this Assembly towards the inadequate representation of the Muslims in the Education Department; if so, the action he proposes to take in the matter?

The Honourable Mian Abdul Haye : Yes. Government has decided that in future, new recruitment will be on the basis of 50 per cent. Muslims subject to the prime necessity of efficiency.

REPRESENTATION OF MUSLIMS AMONG EMPLOYEES OF PUNJAB UNIVERSITY.

589. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister of Education be pleased to state—

- (a) the number of employees community-wise in the office of the Punjab University;
- (b) whether it is a fact that almost all the heads of different departments and professors in the Punjab University are non-Muslims; if so, when and what measures. If any, the Government intend to adopt to give an adequate representation to the Muslims in the above mentioned services?

The Honourable Mian Abdul Haye : —

	<i>Muslims.</i>	<i>Hindus.</i>	<i>Sikhs.</i>	<i>Christians.</i>
(a) Officers ..	1	1	1	1
Clerks ..	23	24	6	2
Menials ..	18	26	..	6

(b) A large majority of the heads of the different departments and professors in the Punjab University are non-Muslims. The Government has no hand in appointments in the office of the University of the Punjab. The Government is, however, drawing the attention of the Vice-Chancellor of the Punjab University to this aspect of the case.

TAHSILDARS AND NAIB-TAHSILDARS NOMINATED DURING 1936-38.

590. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister of Revenue be pleased to state community-wise and district-wise number of graduates nominated as tahsildars and naib-tahsildars during the years 1936, 1937 and 1938?

The Honourable Dr. Sir Sundar Singh Majithia : A statement is laid on the table.

Statement showing community-wise the number of graduates nominated as Tahsildars and Naib Tahsildars, during 1936, 1937 and 1938—contd.

TAHSILDARS.

Division.	District.	1936.				1937.				1938.				Total.
		Muslims.	Hindus.	Sikhs.	Christians.	Muslims.	Hindus.	Sikhs.	Christians.	Muslims.	Hindus.	Sikhs.	Christians.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Lahore	Lahore ..	..	..	2	..	1	..	1	..	..	..	1	..	4
	Amritsar ..	..	..	..	..	..	..	..	..	..	..	..	..	1
	Gurdaspur ..	..	..	..	..	..	..	..	..	..	1	..	..	1
	Sialkot ..	..	..	..	..	..	..	..	..	..	..	..	..	1
	Gujranwala ..	1	1	1	..	..	..	..	..	..	..	..	1	3
Rawalpindi	Sheikhpura ..	..	..	..	..	..	..	..	..	..	..	..	..	1
	Shahpur ..	1	..	..	..	..	..	..	..	1	..	..	..	1
	Jhelum ..	..	..	..	..	..	..	..	..	..	..	..	..	1
	Rawalpindi ..	..	..	..	..	..	..	..	..	1	..	..	..	1
	Attock ..	1	..	..	..	1	..	..	..	..	..	..	..	2
Multan	Mianwali ..	..	..	..	..	..	..	..	..	1	..	..	..	1
	Montgomery ..	..	..	..	..	..	..	..	..	..	..	1	..	1
	Lyalpur ..	1	..	..	..	..	..	..	..	..	..	..	..	1
	Jhang ..	..	..	..	..	1	..	..	..	..	..	..	..	1
	Multan ..	1	..	..	..	..	..	..	..	2	..	..	..	4
GRAND TOTAL		8	5	4	..	6	3	3	..	6	2	3	1	41

NAIB-TAHSILDARS.

[illegible]

Statement showing community-wise the number of graduates nominated as Tahsildars and Naib Tahsildars during 1936, 1937 and 1938—continued.

TAHSILDARS NAIB.

Division.	District.	1936.				1937.				1938.				Total.
		Muslims.	Hindus.	Sikhs.	Christians.	Muslims.	Hindus.	Sikhs.	Christians.	Muslims.	Hindus.	Sikhs.	Christians.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Lahore	Lahore ..	2	1	..	..	..	..	..	..	2	1	1	..	4
	Amritsar ..	..	..	..	..	..	..	..	..	..	..	1	..	1
	Gurdaspur ..	1	..	..	..	..	..	..	..	1	..	1	..	2
	Sialkot ..	1	..	..	..	..	..	..	..	1	..	..	..	1
	Gujranwala ..	1	1	..	..	..	..	..	..	1	..	1	..	2
Rawalpindi	Sheikhpura ..	1	1	..	..	..	..	..	..	1	..	..	..	2
	Shahpur ..	1	..	..	..	..	..	..	..	1	..	..	..	1
	Jhelum ..	..	..	..	..	..	1	..	..	1	..	..	..	2
	Rawalpindi ..	1	..	..	..	1	..	..	..	..	..	..	..	1
	Attock ..	..	..	..	..	..	..	..	..	1	..	..	..	1
Multan	Minwalli ..	1	..	..	..	..	..	..	..	..	..	..	..	1
	Montgomery ..	..	..	..	..	2	..	..	..	..	..	..	..	2
	Lyallpur ..	..	..	..	..	..	1	..	..	..	..	..	..	1
	Jhang ..	..	..	..	..	..	1	..	..	..	..	..	..	1
	Multan ..	..	..	..	..	2	..	..	..	..	..	..	..	2
	Dera Ghazi Khan ..	..	..	..	..	..	..	..	..	1	..	..	..	1
	GRAND TOTAL	14	9	..	..	6	4	1	..	13	1	4	..	62

MOTION FOR ADJOURNMENT.

PREFERENTIAL TREATMENT OF DAULATANA AREA BY THE IRRIGATION DEPARTMENT.

Mr. Speaker : Lala Deshbandhu Gupta has given notice to ask for leave to make a motion for the adjournment of the business of the House to discuss a definite matter of urgent public importance, namely, the preferential treatment accorded to the Daulatana area by the Irrigation Branch, Punjab, in Nili Bar Circle, Montgomery. This is in order. Is there any objection?

Raja Ghazanfar Ali Khan : Yes, Sir. My objection is to the admissibility of this motion. This motion is not in order and may kindly be ruled out. I take my objection on the ground of urgency. In my humble opinion the matter is not urgent. I think that so far as the distribution of water is concerned that has been going on since a very long time.

Diwan Chaman Lall : I have not been able to follow my honourable friend.

Premier : The technical objection is withdrawn.

Mr. Speaker : Has the honourable member leave of the House to move the adjournment motion?

Premier : The technical objection has been withdrawn but the other objection i.e. the objection on merits remains.

Diwan Chaman Lall : On a point of order. The only objection raised was by my honourable friend the Parliamentary Secretary. We are assured by the Honourable Premier that that objection has been withdrawn. When you put it whether there was any objection, there was no reply and I took it to be the sense of the House that there was no objection. Why should it be put to the House again?

Mr. Speaker : As there is no objection the motion will be taken up at 7 P.M. today.

Premier : But there was an objection lodged. The technical objection alone was withdrawn. My honourable friend here raised a technical objection regarding the admissibility of the motion. What I said was that he would withdraw that objection, but that the leave of the House must be obtained.

Diwan Chaman Lall : May I submit that the chair's ruling has already been given?

Mr. Speaker : The rule is that if the Speaker is of the opinion that the matter proposed to be discussed is in order, he shall read the statement to the Assembly and ask whether the member has the leave to move the adjournment motion. So, when I considered the motion in order I read it to the House and asked whether there was any objection. Had there been any objection, I would ask the members in favour of leave being granted to rise in their places. But as there was no objection, I declared that the motion will be taken up at 7 P.M.

Syed Amjad Ali Shah : The objection was withdrawn on technical grounds.

Mr. Speaker : The rules do not make any distinction between technical and non-technical grounds. If there is an objection, it is there, and if there is none, there is none.

SITTING OF THE ASSEMBLY ON 3RD DECEMBER, 1938.

Premier : I move—

That the Assembly do meet on Saturday the 3rd December, 1938, at 11 of the clock A.M. and adjourn when the business on the list of business on that day is completed and that questions be not taken on that day.

I presume that there will be no discussion and the usual procedure will be followed. You were pleased, in deference to my honourable friend the Leader of the Opposition's request, to postpone it to to-day and therefore I am moving this motion formally now. I made it quite clear yesterday that the implications of this resolution were that unless we make a further request to the chair for the interruption of business, it would mean a continuous session until we finish the business now before us.

Diwan Chaman Lall : I have not got a copy of the motion that my honourable friend has moved. May I, as a matter of courtesy, ask my honourable friend to send the copy of the motion to me so that I may know what the motion is?

Premier : I thought a copy had been given to my honourable friend.

Mr. Speaker : The Honourable Premier has been pleased to say that there should be no discussion. According to Rule 12 (c) a motion exempting a specified item of business from the operation of Rule 12 can be passed without amendment or debate. There are other motions as well which may be moved and passed without amendment or debate. But the question is whether the motion now moved by the Honourable Premier can be passed without amendment or debate. *Prima facie* it is a motion which concerns the health, comfort, convenience, etc., of all honourable members. Therefore, if some of them care to place their points of view before the House, I think they should be given an opportunity to do so.

Premier : I shall be only too glad to consult him if my honourable friend opposite has any further suggestions to make. My suggestion is, that we might formally pass the resolution and subsequently if my honourable friend opposite wishes to discuss the question of interruption of business we can meet and decide. I do not think it would be proper or in order to have a full dress debate on this motion because the very object of the motion will be defeated if we adopt that course.

Dr. Shaikh Muhammad Alam : On a point of order. I want to bring to your kind consideration that the motion is out of order altogether and to that I have fourfold objections. I want to bring those four objections to your kind consideration at once. The first objection is that if you will read Rule 12, you find that it says—

12. Unless the Assembly otherwise directs—

(1) The Assembly shall meet, while in session on Mondays, Tuesdays, Thursdays and Fridays.

Therefore, what this rule means is that unless the Assembly otherwise directs, this discretion referred to is in reference to Mondays, Tuesdays, Thursdays and Fridays, i.e., if it so chooses it is within the discretion of the Assembly to say that the House will not meet on any Monday, Tuesday, Thursday and Friday, otherwise the House meets on these days. So, in the first instance, my objection before you is that the discretion of the Assembly is limited and restricted with reference to the days which are given in sub-clause (1), that is, the Assembly shall be in session on Mondays, Tuesdays, Thursdays and Fridays. It is within the discretion of the Assembly to say that it will not meet on any or all of those four days. The reference is only to those days and not to other days. The Assembly cannot, in the face of the mandatory rule, say anything about the other days. That is my first objection before you. My second objection is that this clause is followed by a proviso which reads—

Provided that if any of these days happens to be a holiday under the Negotiable Instruments Act, there shall be no meeting on that day.

So, this proviso holds good under all circumstances and it is outside the orbit of the discretion of this Assembly to say that it will hold a meeting on a day which is a holiday under the Negotiable Instruments Act and as Sunday is a holiday under the Negotiable Instruments Act, this business cannot go on to Sunday as it is contemplated by the Honourable Premier. That is my second objection why the motion is not in order.

Then I come to my third objection. If you will kindly read Rule 12, part (c) you will find—

A motion may be made by a Minister at the commencement of the business for the day to be decided without amendment or debate to the following effect: "That the proceedings on any specified item of business, etc."

And so far as the item of business is concerned it passes my imagination and comprehension to consider that the second reading and the third reading of the Bill is one specified item of business. You cannot really mix up the two readings and to my knowledge they cannot constitute one specified item. Therefore as it is contemplated by the honourable the Premier that the Assembly should continue till the Bill is passed and the two readings are over and no other business should be allowed, the position taken up by him is not permissible under the rules. My submission is that it is not a specified business as there are two readings of the Bill to be done. Therefore the motion made by the Premier is out of order.

My fourth objection is that if you will kindly read clause (c) further, you will find—

That the proceedings on any specified item of business be exempted at this day's sitting.

Kindly mark the words "at this day's sitting" in the provisions of the rule. Certainly this cannot mean and cannot contemplate that this day's sitting can be carried till to-morrow's sitting. "This day's sitting" limits, so far as non-interruption is concerned, only to this day's sitting and not to carry it on to another day's sitting.

Therefore, Mr. Speaker, I think for all these four objections put before you very briefly which I do hope and certainly I expect with every confidence that you will consider them very deeply, the motion is out of order. So far

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as the first part of the clause is concerned I require your ruling to decide that the discretion of the Assembly refers only to business on certain days and on those four days mentioned in the rules. The discretion of the Assembly is governed by statutory rules and that cannot go out of the orbit of the days given in the clause which follows. Secondly, it is my submission that the proviso holds good in all cases and that is a mandatory proviso. Therefore, according to the proviso we cannot hold a session on a day which is a holiday under the Negotiable Instruments Act. Thirdly, it is not a specific item and particularly the two readings of the Bill cannot form one specific item: I think it would not be correct to hold that it is a specific item. Fourthly, it limits the non-interruption of the business to "this day's sitting" and cannot enter, emerge and develop into a second day's sitting and you cannot sit to-morrow day after to-morrow and so on in this day's sitting.

Mr. Speaker : The motion does not purport to be under Rule 12, sub-clause (c).

Diwan Chaman Lall : What else is it? I have understood it to be that the business of the House will continue uninterrupted till the consideration of the Bill and the different readings are finished.

Mr. Speaker : But it is not under Rule 12 (3) (c).

Diwan Chaman Lall : If it is not under sub-clause (c) of Rule 12, under what clause is it? I would like the Premier to throw light unless the Speaker desires to throw light: under what other clause can it come if it cannot come under sub-clause (c)? If it is not under (c) it is not in order. It falls under Rule 12, sub-clause (c) and then by a process of elimination if it cannot come under any clause, the motion is out of order.

May I make a request to you, Mr. Speaker, and through you to the Premier that we might proceed with the business of the day now and during the course of the business of the day I will take an opportunity of talking the matter over with the Premier and see if we can come to an understanding. If we come to an understanding well and good and we will present an agreed statement. If we cannot come to an understanding, then this motion may be taken up later on.

Mr. Speaker : What has the Honourable Premier to say?

Premier : My honourable friend is a learned lawyer and I would have preferred not to join issues with him, but I do so with some diffidence. I am afraid he has overlooked a rather important fact that the words "Unless the Assembly otherwise directs" govern sub-clause (1) of Rule 12 and the subsequent sub-clauses. They do not govern only the first sub-clause. These qualifying words should be read as governing the various sub-clauses unless they are repugnant to any of the clauses.

Chaudhri Krishna Gopal Dutt : The proviso is fundamental.

Premier : I agree that the proviso is fundamental. The question is to which of the sub-clauses it is applicable.

Dr. Shaikh Muhammad Alam : So far as the words "Unless the Assembly otherwise directs" are concerned they govern only the matters which are in this clause and therefore my objection stands good.

Premier : My point is this that these opening words " Unless the Assembly otherwise directs " should be read as governing all the various sub-clauses and I take it that my honourable friend concedes that point. Does he not ?

Dr. Shaikh Muhammad Alam : Please do not ask me otherwise you will say that you have more to say.

Premier : It appears that my honourable friend is now trying to shift his ground, but the position remains that the qualifying sentence governs all the sub-clauses. My honourable friend further went on to argue that since there is no specified item on the agenda, therefore, the motion is out of order. If he would carefully study the business paper he will find that there is a definite item specified, namely, consideration of the Marketing Bill. Therefore that argument also is not tenable.

Mr. Speaker : May I take it that the Honourable Premier's motion is under sub-rule (c) ?

Premier : Yes, under sub-clauses 12 (1) and 12 (8) (c). The honourable member's third point was that since the words " this day's sitting " are used, therefore, you cannot allow the House to continue sitting beyond midnight of any day, because that would not be " this day." I think that was his point. I do not agree with my honourable friend as my motion merely contains a direction that the House should sit without interruption until the particular item specified by me is disposed off. If my honourable friend wishes me to concede that point, then it would merely mean duplication as I will have to make another motion later on. That would merely cause unnecessary waste of time and inconvenience to the House. But if he wishes to press that " this day " should be construed strictly as meaning 24 hours then I would be prepared to concede the point and bring in a fresh motion before the 24 hours lapse.

His main objection, however, was that according to Rule 12 (1), the House can only sit on Mondays, Tuesdays, Thursdays and Fridays, and, the opening words " unless the Assembly otherwise directs " give the House power only to give direction in regard to those four days. According to his interpretation of the rule the House can only decide not to sit on any of these four days, but cannot direct that it should meet on any other day in addition to or in lieu of the days mentioned in Rule 12 (1). That was the main plank in his argument. I must confess that I am surprised that a learned lawyer like my honourable friend should have put forward that contention. According to his interpretation the House is barred from regulating its own sittings or business. Supposing some emergency arises, supposing there is war or blood-shed or a riot or some other catastrophe happens say on a Friday or any other off-day and we wish to consult the Assembly, and it does not happen to be one of the days mentioned in Rule 12 (1), then, according to my honourable friend's contention it would be impossible for us to convene a meeting on a Wednesday or a Saturday. The argument, I respectfully submit, is unworthy of him. Nobody even with a little commonsense would countenance this amazing proposition which strikes at the very root of the inherent powers vested in a constituted Assembly. Sir, you know perfectly well that Parliament has on occasions sat even on Sundays, not once, but on several occasions, and it has also sat without

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interruption beyond 24 hours. But my honourable friend probably views an emergency like a war or some other similar calamities in the same spirit as the famous Rangila Muhammad Shah did, who when Nadir Shah was at the very walls of Delhi, was indulging in an orgy of drink and when the news was brought to him exclaimed ;

“ایں دنہر کے معنی غرق مئے ناب اولیٰ“

Dr. Shaikh Muhammad Alam : With your permission, Sir, I would add one word to the submissions which I have already made. In the first place, I am thankful to the Honourable Premier for whatever compliment he has paid me as a lawyer. If this rule is bad and the drafting is bad, then to infer from it that because we have not got a proper rule and we want to circumvent it under extraordinary circumstances and we are, therefore, called to sit and bring that position in that rule, which is not otherwise warranted cannot be a sound argument. My submission is certainly this that to bring in the analogy of war time or other calamity in the rule as it stands, is not proper. The words “unless the Assembly otherwise directs” govern the matter given in this clause and the matter given in this clause is that the Assembly shall meet while in session on Mondays, Tuesdays, Thursdays and Fridays. Now, according to the Honourable Premier himself it governs the matter as given in this clause and that matter relates only to the days referred to in this clause. Therefore, he cannot say that the matter which does not come under this clause is governed by the discretion of the Assembly. So far as the point that this is not “this day’s sitting” is concerned, he concedes that he will bring in a fresh motion every day. My submission is that if this motion is out of order, let him bring in a fresh motion and we will see whether that is also properly drafted or is in order or not.

As regards other objections, I do not think there has been any reply from the other side. I hope that on consideration you will hold that my objections are good and the motion is out of order.

Diwan Chaman Lall : Sir, the argument that has been raised is a very important one. The first thing that the honourable members of this House should be certain about is the actual rule under which this motion is being made by the Honourable Premier. My honourable friend has not indicated so far that he is making this motion under any particular definite rule, although he has indicated vaguely by referring to Rule 12. If my honourable friend takes his position under Rule 12, then it consists of 8 clauses and is a longish rule. But the main sub-clauses are the first three. I understood some interruption which indicated that my honourable friend was taking his stand under sub-clauses (1), (2) and (3) of Rule 12. I want to be absolutely certain because I do not want to do any injustice to my honourable friend in regard to this matter.

Premier : I take my stand on the opening words which govern among others sub-clause (1) and thus give the House—apart from its inherent powers—complete authority to regulate and suspend sittings of the Assembly.

Diwan Chaman Lall : The position is, therefore, clarified by the Honourable Premier. It amounts to this that because Rule 12 begins with the words "unless the Assembly otherwise directs," therefore, this rule relating to the sitting of the Assembly gives power to my honourable friend to make a motion that all rules relating to the sitting of the Assembly are capable of being set aside. That is in brief the position taken up by my honourable friend. I will submit that that cannot be the position as is evident by this particular rule. Even if you take the words "unless the Assembly otherwise directs" as governing each sub-division of the clause, even then, my honourable friend cannot deduce from these three sub-clauses that he has power to set aside all the rules. Let me direct my honourable friend's attention to the actual words. Even the House has not the power to upset the rules of this House according to this particular clause. Under Rule 12, either we are governed by it or we are not. If we are, let us see what that rule has to say. It specifies certain restrictions. Before I deal with it, let me for a moment refer to my honourable friend's remarks that even the Parliament has sat on several occasions on Sundays. I think what my honourable friend was referring to was the passage both in Mays Parliamentary Procedure and Redlich. On page 69 these are the words that Redlich has used—

The House of Commons may hold a sitting upon any day of the week ; there is no statutory provision—

I want you particularly to remember the words "statutory provision."

—against the transaction of business even upon Sunday. Of course the holding of a Sunday sitting is a matter of extreme rarity ; there are a few such exceptional meetings recorded—

Mark these words "few exceptional meetings recorded."

—in each century.

Not in each session, not in each year, not in each decade but in each century and that too under emergent circumstances and under circumstances of very grave nature. But may I remind my honourable friend that in the absence of any statutory authority, the Parliament has had this right to sit on exceptional occasions occasionally in the course of a century? Here we have actual authority of the law and of the rule which denies us the right of sitting on Sundays. Let me read the actual Rule. It says—

Unless the Assembly otherwise directs—

Directs what? What can it direct? What is that definite and positive rule against which this Assembly can go? The Rule goes on to say—

The Assembly shall meet—

Mark the words "it shall meet." It is mandatory—

While in session on Mondays, Tuesdays, Thursdays and Fridays—

If the Assembly is in session, according to the rule, it must meet on Mondays, Tuesdays, Thursdays and Fridays. That is all. Unless the Assembly otherwise directs, it shall meet on these days. The rule is definite, the rule is positive and there can be no denial of this rule. The rule says what? It says that the Assembly shall meet while in session on Mondays, Tuesdays Thursdays and Fridays. My honourable friend cannot of his own sweet will say that on Mondays, Tuesdays, Thursdays and Fridays the Assembly shall not meet. He is bound by the rule of law to call the

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meetings of the Assembly on Mondays, Tuesdays, Thursdays and Fridays, unless the Assembly otherwise directs. Unless the Assembly otherwise directs, meetings shall not be held on Mondays, Tuesdays, Thursdays and Fridays. It goes on to say that even if it is granted that it must meet on

any of those days, that is Mondays, Tuesdays,
4 P.M. Thursdays and Fridays, my honourable friend

can direct that on Mondays, Tuesdays, Thursdays and Fridays the Assembly must sit, if the Assembly gives him leave. But even if the Assembly chooses to give him leave the rule directs that even then if any of those days is to be a holiday under the Negotiable Instruments Act, the Assembly has no authority to sit in session on that day. If any Monday, Tuesday, Thursday or Friday happens to be a holiday under the Negotiable Instruments Act, then even if my honourable friend comes to the floor of this Houses and asks it to pass a motion to the effect that we shall meet on that day if it happens to be a gazetted holiday, the Assembly cannot sit and we have no right to sit. That is how I read the rule. If that is the rule, I submit there is nothing else under rule 12 which gives my honourable friend the authority for this motion that he is making before this House. And if that is the position I do want my honourable friend to remember that the argument about wars and bloodshed and so on and so forth does not arise. What is the sort of war that is now on I want to know for which my honourable friend wishes to take this power of passing a few clauses of the Marketing Bill. What bloodshed has been caused?

Premier : That is not the point.

Diwan Chaman Lall : May I therefore direct my honourable friend's attention to the fact that there is no emergency, there is no authority, there is no power for my honourable friend to do what he proposes to do.

One last word. My honourable friend has referred to this fact that we are permitted to do this under rule 12. Whatever we are permitted to do is under sub-clause (3) (c) and whatever we are permitted to do under that sub-clause we are only permitted to do so far as the day's sitting is concerned. We cannot go beyond midnight to-day. If my honourable friend has this idea in his head that he can keep this House in continuous session by passing this motion, even after midnight to-day, I am afraid he is misreading the actual provision of this rule.

Malik Barkat Ali (Eastern Towns, Muhammadan, Urban) : I regret that I was not present in the House when my learned friend on my right (Dr. Muhammad Alam) made his speech, but I have closely heard the submissions and the remarks made by my honourable friend also on the right (Diwan Chaman Lall). It appears to me, as I read this rule that the Assembly is the absolute master of its time table and its entire programme of business. My learned friends' argument is that the assembly can only direct that the House not meet on Mondays, Tuesdays, Thursdays and Fridays but has no further power. That is the argument of my learned friends. It is a very narrow reading of the section to say that this House which normally is to meet on Mondays, Tuesdays, Thursdays and Fridays cannot meet on days other than Mondays, Tuesdays, Thursdays and Fridays even under a mandate or a resolution or a decision of this House. My view of this

section is that it is open to this House by resolution to decide that this House do transact the business before it on any day whether that day be a holiday or whether that day is a day on which the Assembly is not normally required by these rules to sit. "Unless the Assembly otherwise directs"—these are words which are very wide indeed and I regret that I cannot agree with the narrow interpretation that has been put on those words as meaning only that the Assembly can direct to the contrary only in regard to Mondays, Tuesdays, Thursdays and Fridays. My learned friend has referred to the Mother of Parliaments. His argument is that as there is no statutory law in England on the subject, therefore it is open to Parliament to meet even on Sundays. He is perfectly right when he says that Parliament has in centuries met perhaps once or twice on Sundays or holidays because there have been emergencies, but my learned friends should remember as to who is the judge of emergency. The judge of emergency is the House and if the House chooses to make an emergency, all arguments to the contrary will be helpless before the decision of the House.

My respectful submission is this: the House will be and is bound to be the judge of an emergency and if the House decides that there is an emergency for a particular occasion, even though that occasion is not emergency as popularly understood or as may be argued by members of this House, the decision of the House shall be treated as an emergency.

Therefore my submission is this that there is nothing in rule 12 to lay down that the House can only meet on Mondays, Tuesdays, Thursdays and Fridays and on no other days, should the House decide to sit. I therefore submit—and I view the question purely from the lawyer's point of view—that while I can very well understand the very narrow interpretation that has been sought to be put on this governing clause "unless the Assembly otherwise directs", yet with my limited knowledge of the law and with the experience that I possess at the Bar, I certainly take the view that these words are wide enough to cover all situations, that is, if the Assembly decides to meet on any particular day, even if that day is a Sunday or a holiday under the Negotiable Instruments Act, the House certainly can transact its business on that day and there is nothing in rule 12 to prohibit it.

Advocate-General (Mr. M. Sleem): May I first point out that it was open to this Assembly when framing the rules to have said that they would work every day of the week or that it would work for so many hours a week. But these rules have specified certain days. The question that arises is this, whether this Assembly when framing the rules divested itself of the power of doing more business than specified in the rule. The argument of honourable members opposite is this. They say that the power that the House has reserved to itself is that they can reduce the number of working days, but they can not increase it. The words used here are "unless the Assembly otherwise directs." Obviously these words mean that the Assembly has reserved to itself the right to direct otherwise than is specified in this rule. Unless these words are interpreted to mean that the Assembly can extend the hours of sitting and can sit on any day it chooses, I submit that the rule would practically have no meaning. May I explain a little further. For instance, if you turn to clause (2) of the rule you will find that "unless the Assembly otherwise directs" the Assembly shall meet

[Advocate General.]

at 2 p. m." According to the argument of my honourable friends opposite the Assembly cannot direct that it meet at 11 a. m. This has no meaning. Is there, then, any difference between these two things? Obviously when the Assembly has wide powers, you cannot interpret a rule as having restricted power. If the Assembly was meant to have restricted power, then the rule should have been 'The Assembly shall not direct that any sitting shall take place on other days' or 'the Assembly shall not direct that these hours be extended.' I therefore submit that by the expression "unless the Assembly otherwise directs" it has reserved to itself the power which it undoubtedly possesses of doing its work at any time it chooses and on any day. (Cheers.)

Chaudhri Kartar Singh : I should like to offer a few remarks in regard to this point.

Mr. Speaker : No. I will allow only lawyer members to speak.

Lala Duni Chand : I should think twice before I dare to differ from the views of the Advocate-General whose views are generally sound and fair. I would have accepted the view propounded by him if the plain English language employed in the rule had not prevented me from doing so. I quite understand that in the mind of the framers of the rule the idea was that within this rule the Assembly would be able to sit on other days. But the question is, what is the natural meaning of the English words that have been employed here? Are the words employed capable of the interpretation which the Advocate-General has been pleased to put upon them? My contention is that it is impossible to put that interpretation. My honourable friend representing Kasur and Jullundur says that the interpretation should not be too narrow. In that case I would ask him not to do violence to English language. If his interpretation is to be accepted then you will be doing violence to the English language, but no violence should be done to it.

Lala Bhim Sen Sachar : On a point of order. My point of order is that assuming for the sake of argument that the Assembly has the power to change the date, there is a particular procedure which governs its conduct.

Mr. Speaker : Please state the point of order.

Lala Bhim Sen Sachar : It is impossible for me to say if you want to snatch words out of my mouth.

Mr. Speaker : If the honourable member does not wish to raise his point of order—

Lala Bhim Sen Sachar : I shall go on with my point of order, if you will permit me. This is a rule of the House and the rule of the House is binding unless the rule is modified and there is a particular procedure laid down for modifying the rules and unless that procedure is followed the rule should be followed.

Mr. Speaker : That is not a point of order.

Chaudhri Kartar Singh : On a point of order.

Mr. Speaker : The honourable member may raise his point of order after I have given my ruling.

Chaudhri Kartar Singh : It is an important point of order.

Mr. Speaker : Will the honourable member please resume his seat ?

Chaudhri Kartar Singh : On a point of order, Sir.

Mr. Speaker : I will hear the honourable member after giving my ruling.

The question raised by the honourable Dr. Shaikh Muhammad Alam is an important one. Had he given me its notice in time, I should have come prepared to give a considered ruling. But now I can express only an off-hand opinion. The opening words of Rule 12 "Unless the Assembly otherwise directs" clearly govern all parts of the rule, which is not carefully worded and, therefore, admits of more than one interpretation.

Rai Bahadur Mr. Mukand Lal Puri : No, Sir.

Mr. Speaker : Do not the opening words of the Rule "Unless the Assembly otherwise directs" govern its 3 sub-rules ?

Sardar Lal Singh : I am sorry this is not so, because—

Mr. Speaker : I am giving my ruling, not the honourable member.

Rai Bahadur Mr. Mukand Lal Puri : Part (1) "the Assembly" starts with a small letter, while part (2) "The Assembly" starts with a capital letter. There is also a full stop at the end of part (1).

Mr. Speaker : The words "Unless the Assembly otherwise directs" govern the whole rule, and not only its first part. The first part of the rule, with which we are mainly concerned at present, is— "the Assembly shall meet while in session", note the words, "on Mondays, Tuesdays, Thursdays, and Fridays". So, what seems imperative is that when the Assembly is in session it must meet on these four days; but this does not mean that it shall meet only on these days and not on any other day. So, if the House otherwise directs it can meet on Wednesdays and Saturdays as well. This is one interpretation and I think the language of the rule clearly supports it. (*Hear, hear*). But, I have already said that the rule admits of more than one interpretation. The other interpretation is that the opening words "Unless the Assembly otherwise directs" govern only the four days specified in sub-rule (1) and do not govern the remaining three days. This narrow interpretation is equally possible in view of the proviso to sub-rule (1). The rule as drafted is not very clear. It admits of both these interpretations. Now it is for the House to decide which interpretation it will adopt—the narrow or the wide one.

Diwan Chaman Lal : May I also direct your attention to the other part of the objections that have been raised, namely, relative to the sitting of the House on a Sunday or on a holiday ? That is an important point also.

Mr. Speaker : I have clearly stated that part (1) of the rule is so worded that it can be interpreted in both ways, that is to say, it relates only to 4 days, or covers Wednesdays and Saturdays as well. As regards Sundays, if the wide interpretation is correct, the House, after directing otherwise may sit even on Sundays or other holidays.

Rai Bahadur Mr. Mukand Lal Puri : Kindly read the rule :

"Unless the Assembly otherwise directs—

The Assembly shall meet while in session on Mondays, Tuesdays,.....provided."

The proviso restricts and restricts the whole. It also restricts the powers conferred on the House in "Unless the Assembly otherwise directs". Otherwise the proviso is meaningless. The House can direct that it shall sit on such and such a day, provided it is not a holiday.

Mr. Speaker : I differ.

Dr. Shaikh Muhammad Alam : Am I to understand, Mr. Speaker, that so far as your ruling is concerned, it means that it governs the proviso also ?

Mr. Speaker : Order, order.

Dr. Shaikh Muhammad Alam : I am asking you a question.

Mr. Speaker : I am not going to answer any questions.

Dr. Shaikh Muhammad Alam : Then God help us.

Mr. Speaker : God will help you.

Dr. Shaikh Muhammad Alam : Yes! he will help us. No answer to a question!

Mr. Speaker : It is for the House now to decide.

Dr. Shaikh Muhammad Alam : I was refused an answer by you. I only submitted that I wanted to know your ruling.

Mr. Speaker : I have given my ruling. Whatever I thought right according to my light I have said.

Lala Duni Chand : On a point of order. My point of order is this. We know that even God rested one day in the week. So his creation must not be allowed to violate that rule on which God himself relied.

Chaudhri Kartar Singh (Urdu) : I rise to a point of order. Some-time back I stood up to say something with regard to the question under consideration, but you were pleased to say that you did not want me to speak and that you would only hear lawyer members. May I enquire under what rule or law you were pleased to say that?

Mr. Speaker : It is for me in exercise of my discretion to call members to speak and as I knew that discussion related to the interpretation of a law and that only lawyer members were competent to discuss it, I considered myself justified to refuse the non-lawyer members an opportunity to take part in the discussion.

Chaudhri Kartar Singh : Is the Honourable Premier a lawyer?

Mr. Speaker : Premier was the mover of the motion and therefore when a point of order was raised that the motion could not be made, it was only right that he should be given an opportunity to show how the motion could be made. Whether he could discharge that duty properly or not is a different thing.

Chaudhri Kartar Singh : And I wanted to speak on behalf of the Opposition.

(At this moment Diwan Chaman Lall stood up to speak).

Mr. Speaker : I am not going to listen any more.

Diwan Chaman Lall : Will you, please, listen, I have got a very important thing to say.

Dr. Shaikh Muhammad Alam : I want to understand the ruling.

Mr. Speaker : I have given my ruling. I cannot allow it to be discussed or criticised.

Diwan Chaman Lall : I just want to know whether according to the motion of the Honourable Premier the meeting of the Assembly will go on perpetually or only till midnight. It is for him and not the House to state whether this motion wants the sitting to go till midnight or to go on perpetually. The Honourable Premier wants a ruling and I want a ruling.

Mr. Speaker : Is any such motion now before the House ?

Diwan Chaman Lall : Will you kindly look at the notice given by the Honourable Premier of his motion that the Assembly do meet on Saturday the 3rd at 11 of the clock A. M. and adjourn when the business on the list of business for that day is completed and questions be not taken on that day. It means simply this that it shall go on perpetually and I want you to give me your interpretation.

Mr. Speaker : The Honourable member is right.

Diwan Chaman Lall : He says differently. He says that he will accept the objection raised and will bring up another motion.

Mr. Speaker : He may do it even now. I have not proposed the motion from the chair. So he may alter it.

Diwan Chaman Lall : If he does not correct, I have a right to know what it means.

Pandit Muni Lal Kalita : In view of your ruling that the House can decide on the interpretation of the Rules, may I know whether any such thing can be moved without the period of notice being given which is provided under Chapter XIII. Rules 108—112 require 15 days notice for a motion.

Premier : May I make a request, Sir, if the House will bear with me for a few moments. I do not think it is fair to the House to leave a question of this nature to its decision. It is for you, Mr. Speaker, to give a ruling definitely and finally on a point of order. You may change that ruling later if after further consideration and study you come to the conclusion that your ruling needs modification. I must, therefore, respectfully but most emphatically insist that it is for the chair to give a ruling on a matter like this and not leave it to be decided by vote of the majority in the House. If we were to adopt the procedure suggested by you, the party which commands the majority in the House would be able, always, to tyrannise over the minority and the opposition and I do not want the majority to be in that position. I am here to-day as Leader of the House, but I may not be here to-morrow and there may be another party in a majority. If we accept the convention proposed by you, it would mean that the chair would be powerless to give a ruling when a point of order is raised and the majority in the House will be able to decide it as it likes. *(Hear, hear).* As regards

[Premier.]

the duration of the sitting, my honourable friend opposite has also asked me whether it would mean sitting continuously. As a matter of fact, when I moved the motion I made it clear that that was the implication. As far as the actual hours of work and the fixation of time for interruption of business of the House are concerned, I can assure my honourable friend that I will consult him; and I do not propose to put any undue strain on the members either on this side or that side of the House. We can discuss that question between us. I do not think we need trouble the chair now about it. All that I want at the moment is that the chair should give a definite ruling on the point of order raised by the Opposition, and whatever be the ruling we must and will abide by it. If the chair rules that my motion is in order, it should be put to the House. We have already taken an hour and five minutes over this question and the very object for which this motion was moved has already been partly frustrated.

Dr. Shaikh Muhammad Alam : I do join the Honourable Premier in this request to you to give us a definite ruling on the point and also to request you to remember that so far as clause (3) (c) of rule 12 is concerned, the position was conceded by the Honourable Premier that his was not in order. Therefore my submission is that your ruling would not only be limited to clauses 1, 2 and 3 of rule 12, but also to clause (c) which position was given up by the Honourable Premier. I hope I am audible.

Diwan Chaman Lall : May I in view of the remarks made by the Honourable Premier say one or two things? The Honourable Premier has said that he wants your definite ruling. I understood you to have given a definite ruling, namely, that you will leave it to the discretion of the House. If my honourable friend the Premier wishes to challenge that ruling that is a different matter altogether. I may or may not be in agreement with the decision arrived at by you. But you, I understand, have now given a ruling which is before the House and the ruling is that you refuse to give a ruling and that you leave the matter to the House to decide (*laughter*).

Mr. Speaker : Honourable members! My ruling—be it right or wrong—is perfectly clear. I have ruled that the House may “direct otherwise” either only about the four days or about all the seven days of a week. What I left to the House to decide was whether it will adopt the narrow or the wide interpretation. Now I am expected further to decide which of the two interpretations is more correct or better. During the past 20 years the House has established the convention that as a rule it meets only on Mondays, Tuesdays, Thursdays and Fridays. I am, therefore, of opinion that until the rules are amended and more clearly worded, the narrow interpretation, which is in conformity with the said convention and practice, may be adopted. Only on very exceptional occasions the House met on any other day.

Diwan Chaman Lall : But never on a Sunday.

Mr. Speaker : I do not recollect any holiday having been utilized. So, in view of the past practice I am in favour of maintaining the *status quo*, unless the rules are amended (*hear, hear*).

Premier : On a point of order. I merely want the position to be made clear. (*Interruptions*). I would request my honourable friends opposite not to interrupt me. You have said that unless the House otherwise decides, the *status quo* should be maintained. I want to be quite clear as regards *status quo*. Does it mean that my motion is going to be put to the House for the House to decide or not? I should like that point to be made quite clear. And may I also request for a final decision now because we have already wasted one hour and forty minutes.

Mr. Speaker : Unless the whole House wishes to act otherwise I will follow the *status quo*. (*Loud applause.*)

Shaikh Muhammad Sadiq : Please give your final ruling.

Mr. Speaker : I have already given.

Premier : According to your ruling, to which we must bow and I gladly do so, we have been committing a breach of the rules in the past and even during this very session. I am sorry that we should have contravened the rules which seems to be the case according to your present ruling. It follows, therefore, that we must interrupt business at 7 to-day because according to your to-day's ruling that is the position. In the circumstances I consider that it would be convenient to all concerned, including my friends opposite, that, instead of sitting for the short time between now and 7 O'clock during which we cannot possibly make much headway with the business now before the House, and since we cannot proceed beyond that hour unless the rules are amended, I suggest that the House may be adjourned *sine die*.

Mr. Speaker : It is not for me to decide this point. I am quite prepared to put that motion before the House which may carry it unanimously.

Premier : I submit that there is no question of unanimity.

Malik Barkat Ali : On a point of order. I want to bring to your notice that the motion is that the House shall adjourn *sine die*. The opinion of the House is final. The House has to decide by a majority, and not by unanimity.

Mr. Speaker : I agree.

Pandit Muni Lal Kalia : Is it open to anybody in this House to move such a motion?

Mr. Speaker : I have clearly ruled as regards hours. The House can fix as many hours as it likes. As regards days, I am doubtful whether any other days barring these four days, can be fixed. So, the *status quo* may be followed as regards the days of sitting. (*Continued cheers from the Opposition Benches.*)

Dr. Shaikh Muhammad Alam : We understand your ruling perfectly well.

Laia Duni Chand : It is quite clear.

Diwan Chaman Lal : In view of the ruling given by you, it is rather difficult to say anything in the present atmosphere. May I take it that it is the intention of the Honourable Premier to move a motion that the House be adjourned *sine die*? Is that the motion before the House at the present moment?

Mr. Speaker : It is for the Honourable Premier to say.

Diwan Chaman Lall : What I want to know is under what particular Rule of Procedure is the Honourable Premier moving this motion?

Mr. Speaker : If the Government does not want to proceed with its business, it is open to it to move an adjournment.

Diwan Chaman Lall : Do I take it that the business fixed for to-day has been withdrawn by my honourable friend the Premier? (Voices: No, no.)

Rai Bahadur Mr. Mukand Lal Puri : It is perfectly open to the Leader of the House to move that motion. (Voices: No, no.)

Diwan Chaman Lall : If the motion presented by the Honourable Premier is accepted by you, then I take it that you are going to put it to the vote of the House. Is that the position? I want to seek light. I suppose he has already moved the motion.

Premier : Yes that is the position. Will you support the motion? (Voices: Yes.) I move—

That the Assembly do adjourn *sine die*.

Pandit Muni Lal Kalra : On a point of order. The motion moved is not covered by the rules. Under the Act it is only the Governor who can prorogue the Assembly; it is not for any member of the House to do so. Therefore, I want to know whether this House is, at the present moment, in recess or it is conducting any business. I want to know this much.

Mr. Speaker : Motion moved is—

That the Assembly do adjourn *sine die*.

An honourable member (Urdu) : What would happen to the adjournment motion?

Premier (Urdu) : That can go to the next session.

Mr. Speaker : The question is—

That the Assembly do adjourn *sine die*.

The Assembly divided: Ayes 96; Noes 37.

AYES

Abdul Haye, The Honourable Mian.	Badar Mohy-ud-Din Qadri, Mian.
Abdul Rahim, Chaudhri (Gurdaspur).	Barkat Ali, Malik.
Abdul Rahim, Chaudhri (Gurgaon).	Binda Saran, Rai Bahadur.
Afzaal Ali Hasnie, Sayed.	Chhotu Ram, The Honourable Chaudhri Sir.
Ahmad Yar Khan Daulatana, Khan Bahadur Mian.	Dasaundha Singh, Sardar.
Ahmad Yar Khan, Chaudhri.	Dina Nath, Captain.
Ali Akbar, Chaudhri.	Faiz Muhammad Khan, Rai.
Allah Bakhsh Khan, Khan Bahadur Nawab Malik.	Faiz Muhammad, Shaikh.
Amjad Ali Shah, Sayed.	Faqir Hussain Khan, Chaudhri.
Anant Ram, Chaudhri.	Farman Ali Khan, Subedar Major Raja.
Ashiq Hussain, Captain.	Fateh Khan, Khan Sahib Raja.
	Fateh Muhammad, Mian.

Fateh Sher Khan, Malik.	Muhammad Sarfraz Khan, Chaudhri.
Fazal Ali, Khan Bahadur Nawab Chaudhri.	Muhammad Shafi Ali Khan, Khan Sahib Chaudhri.
Fazal Din, Khan Sahib Chaudhri.	Muhammad Wilayat Hussain Jee-lani, Makhdumzada Haji Sayed.
Fazal Karim Bakhsh, Mian.	Muhammad Yasir Khan, Chaudhri.
Few, Mr. E.	Muhammad Yusuf Khan, Khan.
Ghazanfar Ali Khan, Raja.	Mukand Lal Puri, Rai Bahadur Mr.
Ghulam Mohy-ud-Din, Maulvi.	Mushtaq Ahmad Gurmani, Khan Bahadur Mian.
Ghulam Rasul, Chaudhri.	Muzaffar Ali Khan Qizilbash, Sardar.
Ghulam Samad, Khawaja.	Muzaffar Khan, Khan Bahadur Captain Malik.
Girdhari Das, Mahant.	Muzaffar Khan, Khan Bahadur Nawab.
Gopal Das, Rai Bhadur Lala.	Nasir-ud-Din, Chaudhri.
Gopal Singh (American), Sardar.	Nasrullah Khan, Rana.
Gurbachan Singh, Sardar Sahib Sardar.	Naunihal Singh Mann, Lieutenant Sardar.
Habib Ullah Khan, Malik.	Nawazish Ali Shah, Sayed.
Hans Raj, Bhagat.	Nur Ahmad Khan, Khan Sahib Mian.
Hari Chand, Rai.	Pir Muhammad, Khan Sahib Chaudhri.
Het Ram, Rai Sahib Chaudhri.	Pritam Singh Siddhu, Sardar.
Jafar Ali Khan, M.	Ranpat Singh, Chaudhri.
Jagjit Singh Bedi, Tikka.	Rashida Latif Baji, Begum.
Joginder Singh Man, Sardar.	Riasat Ali, Khan Bahadur Chaudhri.
Karamat Ali, Shaikh.	Ripudaman Singh, Thakur.
Khizar Hayat Khan Tiwana, The Honourable Nawabzada Major.	Roberts, Sir William.
Mubarik Ali Shah, Sayed.	Sahib Dad Khan, Khan Sahib Chaudhri.
Muhammad Akram Khan, Khan Bahadur, Raja.	Santokh Singh, Sardar Sahib Sardar.
Muhammad Amin, Khan Sahib Shaikh.	Shah Nawaz, Mrs. J. A.
Muhammad Ashraf, Chaudhri.	Shah Nawaz Khan, Nawab Khan.
Muhammad Faiyaz Ali Khan, Nawabzada.	Sham Lal, Rai Bahadur Chaudhri.
Muhammad Hassan Khan Gurchani, Khan Bahadur Sardar.	Sikander Hyat-Khan, The Honourable Major Sir.
Muhammad Hayat Khan Noon, Nawab Malik Sir.	Sita Ram, Lala.
Muhammad Hussain, Chaudhri.	Sohan Lal, Rai Sahib Lala.
Muhammad Hussain, Sardar.	Sultan Mahmood Hotiana, Mian.
Muhammad Jamal Khan Leghari, Nawab Sir.	Sumer Singh, Chaudhri.
Muhammad Nawaz Khan, Major Sardar.	Talib Hussain Khan, Khan.
Muhammad Qasim, Chaudhri.	Tara Singh, Sardar.
Muhammad Saadat Ali Khan, Khan Sahib Khan.	Tikka Ram, Chaudhri.
Muhammad Sadiq, Shaikh.	Ujjal Singh, Sardar Bahadur Sardar.
	Wali Muhammad Sayyal Hiraj, Sardar.

NOES

Ajit Singh, Sardar.
Baldev Singh, Sardar.

Bhagat Ram Choda, Lala.
Bhagat Ram Sharma, Pandit.

Bhim Sen Sachar, Lala.
 Chaman Lall, Diwan.
 Deshbandhu Gupta, Lala.
 Dev Raj Sethi, Mr.
 Duni Chand, Lala.
 Duni Chand, Mrs.
 Faqir Chand, Chaudhri.
 Hari Singh, Sardar.
 Harjab Singh, Sardar.
 Harnam Das, Lala.
 Jugal Kishore, Chaudhri.
 Kapoor Singh, Sardar.
 Kartar Singh, Chaudhri.
 Kartar Singh, Sardar.
 Krishna Gopal Dutt, Chaudhri.
 Lal Singh, Sardar.
 Mazhar Ali Azhar, Maulvi.

Muhammad Abdul Rahman Khan,
 Chaudhri.
 Muhammad Alam, Dr. Shaikh.
 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.
 Sampuran Singh, Sardar.
 Sant Ram Seth, Dr.
 Satya Pal, Dr.
 Shri Ram Sharma, Pandit.
 Sohan Singh Josh, Sardar.
 Sudarshan, Seth.

Mr. Speaker : I may say before we disperse that in the course of the division my attention has been invited to Standing Order 1 (1) of the House of Commons. According to that Standing Order the correctness of my interpretation that the Assembly cannot direct the House to sit on days other than Mondays, Tuesdays, Thursdays and Fridays appears to be doubtful. I have already stated that I have had no time to consider the matter and had given my ruling off-hand. So, my narrow interpretation may not be correct. Therefore it shall not form a precedent if on further consideration I find it to be wrong.

The Assembly then adjourned sine die.

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